

## **IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

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

### **ENFORCEMENT NOTICE OPERATIONAL DEVELOPMENT**

**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**

Land at Old Fox Public House, School Lane, Bricket Wood, Hertfordshire  
(Shown edged red on the attached plan).

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

It appears to the Council that the following breach of planning control has occurred within the last 4 years.

Without Planning Permission the erection of a smoking shelter (shown in green on the attached plan).

#### **4. Reasons For Issuing This Notice**

(i) The smoking shelter is located within the Metropolitan Green Belt the precise boundaries of which are defined in the St Albans District Local Plan Review 1994. Within the Green Belt, permission will not be given except in very special circumstances, for development for purposes other than that required for mineral extraction, agriculture, small scale facilities and participatory sport and recreation, or other uses appropriate to a rural area.

(ii) The unauthorized smoking shelter represents unacceptable, inappropriate development within the Metropolitan Green Belt and conflicts with the visual amenities and the openness of the Green Belt and to the integrity of the Locally Listed Building.

(iii) The newly constructed smoking shelter fails to integrate sympathetically with the appearance and form of this building and adversely affects the character and visual amenity of the Conservation Area. The development is considered to be contrary to Policy 69 (General Design and Layout) (i) 85 (Development in Conservation Areas) (i) preamble, (i)(a), (i)(b), (i)(c), (i)(e), (i)(f), (i)(g) and 87 (Locally Listed Buildings) of the St Albans District Local Plan 1994.

**5. What You Are Required To Do**

Remove the smoking shelter from the site and make good the land.

**6. Time For Compliance**

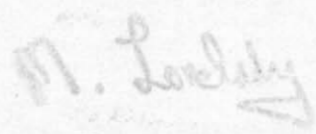
1 month after this notice takes effect.

**7. When This Notice Takes Effect**

This notice takes effect on 30 December 2009 unless an appeal is made against it beforehand.

Dated: 18 November 2009

Signed:



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M Lovelady LLB (Solicitor)

Head of Legal and Democratic Services  
St.Albans District Council

On behalf of:

District Council Offices, Civic Centre,  
St.Peter's Street, St.Albans, Herts. 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 booklet "Enforcement Notice Appeals – A Guide to Procedure" sets out your rights. You may use the enclosed appeal forms.

- a) One is for you to send to the Secretary of State if you decide to appeal, together with a copy of this enforcement notice.
- b) The second copy of the appeal form and the notice should be sent to the Council
- c) The third copy is for your own records.

### **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.

# The Old Fox PH School Lane Bricket Wood



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**St Albans**  
CITY AND DISTRICT