

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

ST. ALBANS DISTRICT COUNCIL

Town and Country Planning Act 1990  
(as amended by the Planning and Compensation Act 1991)

**ENFORCEMENT NOTICE**

**GROUND HOUSE, GRAHAM CLOSE, ST ALBANS, HERTFORDSHIRE**

**WHEREAS:-**

- (1) It appears to the Council of the City and District of St Albans ("the Council"), being the local planning authority for the purposes of Section 172 of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991) ("the Act") in this matter, that there has been a breach of planning control within paragraph (a) of Section 171A(1) of the Act within the last ten years on the land or premises ("the land") described in Schedule 1 below.
- (2) The breach of planning control which appears to have taken place consists in the carrying out of development by the making of the material change in the use of the land described in Schedule 2 below, without the grant of planning permission required for that development.
- (3) The Council consider it expedient, having regard to the provisions of the development plan and to all other material considerations, to issue this Enforcement Notice, in exercise of their powers contained in the said Section 172, for the reasons set out in the annex to this Notice.

**NOTICE IS HEREBY GIVEN** that the Council require that the steps specified in Schedule 3 below be taken in order to remedy the breach within the period of 28 days from the date on which this Notice takes effect.

**THIS NOTICE SHALL TAKE EFFECT**, subject to the provisions of Section 175(4) of the Act, on 21 July 2009.

Issued 9 June 2009

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**M Lovelady LLB (Solicitor)**  
Head of Legal and Democratic Services

District Council Offices  
Civic Centre  
St.Peter's Street  
St.Albans  
Herts. AL1 3JE

## SCHEDULE 1

Land or premises to which this Notice relates

GROUND HOUSE, GRAHAM CLOSE, ST ALBANS, HERTFORDSHIRE

(edged red on the attached plan).

## SCHEDULE 2

Alleged breach of planning control

Change of use of builders yard/depot, storage of plant, materials and equipment to a mixed use of builders yard/depot, storage of plant, materials and equipment and stationing of two unauthorised mobile home/caravans for residential purposes and unauthorised toilet block.

## SCHEDULE 3

Steps required to be taken

1. Cease the use of the site for residential purposes.
2. Remove the mobile home/caravan units and toilet block from the site.

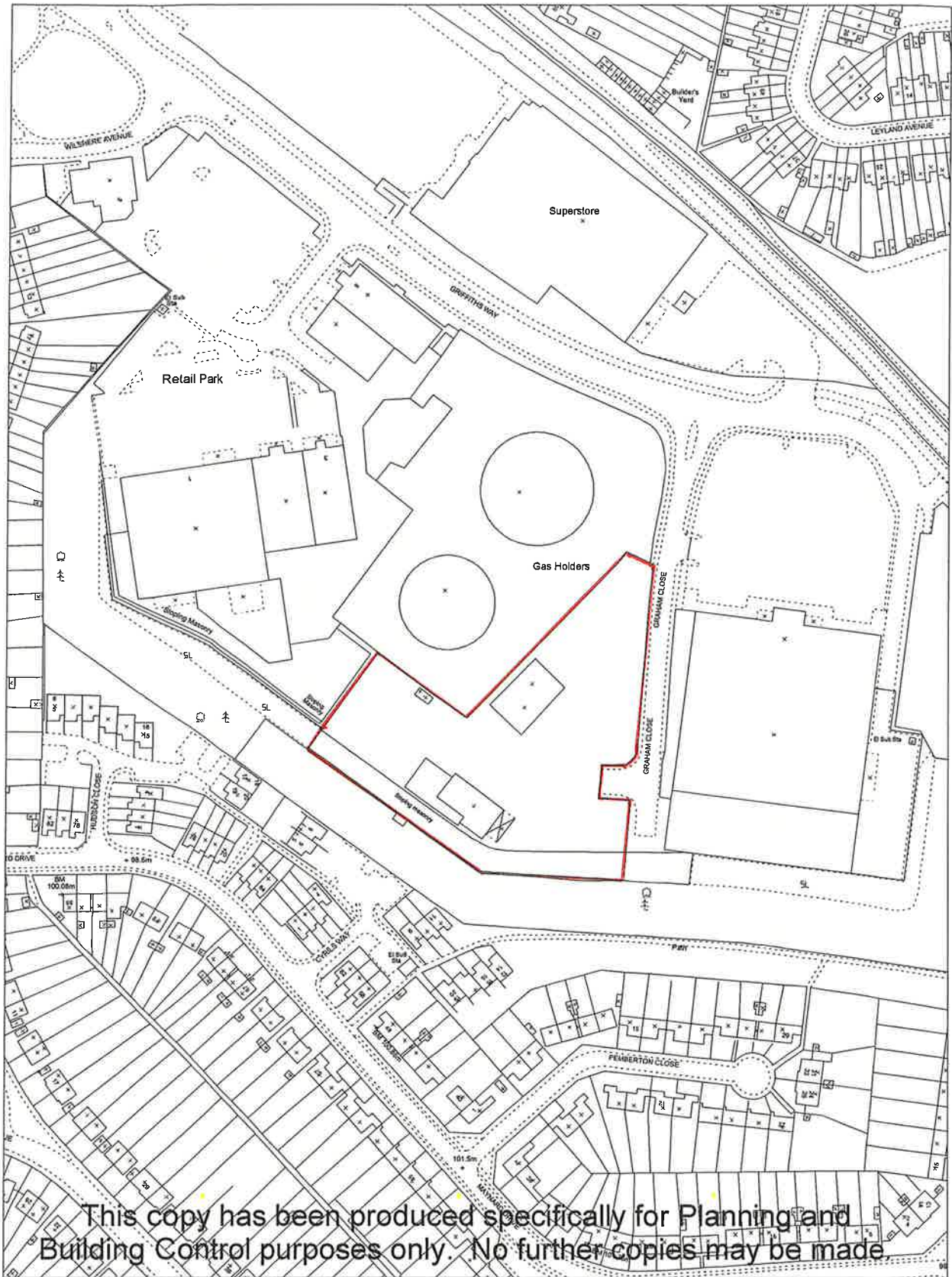
**YOUR ATTENTION IS DIRECTED TO THE ATTACHED BOOKLET WHICH EXPLAINS YOUR RIGHT OF APPEAL AGAINST THIS NOTICE. YOU SHOULD READ IT CAREFULLY.**

## ANNEX

### Regulation 3 of the Town and Country Planning (Enforcement Notices and Appeals) Regulations 2002

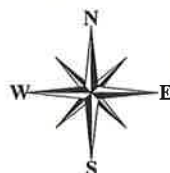
The Council consider it expedient to issue the attached Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 (as amended by the planning and Compensation Act 1991) for the following reasons:-

- (1) The siting of residential mobile homes falls to be assessed against Policy 18 of the St Albans District Local Plan Review 1994. No permission for residential development or use exists on any part of the site, which is a business premises accessed through an existing commercial/retail/industrial area. In respect of any permanent permission that might be considered, point (ii) of Policy 18 states that such proposals will not normally be permitted. In respect of any temporary permission, Policy 18 (iii) states that permission will not normally be granted unless there is a need for a caravan or mobile home on a temporary basis. It is not considered that any reasonable need exists to site residential units in the storage yard of a business site within the urban area of St Albans. The use of the mobile home units for residential purposes is therefore contrary to Policy 18 of the St Albans District Local Plan Review 1994.
- (2) The change of use of the land from business to residential falls to be assessed primarily against Policies 69 and 70 of the St Albans District Local Plan Review 1994. Owing to its siting in a working yard, used for storage of builders' materials and construction vehicles, the development does not result in the creation of a safe, attractive space of human scale, contrary to Policy 70 (i). The use results in pedestrian/vehicular conflict, as a result of the day to day use of the yard, contrary to Policy 70 (iii). There is no provision for landscaping or amenity space, contrary to Policy 70 (v) and (ix). An unsatisfactory level of residential privacy and amenity to occupants results, contrary to Policy 70 (vi).
- (3) The residential use of the land also entails a degree of use outside that which would normally be expected to arise from the use of the site. The expanded activity in relation to residential activity, additional vehicular movements and increased parking demand also exists, which conflicts with the authorised use of the site as a business premises and ancillary yard. This is contrary to Policy 34 of the St Albans District Local Plan Review 1994.



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