

**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 Dolphin Cottage 20 Dolphin Yard Holywell Hill St.Albans Hertfordshire 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 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 3 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 20 October 2020.

SCHEDULE 1

The said works that have been carried out to the Building.
Installation of a boiler flue to the first floor living room involving removal of a section of the structural timber for the boiler flue to the exterior of the building.

SCHEDULE 2

The works to restore the building to its former state.

1. Remove the boiler flue and associated pipework from the gable wall located in the west elevation.
2. Splice in seasoned oak, to match dimensions and grade of previously existing timber brace, to infill the missing section of the timber brace located in the west elevation, affected by the unauthorised works using lapped scarf joints.
3. Make good any damage to the building to match the existing work adjacent, undisturbed by the unauthorised works, in respect of materials used, detailed execution and finished appearance.
4. Remove from the land all rubble and building materials resulting from compliance with the above steps.

Issued 8 September 2020



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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 insertion of a boiler flue has caused less than substantial harm to the character and appearance of the listed building through removal of part of the building's structural seventeenth century frame. The routing of the boiler flue causes harm to the significant listed building through the loss of part of the timber frame of the building. The harm caused is not outweighed by any public benefit in this case. The works are contrary to Policy 86 (Buildings of Special Architectural and Historic Interest) of the St.Albans District Local Plan Review 1994 and Chapter 16 of the National Planning Policy Framework February 2019.

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.

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