

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

## **TOWN AND COUNTRY PLANNING ACT 1990 (as amended by the Planning and Compensation Act 1991)**

### **ENFORCEMENT NOTICE – MATERIAL CHANGE OF USE**

#### **ISSUED BY:- THREE RIVERS 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 THIS NOTICE RELATES**

Land adjacent to Maple Lodge Close, Maple Cross, Hertfordshire shown edged black on the attached Site Map (hereinafter called "the Land").

#### **3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**

Without planning permission, the material change of use of the Land for the parking and stationing of vehicles and trailer bodies.

#### **4. REASONS FOR ISSUING THE NOTICE**

1. It appears to the Council that the above breach of planning control has occurred within the last ten years.
2. The Council do not consider that planning conditions could overcome the objections to the material change of use of the Land.
3. The material change of use of the Land for parking and stationing of vehicles and trailer bodies by virtue of the visual and spatial impact including the associated on-site activity fails to preserve openness and conflicts with the purposes of the Green Belt due to its encroachment into the countryside. The change of use therefore constitutes inappropriate development which is, by definition, harmful to the Green Belt. No very special circumstances are considered to exist to outweigh the inappropriateness of the use, the significant harm to openness and other identified harm (see reason 4 below). The material change of use of Land therefore fails to

comply with Policy CP11 of the Core Strategy (adopted October 2011), Policy DM2 of the Development Management Policies LDD (adopted July 2013) and the NPPF (July 2019).

4. The material change of use of the Land further unacceptably harms the rural character of the local landscape by virtue of the elevated height of the Land relative to the adjacent land and the scale and visual presence of vehicles and trailer bodies.. The development therefore fails to comply with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM7 of the Development Management Policies LDD (adopted July 2013) and the NPPF (July 2019).

## 5. WHAT YOU ARE REQUIRED TO DO

1. Cease the use of the Land for parking and stationing of vehicles and trailer bodies.
2. Remove from the Land all vehicles and trailer bodies brought onto the Land in connection with the unauthorised use.

The period within which these requirements must be complied with is **3 months** from date this Notice takes effect.

## 6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **15<sup>th</sup> December 2020** unless an appeal is made against it beforehand.

Dated : 11<sup>th</sup> November 2020

Signed : *K. Rowley* .....

Kimberley Rowley  
Head of Regulatory Services,  
Three Rivers District Council  
Three Rivers House  
Northway  
Rickmansworth  
Herts  
WD3 1RL

Nominated Officer: Matthew Roberts (Team Leader)  
Telephone Number: 01923 776611

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## ANNEX YOUR RIGHT OF APPEAL

1. You can appeal against this Enforcement Notice, but any appeal must be received by the Secretary of State (at the Planning Inspectorate) **before** the date specified in paragraph 6 of the Enforcement Notice.

The enclosed document published by the Planning Inspectorate contains important information about appealing against this Enforcement Notice and how appeal forms can be obtained and submitted.

The appeal forms obtained must be completed in triplicate:

- (a) One is for you to send to the Secretary of State if you decide to appeal, together with a copy of the Enforcement Notice.
- (b) The second copy of the appeal form and a copy of the Enforcement Notice should be sent to the Council addressed to:

The Director of Community and Environmental Services,  
Three Rivers House,  
Northway,  
Rickmansworth,  
Herts  
WD3 1RL

- (c) The third copy is for your own records.

Under section 174 of the Town and Country Planning Act 1990 (as amended) you may appeal against the Enforcement Notice on one or more of the following grounds:-

- (a) that in respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged
- (b) that those matters have not occurred
- (c) that those matters (if they occurred) do not constitute a breach of planning control
- (d) that at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters
- (e) that copies of the Enforcement Notice were not served as required by section 172
- (f) that those steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach
- (g) that any period specified in the notice in accordance with section 173(9) falls short of what should reasonably be allowed

If you do wish to appeal then you must submit to the Secretary of State, either when giving notice of appeal or within 14 days from the date on which the Secretary of State sends you a notice requesting you to do so, a statement in writing specifying the grounds on which you are appealing against the Enforcement Notice and stating briefly the facts on which you propose to rely in support of each of those grounds.

Full copies of section 171A, 171B and 172-177 of the Town and Country Planning Act 1990 (as amended) are also enclosed for your information.

2. If you appeal against the Notice on ground (a) of section 174 of the Act, then the fee payable under Regulation 10 of the Town and Country Planning (Deemed Applications, Requests and Site Visits) England) Regulations 2012 for the deemed application for planning permission will be £924.00.
3. Persons on whom this Notice has been served are:-

The Owner, Land adjacent to Maple Lodge Close, Maple Cross, Hertfordshire

The Occupier, Land adjacent to Maple Lodge Close, Maple Cross, Hertfordshire

The Company Secretary, Bulk Transfer Ltd, C/O Shannon Maple Lodge, Denham Way, Maple Cross, Rickmansworth, Hertfordshire, WD3 9SQ

The Company Secretary, Impact Property Development Limited of 7-10 Chandos Street, London, W1G 9DQ

The Company Secretary, W1 Loan Ltd of 3<sup>rd</sup> Floor, Premiere House, Elstree Way, Borehamwood, WD6 1JH

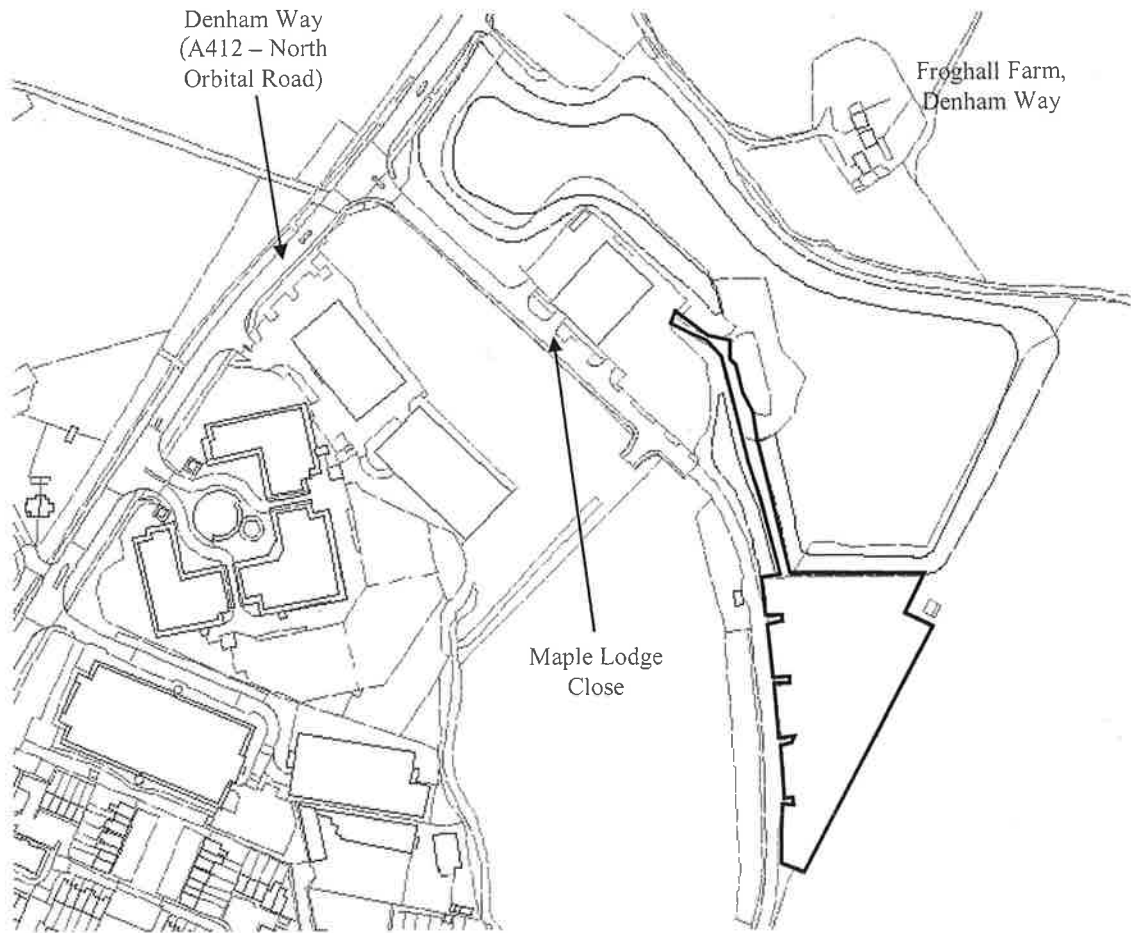
## **WHAT HAPPENS IF YOU DO NOT APPEAL**

If you do not appeal against this Enforcement Notice, it will take effect on the date specified in paragraph 6 of the notice and you must ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period(s) specified in paragraph 5 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.

Enforcement Case ref: 17/0045/COMP

**TOWN and COUNTRY PLANNING ACT 1990 (as amended)**

**SITE MAP**



Location:

**Land adjacent to Maple Lodge Close  
Maple Cross  
Hertfordshire**

**Key: FOR IDENTIFICATION PURPOSES ONLY**



**Scale: Not to Scale**



