

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: Welwyn Hatfield District Council ("the Council")

1. THIS IS A FORMAL NOTICE which is issued by the Council being the local planning authority for the purposes of section 172 of the above Act because it appears to them that there has been a breach of planning control, under section 171A(1)(a) 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 to the side and rear of 9 Southfield Welwyn Garden City Hertfordshire shown edged red on the attached plan (hereinafter called "the Land")

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

Without planning permission, change of use of the Land from the authorised use as part of a warehouse/industrial unit to use for sale or display for sale of motor vehicles with ancillary office accommodation in a portable building situated on the Land.

4. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the above breach of planning control has occurred within the last ten years. The Land is located within an Employment Area on the adopted District Plan and as such Policy EMP2 of the Welwyn Hatfield District Plan Alterations No. 1 Adopted 2.3.1998 applies. This states that planning permission will not be granted for uses which fall outside Class B business uses. (The use of the Land for the sale or display for sale of motor vehicles is not a class B use and is therefore contrary to Policy EMP2. It is also a use which generates very little employment and there are no other circumstances which would merit setting aside the normal provisions of Policy EMP2.)

Further the use of the Land for the sale or display for sale of motor vehicles deprives the adjacent warehouse/industrial unit of sufficient car parking and servicing areas and fails to satisfy the Council's adopted car parking standards. This is detrimental to highway safety and to the amenities of neighbouring businesses due to increased parking in surrounding streets.

Finally there is increased disturbance in the vicinity of the Land caused by additional traffic and activity associated with the use of the Land for the sale or display for sale of motor vehicles.

The Council do not consider that planning permission should be given, because planning conditions could not overcome these problems.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease using the Land for the sale or display for sale of motor vehicles.

Time for compliance: forthwith after this notice takes effect.

- (ii) Remove all motor vehicles stored on the Land connected with the sale or display for sale of motor vehicles.

Time for compliance: fourteen days after this notice takes effect.

- (iii) Remove the portable building from the Land

Time for compliance: fourteen days after this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on the 26TH day of JULY 1999 ("the effective date") unless an appeal is made against it beforehand.

ISSUED this 11TH day of JUNE 1999

WELWYN HATFIELD DISTRICT COUNCIL
COUNCIL OFFICES
THE CAMPUS
WELWYN GARDEN CITY
HERTS AL8 6AE

Signed: M.J. Davies
M.J. DAVIES
SOLICITOR TO THE COUNCIL
Ref: MJD/DEV2/14/255

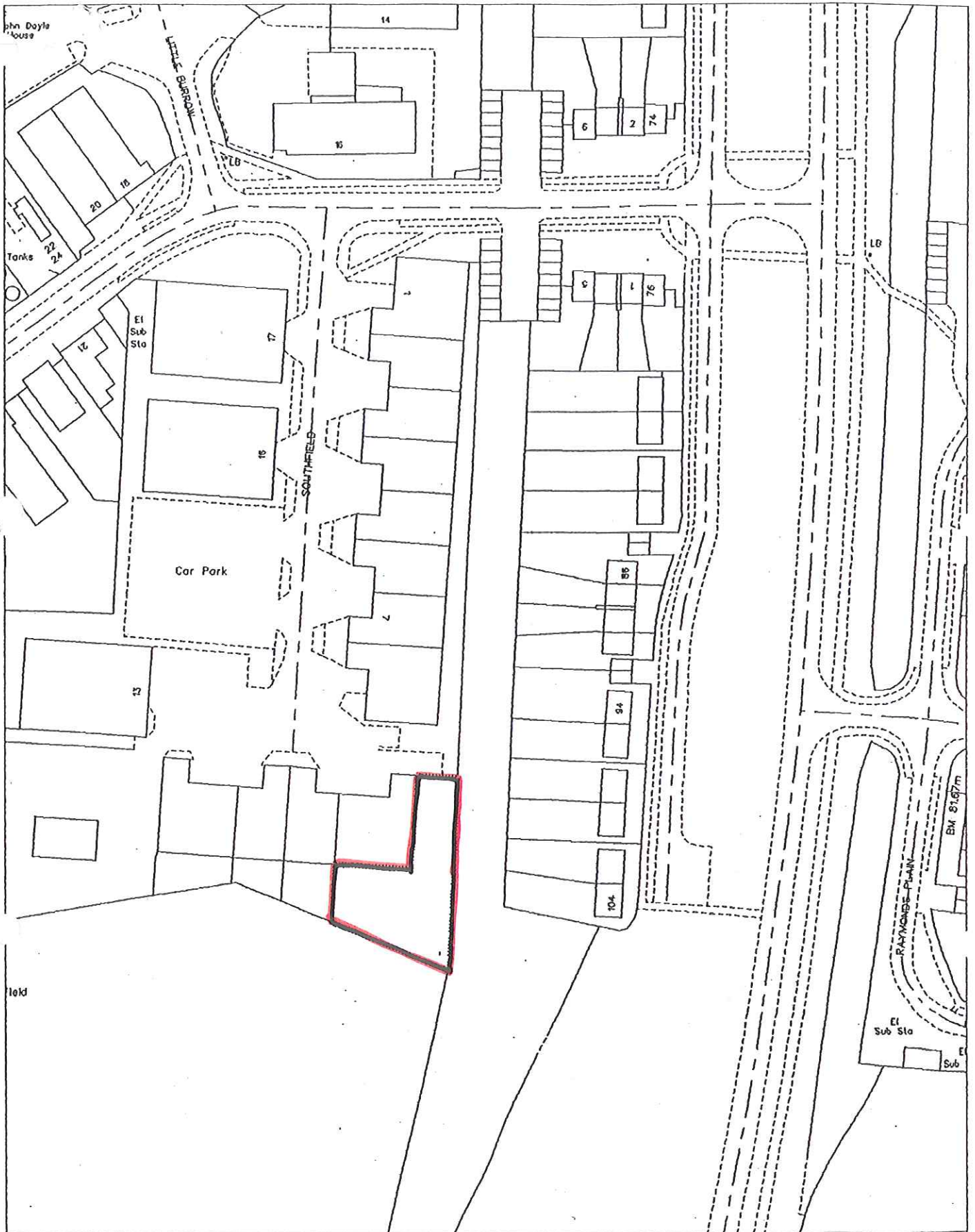
ANNEX

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 or State for the Environment (Planning Inspectorate) before the effective date given in paragraph 6 above. The enclosed booklet "Enforcement Appeals - A Guide to Procedure" sets out your rights. Read it carefully. You may use the enclosed appeal forms. One is for you to send to the Secretary of State for the Environment (Planning Inspectorate), if you decide to appeal, to the address shown on the appeal form. You should also send the Secretary of State the spare copy of this enforcement notice which is enclosed. You will then be notified by the Department of the Environment (Planning Inspectorate) of the appropriate fee and be required to pay such fee direct to the Department. Please also send the second copy of the appeal form and enforcement notice to the Solicitor to the Council at the address shown above, quoting the reference given above, so that the Solicitor can inform the Local Planning Authority of your appeal to the Secretary of State for the Environment. The third copy of the appeal form and other enforcement notice is for you to keep 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 effective 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(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.



WELWYN
HATFIELD
COUNCIL

N6/1006/98/FP

Land to the rear of 9 Southfields, Welwyn Garden City

DRAWN

DATE

M. Walker

04/01/99

SCALE

1: 1250

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DRAWING NO.

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