

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

40 KINGS ROAD, 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 period of 4 years before the date of issue of this Notice 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 the building, engineering, mining or other operations 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 3 months 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 14 August 2009.

Issued 3 July 2009



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

40 KINGS ROAD, ST ALBANS, HERTFORDSHIRE

(edged red on the attached plan).

SCHEDULE 2

Alleged breach of planning control

Erection of a timber decked area and balustrade measuring 1 metre to the height of the decked platform plus a balustrade measuring 1.9 metres at its highest point.

SCHEDULE 3

Steps required to be taken

Remove the timber decked area and balustrade 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.

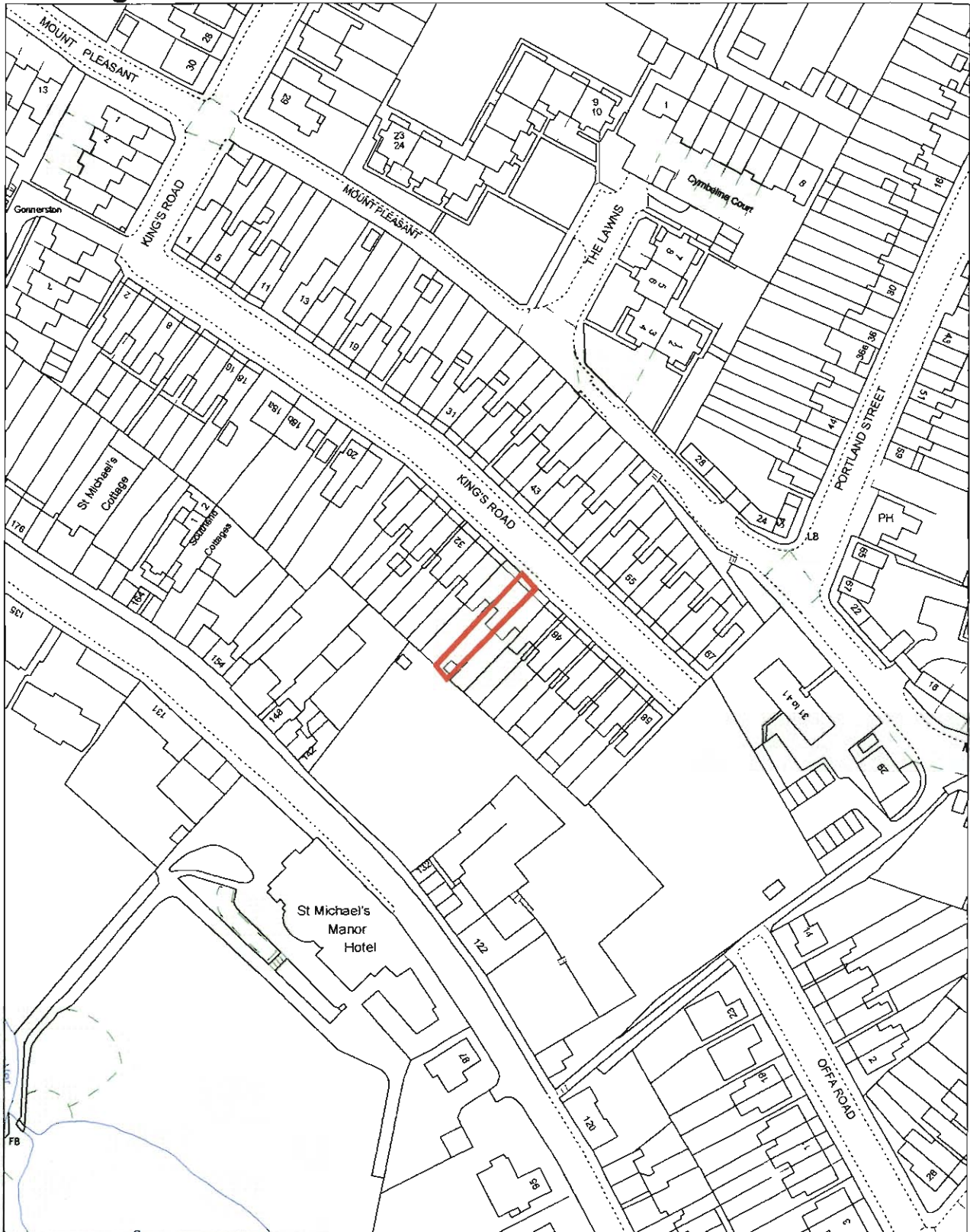
ANNEX

Regulation 4 of the Town and Country Planning (Enforcement Notices and Appeals) Regulations 2002

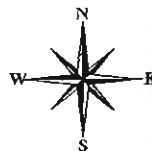
The Council consider it expedient to issue the attached Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991) for the following reasons:-

1. By reason of its size, height, rearward projection and materials, the decking fails to respect the general context of the narrow and contained rear gardens or fit comfortably with its surroundings. The decking has a detrimental impact on the Locally Listed Building and the character and appearance of the Conservation Area. The development is contrary to Policy 72 (vi) (Extensions in Residential Areas), Policy 85 (i) preamble and b) (Development in Conservation Areas) and Policy 87 (Locally Listed Buildings) of the St Albans District Local Plan Review 1994.
2. The decking adversely affects the amenity of the occupiers of neighbouring property by reason of its size, height, rearward projection and proximity to the common boundaries and consequently causes overlooking, loss of privacy and has an overbearing impact. The decking does not achieve an adequately high standard of environment and is contrary to Policy 72 (v) (Extensions in Residential Areas) of the St Albans District Local Plan Review 1994.

40 Kings Road St Albans



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St Albans
CITY AND DISTRICT