

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

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

**ENFORCEMENT NOTICE**

**Issued by: St Albans District Council**

**1. This Notice** is issued by the council because it appears to them that there has been a breach of planning control, within paragraph (a) of section 171A(1) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

**2. The Land To Which The Notice Relates**

39 The Broadway, Gustard Wood, Wheathampstead, Hertfordshire, AL4 8LW ('the Land') - shown edged red on the attached Notice Plans.

**3. The Matters Which Appear To Constitute The Breach Of Planning Control**

Without planning permission, the erection of an outbuilding together with a change in the use of open amenity land to residential garden space by means of the erection of a boundary wall on the Land.

**4. Reasons for Issuing This Notice**

It appears to the Council that the abovementioned breach of planning control has occurred within the last 4 years. Planning permission has been refused (Ref: 5/2023/2499) and the subsequent appeal (Ref: App/B1930/W/24/3340875) dismissed.

The unauthorised development results in the loss of existing open amenity land adjacent to the dwelling, which softens the edge of the site. The change of use of the open land to form part of the residential curtilage results in a loss of openness that causes harm to the character and appearance of the streetscene in this location.

The National Planning Policy Framework 2024 (NPPF) paragraph 152 says that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.

....continued overleaf.

The unauthorised development harms local character and appearance in conflict with St. Albans District Local Plan Review 1994 (LPR) policies 69, 72 and 75 and the Wheathampstead Neighbourhood Plan (NP) policies W1, W8 and W9. Very special circumstances required to justify the development do not exist. The unauthorised development therefore does not accord with the Green Belt provisions of LPR policies 1 and 13, NP policy W1 and the NPPF.

It is therefore expedient that enforcement action should be taken against the breaches of planning control that have occurred, having regard to the provisions of the development plan and to other material considerations.

## 5. What You Are Required to Do

- i. Cease using the land hatched in blue on Notice Plan A as residential garden
- ii. Demolish and remove the outbuilding (shown hatched in black on the attached Notice Plan B, and in Appendix 2 photos), including all associated fixtures, fittings and waste materials, from the Land.
- iii. Demolish and remove in its entirety the boundary wall (denoted on Notice Plan B as a dashed black line A to B, and in Appendix 2 photos) which facilitates the unauthorised change in use of open amenity land to residential garden.
- iv. Remove from the Land and dispose of all rubble, waste materials and debris in relation to compliance with Steps (ii) and (iii) above.

## 6. Time For Compliance

Three (3) months

## 7. When This Notice Takes Effect

This notice takes effect on 21st February 2025 unless an appeal is made against it beforehand.

Dated: 22<sup>nd</sup> January 2025

Signed:




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Lisa Searle  
 Planning Enforcement Lead (Shared Services)  
 Place Shaping, Watford Borough Council

On behalf of: St Albans City & District Council  
 District Council Offices, Civic Centre  
 St Peter's Street, St. Albans, AL1 3JE

## **ANNEX**

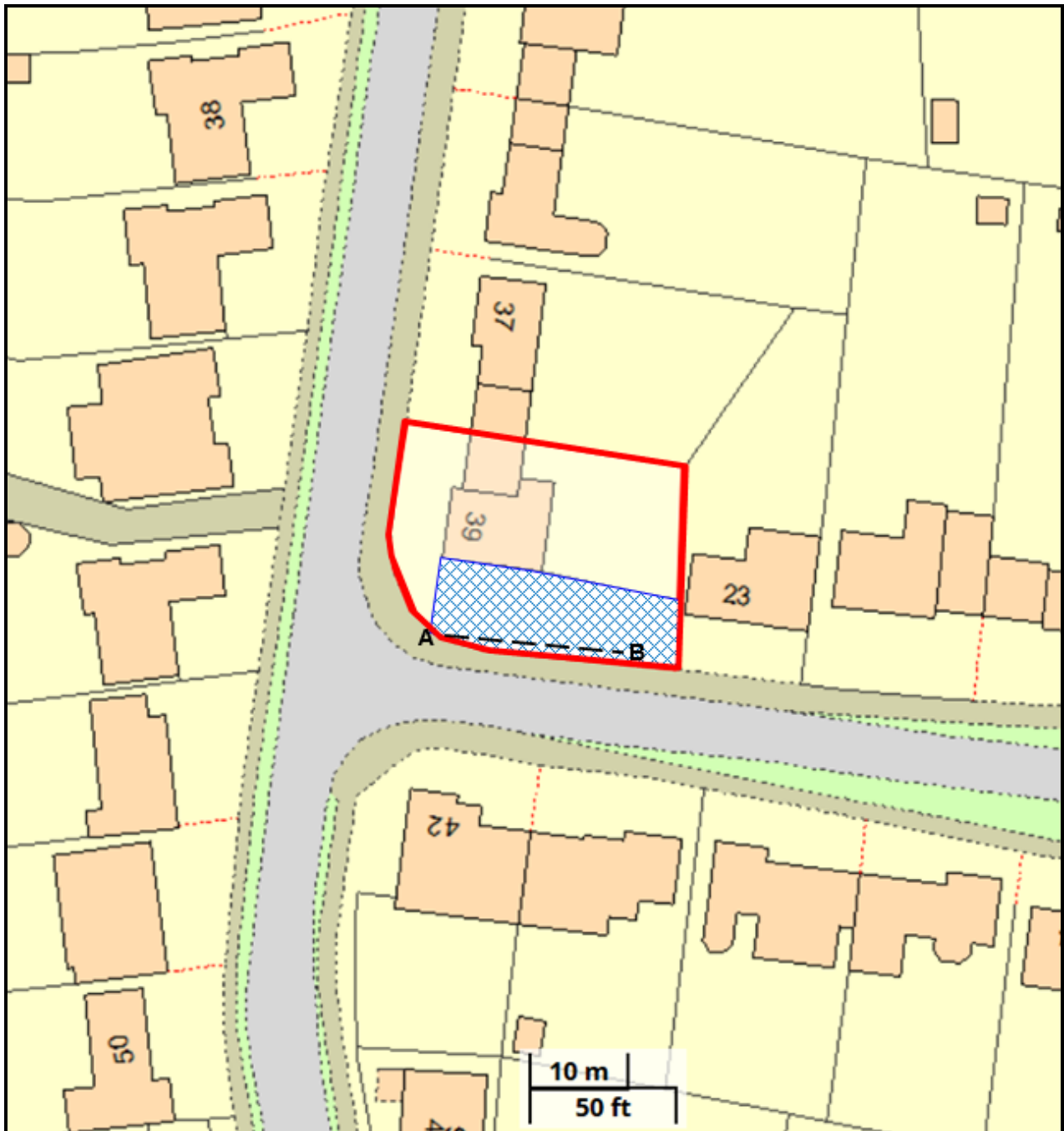
### **Your Right of Appeal**

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 7 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 enforcement notice, it will take effect on the date specified in paragraph 7 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 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

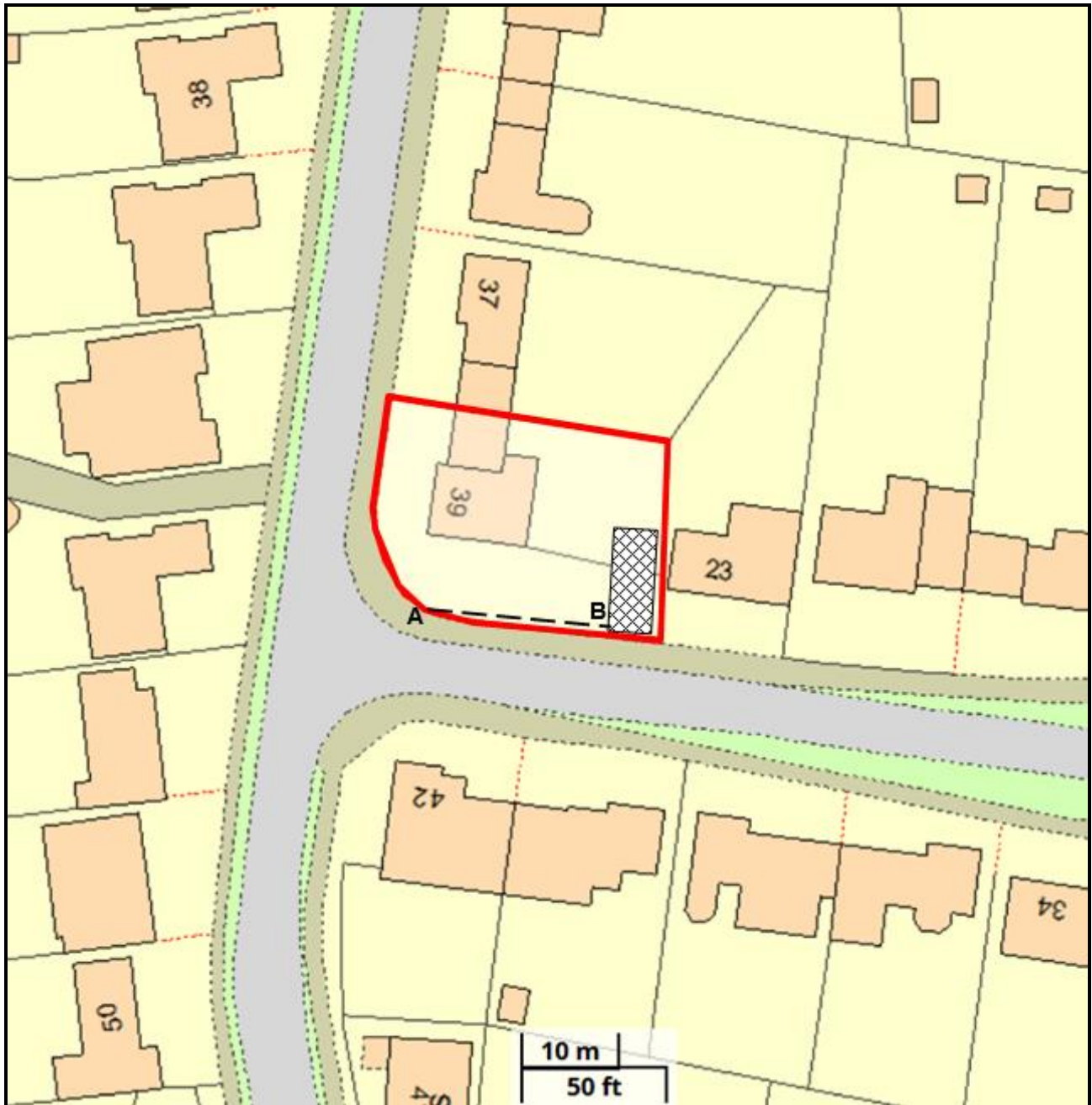
**APPENDIX 1:  
Enforcement Notice Plan A**



- Boundary wall facilitating unauthorised change in use of land
- Unauthorised change of use of land hatched in blue



### Enforcement Notice Plan B



- Boundary wall facilitating unauthorised change in use of land
- Unauthorized outbuilding hatched in black





**APPENDIX 2: Photos of Unauthorised Development**









The Planning Inspectorate  
Yr Arolygiaeth Gynllunio

## ***INFORMATION SHEET - THIS IS IMPORTANT***

If you want to appeal against this enforcement notice you can do it:-

- online at the [Appeals Casework Portal](#); or
- sending us enforcement appeal forms, which can be obtained by contacting us on the details below.

**You MUST make sure that we RECEIVE your appeal BEFORE the effective date on the enforcement notice.**

Please read the appeal guidance documents at <https://www.gov.uk/appeal-enforcement-notice/how-to-appeal>.

In exceptional circumstances you may give written notice of appeal by letter or email. You should include the name and contact details of the appellant(s) and either attach a copy of the Enforcement notice that you wish to appeal or state the following:

- the name of the local planning authority;
- the site address; and
- the effective date of the enforcement notice.

We MUST receive this BEFORE the effective date on the enforcement notice. This should immediately be followed by your completed appeal forms.

Customer Support Team  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol  
BS1 6PN

Direct Line: 0303 444 5000