

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

LISTED BUILDING ENFORCEMENT NOTICE
(Unauthorised Works)

WHEREAS:

(1) The building situated at and known as Thai Square, 26A-28 George Street, St Albans, Hertfordshire, AL3 4ES

shown edged red on the attached plan is a listed building as defined in Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(2) The building is situated 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 28 days 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 22 August 2023.

SCHEDULE 1

The said works that have been carried out to the Building.

The installation of air conditioning and heating units and associated servicing and metal structural supports onto the Grade II* listed building. The units and associated servicing and metal supports have numerous fixings into the historic fabric of the building including the C15 timber frame and wattle and daub panels.


SCHEDULE 2

The works to restore the building to its former state.

Specified Steps required to address the Breach of Listed Building Control

- i. Remove condenser units and associated servicing in the rear yard.
- ii. Remove the air conditioning units, associated servicing and wall heaters to the first floor and all of the metal cable trays and cassettes and associated fixings and supports to the first floor.
- iii. Make good any damage to the Building to match the existing original work adjacent, undisturbed by the unauthorised works, in respect of materials used, detailed execution and finished appearance.
- iv. Remove from the land (as per site plan in this report and outlined in red, located in appendix 1) all rubble and building materials arising as a result of compliance with step (i), (ii), and (iii) above.

Issued 11 July 2023



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Christine Traill
Strategic Director
Community and Place Delivery
St Albans District Council

On behalf of:

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:-

1. It appears to the Council that the above breach of listed building control has occurred.
2. The alterations to the Grade II* listed building have caused less than substantial harm to its special architectural or historic interest. The installation of the air conditioning and heating units and associated servicing and metal structural supports has caused harm to the significance of the Grade II* listed building. The units and associated servicing and metal supports have numerous fixings into the historic fabric of the building including the C15 timber frame and wattle and daub panels. The units and associated servicing and metal supports are a prominent and discordant feature and compete with the C15 timber framing. The harm caused is not outweighed by any public benefit in this case.
3. The works are contrary to Policy 86 (Buildings of Special Architectural or Historic Interest) of the adopted St Albans City and District Local Plan Review 1994 and Chapter 16 of The National Planning Policy Framework (NPPF).

ANNEX 2

Your Right of Appeal

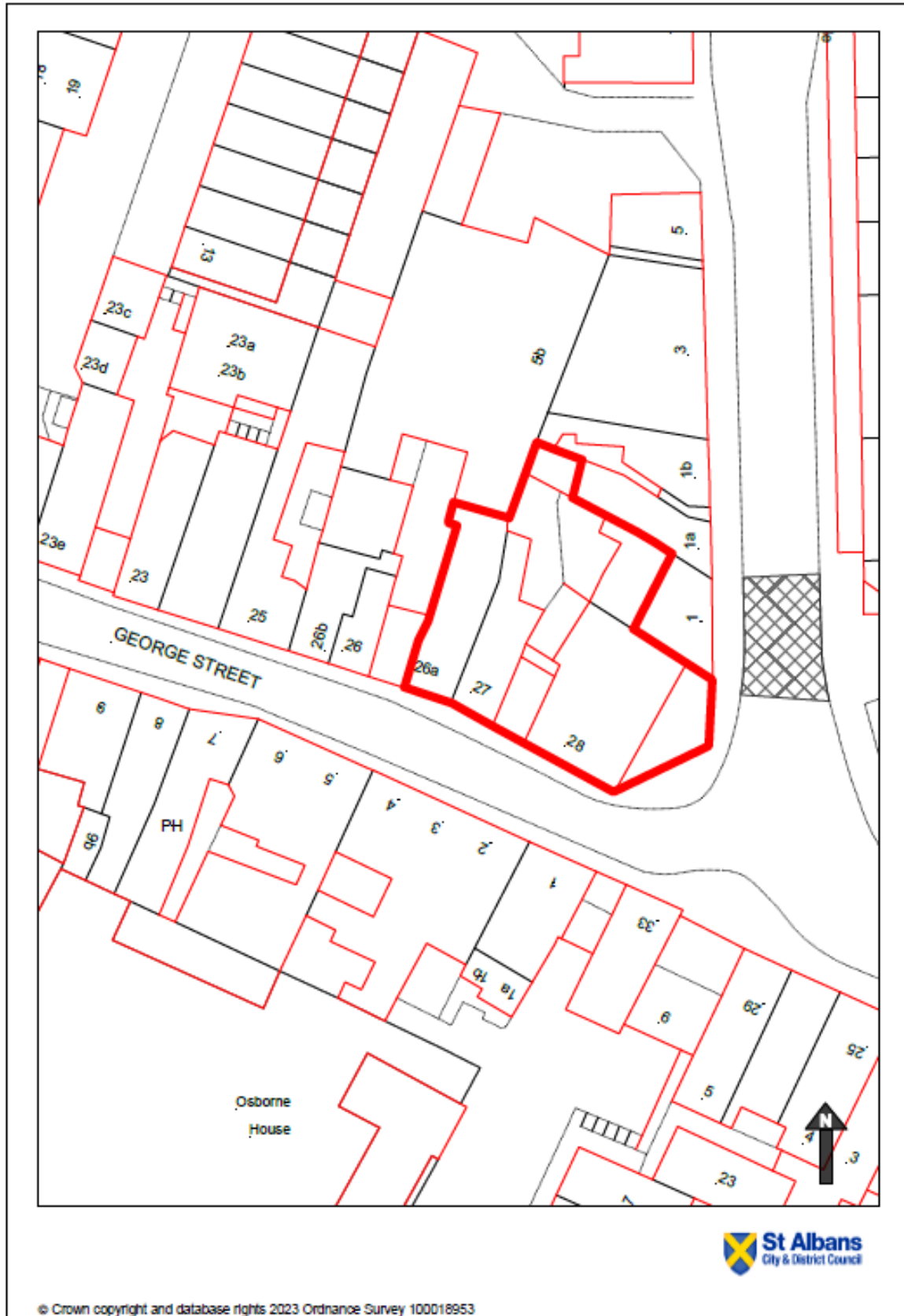
You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before the date specified in paragraph 6 of the notice. The enclosed information sheet and information in the letter give details of your rights of appeal.

What Happens If You Do No 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.

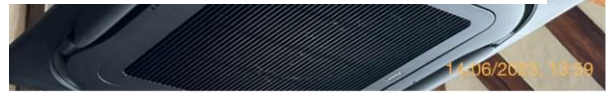
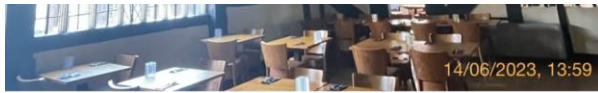
Appendices

Appendix 1 - Site Plan: Thai Square, 26A to 28 George Street, St Albans, AL3 4ES



** The red outline which indicates the boundary of the site, is positioned purposefully to encompass 26A to 28 George Street, as it is illustrated on HMRC Land Registry's website (Leasehold Title HD465533). The buildings within this boundary line are historically connected and therefore affected by the identified breach of planning control.

Appendix 2 – Photos of air conditioning/heating units



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.

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