

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990
(as amended)

LISTED BUILDING ENFORCEMENT NOTICE
(Unauthorised Works)

WHEREAS:

(1) The building situate at and known as Toad Cottage 1 Bury Green Cottages Wheathampstead Hertfordshire shown edged red on the attached plan (Appendix 1) is a listed building as defined in Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(2) The building is situate within the district of the St Albans District Council ("the Council"), being the local planning authority for the purposes of the Act.

(3) It appears to the Council that the following works, specified in Schedule 1 ("the said works") have been carried out to the building and that the said works involve a contravention of Section 7 of the Act in that the said works are for the alteration of a listed building in a manner affecting its character as a building of special architectural or historic interest and the said works are not authorised under the Act, no listed building consent having been granted therefore.

(4) The Council consider it expedient, having regard to the effect of the said works on the character of the building as one of special architectural or historic interest, to issue this notice.

(5) **NOTICE IS HEREBY GIVEN** that, in exercise of their powers under Section 38 of the Act, the Council require that the steps specified in Schedule 2 hereto be taken to restore the building to its former state within the period of 12 months from the date on which this notice takes effect.

(6) **THIS NOTICE SHALL TAKE EFFECT**, subject to the provisions of section 39(2) of the Act, on 10 November 2022

SCHEDULE 1

The said works that have been carried out to the Building.
Demolition of boundary wall between Toad Cottage 1 Bury Green Cottages and 1 Rectory Gardens which is curtilage listed and is of historic and architectural merit.

SCHEDULE 2

The works to restore the building to its former state.
Rebuild the flint and brick wall to the north boundary of Toad Cottage 1 Bury Green Cottages Wheathampstead as shown on the plans contained in Appendix 2 and to match the original wall, including its detailing, at 2 Bury Green Cottages adjacent. This includes the reuse of the half round coping brickwork currently in situ in the planters and the field flint in the garden of Toad Cottage. The use of flint shall match the mix in the original wall at 2 Bury Green Cottages adjacent.

Issued 29 September 2022



.....
Charles Turner
Solicitor to the Council

St Albans District Council
Civic Centre
St Peters Street
St Albans
Herts AL1 3JE

ANNEX 1

The Council consider it expedient to issue the attached Listed Building Enforcement Notice under Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 for the following reasons:-

The existing boundary wall between Toad Cottage and 1 Old Rectory Gardens is curtilage listed and is of historic and architectural merit. The demolition of the boundary wall results in substantial harm to which substantial public benefits do not exist to justify its demolition. The works are contrary to Policy 86 St.Albans District Local Plan Review 1994 and Chapter 16 of the National Planning Policy Framework July 2021.

ANNEX 2

Your Right of Appeal

You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before the date specified in paragraph 6 of the notice. The enclosed information sheet and information in the letter give details of your rights of appeal.

What Happens If You Do Not Appeal

If you do not appeal against this listed building enforcement notice, it will take effect on the date specified in paragraph 6 of the notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period specified in paragraph 5 of the notice. Failure to comply with a listed building enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

Appendices

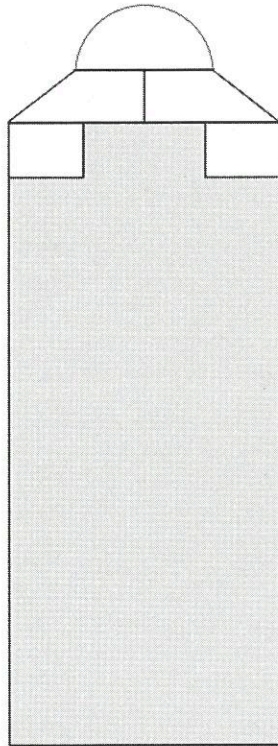
Appendix 1 - site plan

The site is outlined in red



Appendix 2 - Plans of wall to be re-built

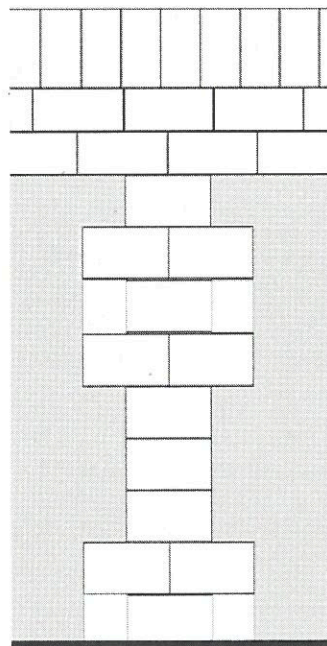
Drawings showing the brick and flint wall proposed to be re-built, reusing the brickwork, brick half-round coping and field flint in situ at Toad cottage and brickwork to match the existing in terms of colour, texture, dimensions, and bonding arrangement.



Section through brick flint wall showing brick chamfer and coping detail

Flintwork in grey

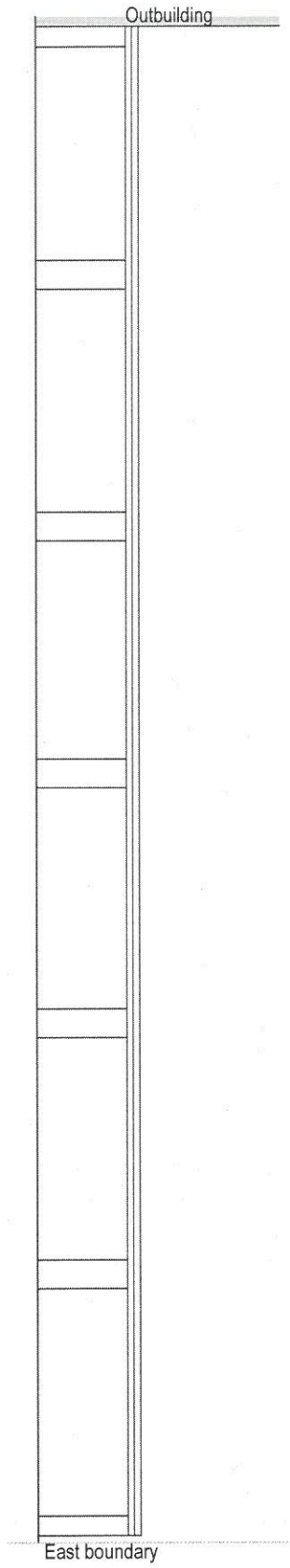
Dimensions of brickwork/ wall height and depth to match those in the remaining section of wall to the east end of the north boundary of Toad Cottage



Detail elevation of brick flint wall showing brick pier detailing - approx at 2.5m centers

Flintwork in grey

Dimensions of brickwork/ wall height and depth to match those in the remaining section of wall to the east end of the north boundary of Toad Cottage



Elevation of brick and flint wall to be rebuilt to full length of Toads Cottage north boundary and to adjoin outbuilding in previously existing location
Brickwork piers at approx 2.5m centers
Scale 1:50