



**BOROUGH OF  
BROXBOURNE**  
www.broxbourne.gov.uk

## **IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990**  
(as amended by the Planning and Compensation Act 1991)

# **BREACH OF CONDITION NOTICE**

**Served By: Broxbourne Borough Council ("the Council")**

**Copies of the Notice served on:**

- Mr Paul Johnson of The Rowan, Faints Close, Cheshunt, EN7 5RG
- Miss Katie Bailey of The Rowan, Faints Close, Cheshunt, EN7 5RG
- Mr William Courtney of The Willow, Faints Close, Cheshunt, EN7 5RG
- Ms Melissa Bazzard of The Willow, Faints Close, Cheshunt, EN7 5RG
- Mr Lawrence Garnett of The Cedars, Faints Close, Cheshunt, EN7 5RG
- Mrs Kingrug Garnett of The Cedars, Faints Close, Cheshunt, EN7 5RG
- Mr Domenico Genco of The Chestnut, Faints Close, Cheshunt, EN7 5RG
- Mr Saied Shahsavari of The Oak, Faints Close, Cheshunt, EN7 5RG
- Ms Meraj Arimi of The Oak, Faints Close, Cheshunt, EN7 5RG

- 1** **THIS NOTICE** is served by the Council under Section 171A(2)(b) as defined by Section 187A of the above Act because it considers that a condition imposed on a grant of planning permission, relating to the land described in paragraph 2 below, has not been complied with. The Council considers that you should be required to comply with the condition specified in this notice.

The Annex at the end of this notice contains important information.

**2** **THE LAND TO WHICH THIS NOTICE RELATES**

**Land at Faints Close, Cheshunt, Hertfordshire, EN7 5RG** shown edged red on the attached plan.

### **3 THE RELEVANT PLANNING PERMISSION(S)**

The notice relates to the planning permission granted by the Council on 12<sup>th</sup> September 2019 under the reference 07/19/0492/O for “outline planning for erection of 5 detached dwellings with access road, car and cycle parking”.

### **4 THE BREACH OF CONDITION**

The condition 14 attached to planning permission reference 07/19/0492/O has not been complied with –

Condition 14: A separately gated pedestrian access shall be provided for and retained at all times to provide access to the land to the north of the site and an approach footpath shall be provided and maintained within the site at all times thereafter. A Management plan for the maintenance and retention for the footway and the gated access shall be prepared and submitted for written approval and the approved scheme implemented thereafter.

Reason – to ensure public access to leisure lands to the north of the site.

### **5 WHAT YOU ARE REQUIRED TO DO**

As the person(s) responsible for the breach of conditions specified in paragraph 4 of this notice, you are required to comply with the stated conditions by taking the following steps:

- (i) Remove the existing fence and gate along the north edge of the access road and replace with the fence and gate arrangements set out on drawing PL-01A approved under reference 07/20/0549/DRC
- (ii) Install height barrier over the vehicular access as set out in the details approved under reference 07/20/0549/DRC
- (iii) Provide details of management company set up for ongoing maintenance of the access as set out in the details approved under reference 07/20/0549/DRC

### **6 TIME FOR COMPLIANCE**


Step (i): 3 months from the date of the service of this Notice

Step (ii): 4 months from the date of the service of this Notice

Step (iii): 6 months from the date of the service of this Notice

## 7 DATE OF SERVICE

Dated: 11<sup>th</sup> July 2024

Signed: 

Dr Alison Knight  
Director of Place  
Borough of Broxbourne  
Bishops College, Churchgate, Cheshunt, EN8 9XE

### **ANNEX**

**THIS NOTICE TAKES EFFECT *IMMEDIATELY* IT IS SERVED ON YOU IN PERSON OR ON THE DAY YOU RECEIVED IT BY POST**

**THERE IS NO RIGHT OF APPEAL TO THE SECRETARY OF STATE AGAINST THIS NOTICE**

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of **immediate prosecution** in the Magistrates' Court, for which the maximum penalty of Level 3 of Standard Scale for the first offence and for any subsequent offence. If you are in any doubt about what this notice requires you to do, you should get in touch *immediately* with Laura White, Senior Planning Enforcement Officer, Bishops College, Churchgate, Cheshunt, Herts. EN8 9XB. Telephone 01992 785555 Ext: 5405.

If you need independent advice about this notice, you are advised to contact a lawyer, planning consultant or other professional adviser specialising in planning matters as a matter of urgency.

If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review. A lawyer will advise you on what this procedure involves.



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Breach of Condition Notice - ENF/24/0016  
Faints Close, Cheshunt, EN7 5RG

J. McCann / L.White Scale: 1: 1,000 Date: 28 June 2024

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