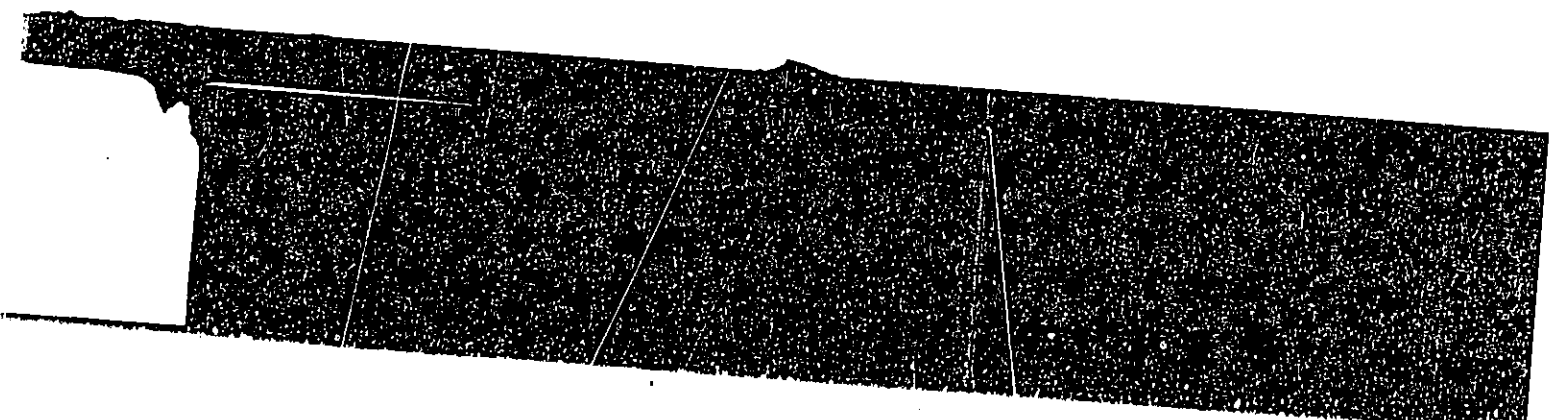


**TOWN PLANNING REGISTER SHEET**

MJW

ADDRESS/LOCATION OF SITE:  24 TOWER HILL CHIPPERFIELD	TOWN PLANNING REF. NO: 4/2161/88E	
	LOCAL AUTH. BLD. REGN. OR OTHER REF. NO:	
	DATE OF COMMENCEMENT OF STATUTORY PERIOD: 28.11.88.	
LOCAL AUTHORITY NAME: DACORUM BOROUGH COUNCIL	DATE OF EXPIRY OF STATUTORY PERIOD:	
PARISH NAME: CHIPPERFIELD	DATE OF DECISION:	
DESCRIPTION OF PROPOSED DEVELOPMENT  APPEAL AGAINST ENFORCEMENT NOTICE	DECISION:	
	DIRECTIONS Dept. of Env't.      County Plan. Auth.      County High. Auth.	
	DATE OF APPEAL DECISION: 5.4.89	
	APPEAL DECISION: DISMISSED	
NAME AND ADDRESS OF APPLICANT:  MS B J Shirnmen 'Heathercroft' 24 Tower Hill CHIPPERFIELD	O.S. SHEET NO: 793	NAT. GRID REF. TL0354002440
	ROAD CLASS:	
NAME AND ADDRESS OF AGENT:	PREVIOUS APPLICATIONS ON SAME SITE:	





4/2161/88

**Planning Inspectorate**  
Department of the Environment

Room 1121 Tollgate House Houlton Street Bristol BS2 9DJ  
Telex 449321

Direct Line 0272-218915  
Switchboard 0272-218811  
GTN 1374

**CHIEF EXECUTIVE  
OFFICER**

7 APR 1989

File no. ....  
Refer to 210-7/4 .....

Mrs B J Shimmen  
24 Tower Hill  
Chipperfield  
KINGS LANGLEY  
Herts  
WD4 9LH

PLANNING DEPARTMENT DACORUM BOROUGH COUNCIL						Your Reference:
Ref.					Ack.	File
C.P.O.	T.C.P.M.	D.P.	D.C.	B.C.	Admin.	
						4/2161/88E
7 APR 1989						Our Reference: T/APP/C/88/A1910/18/P6
Received					Date	
Comments						

Your Reference:

Council Reference:

4/2161/88E

Our Reference:

T/APP/C/88/A1910/18/P6

1) ~~RB~~  
2) ~~DD~~  
3) ~~RB~~

-5 APR 89

Madam

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 88 AND SCHEDULE 9  
LOCAL GOVERNMENT AND PLANNING (AMENDMENT) ACT 1981  
LAND AT 24 TOWER HILL, CHIPPERFIELD, HERTFORDSHIRE

1. I have been appointed by the Secretary of State for the Environment to determine your appeal. Your appeal is against an enforcement notice issued by the Dacorum Borough Council concerning the above-mentioned land. I have considered the written representations made by you and by the Council and also those made by the Chipperfield Parish Council and interested persons. I inspected the site on 27 February 1989.

2. a. The date of the notice is 21 October 1988.

b. The breach of planning control alleged in the notice is the erection of a means of enclosure abutting a highway constructed in brick and fencing exceeding 1m in height.

c. The requirements of the notice are to reduce the height of the means of enclosure to 1m by removing the fencing placed on top of the brick wall.

d. The period for compliance with the notice is one month.

e. The appeal was made on the grounds set out in Section 88(2) (a) of the 1971 as amended.

3. You contend that the notice is flawed because the "means of enclosure" referred to does not enclose your property. However it seems to me that the words "means of enclosure", together with the other words used in the notice to describe the development you have undertaken, do indicate clearly and fairly what the Council are objecting to. Moreover the notice does not contend that the "means of enclosure" does enclose the whole property. In the circumstances I can find no fault with the notice in this respect.

4. With regard to your appeal on ground (a) the main issue is the effect of the presence of the means of enclosure on highway safety in Tower Hill and Stoney Lane.

5. From what I saw at my inspection and from the written representations made it is clear that Tower Hill is quite a narrow road which carries a sizeable volume of traffic, including heavy goods vehicles. Stoney Lane acts as a vehicular access for 6 dwellings and an agricultural nursery enterprise. In consequence it will be used by a significant number of vehicles each day.

6. You have removed the fencing to which the Council object from part of your road frontage. But compliance in part with an enforcement notice does not discharge it. From my observations on site I am in no doubt that the presence of the remaining sections of fence does obstruct visibility to and from the south-east at the junction between Stoney Lane and Tower Hill and does so to a very marked extent. I consider that the presence of the fencing makes it impossible for drivers of vehicles emerging from Stoney Lane to obtain adequate visibility to the right at the junction, without pulling out into the narrow carriageway, a dangerous procedure. Likewise, because of the presence of the fence, drivers of vehicles on Tower Hill, approaching Stoney Lane from the south, do not have adequate sight of vehicles emerging from the lane and accordingly do not have adequate time to take any necessary action. I noted at my inspection that visibility at the Stoney Lane junction is also affected to some extent by the presence of vegetation, to north and south of the access. However that raises separate issues and does not alter the conclusions set out above.

7. Bearing in mind the sizeable traffic flows on Tower Hill and the limited width of that road I conclude that the continued presence of the means of enclosure would cause demonstrable harm to highway safety, an interest of acknowledged importance. In my opinion this objection overrides the normal presumption in favour of granting planning permission for development. I am unable to see how this objection could be overcome save by the removal of the fencing, as required by the notice. For example the provision of a mirror, if that could be arranged, would do nothing to assist vehicles approaching the junction from the south-east on the main road.

8. I fully understand that your objective, in carrying out the development, was to ensure that children could play in your garden in safety. I recognise too that the brick walling in itself does not provide a sufficient barrier to children, over much of its length, because of the ground level of the garden. However your garden is of a good size and it seems to me that your objective to keep children safe could be achieved fully by the provision of a means of enclosure a little distance back from the road from the present position of the fencing. In my opinion a solution could be achieved which would not harm visibility for Stoney Lane, nor spoil your garden, nor harm the appearance of the area. In the circumstances I do not regard your concern for the safety of children in the garden as justifying the retention of the fencing in its present position.

9. I have noted your view that the traffic situation in Tower Hill should be improved by the imposition of weight limits and the enforcement of speed limits, but even if such measures were implemented the presence of your fencing in its present position would continue to create an inherently dangerous situation for motor traffic in the neighbourhood. I looked at the other fences to which you drew my attention. However from what I could see the circumstances of those fences are not the same as those applying in the case of 24 Tower Hill. I regret that I can see no other special circumstances to justify setting aside my strong objections, on grounds of highway safety, to the retention of your development as it stands.

10. For these reasons your appeal on ground (a) fails and I shall not grant planning permission on the deemed planning application.

11. I have examined all of the other matters raised but find nothing to change my decision.

FORMAL DECISION

12. For the above reasons and in exercise of the powers transferred to me I hereby uphold the notice, dismiss your appeal and refuse to grant planning permission on the application deemed to have been made under Section 88B(3) of the amended 1971 Act.

RIGHT OF APPEAL AGAINST DECISION

13. This letter is issued as the determination of the appeal before me. Particulars of the rights of appeal against the decision to the High Court are enclosed for those concerned.

I am Madam  
Your obedient Servant



A J J STREET MA(Oxon) DipTP MRTPI  
Inspector

ENC



Department of the Environment

Room TX 209  
Tollgate House Houlton Street Bristol BS2 9DJ

Telex 449321

Direct line 0272-218 735  
Switchboard 0272-218811

Mrs. B J. SHIMMEN  
24 TOLGATE HILL  
CHIPPFIELD  
KINGS LANGLEY  
Herts WD4 9LH

Your reference  
2447/317  
Our reference  
APP/CS/A1910/018  
Date

25 NOV 1988

Dear Madam

TOWN AND COUNTRY PLANNING ACT 1971 - SECTION 88

APPEAL BY ~~YOURSELF~~  
LAND AT ~~THE ADDRESS~~

- I acknowledge receipt of your form, on which you have made an appeal(s), under section 88 of the above-mentioned Act, against an enforcement notice served by ~~WALTON TOWN~~ Council. It is noted that your appeal has been made on ground(s) ~~(a)~~ in section 88(2) of the Act.
- The case officer for your appeal is MISS A. ROBERTS, whom you should contact at the address above if at any stage you wish to enquire about the appeal's progress.
- From a preliminary examination and in accordance with your stated preference\*, it appears that, provided the council do not request an inquiry, this appeal can be decided on the basis of a written statement submitted by the parties, and an inspection of the site by an Inspector. The Council are being asked to produce a statement of their case within the next 8 weeks. A copy of this will be sent to you and your comments on it will be invited. Once the representations have been exchanged arrangements will be made for a site visit to take place. The Department reserves the right to order a local inquiry if the written representations from either side (or any other information) indicate that this would be desirable, or if there proves to be such general interest in the appeal that it ought to be conducted with the publicity associated with a public inquiry.
- If you decide to withdraw your appeal, please telephone the case officer on the direct line above immediately, then confirm by letter that the appeal has been withdrawn. Until this letter is received withdrawal of the appeal cannot be accepted and, if written confirmation of withdrawal is not received before the date of the site visit, you will lose the refund of any fee you have paid.
- A copy of this letter has been sent to the Council, so that they are aware that there is an appeal against the enforcement notice they served for this land. A copy of notes for guidance is attached.

Yours faithfully

R. MACHOLG

7/84  
E4

**IMPORTANT:— THIS COMMUNICATION AFFECTS YOUR PROPERTY**

(a)

Dacorum Borough

Council

**TOWN AND COUNTRY PLANNING ACT 1971**  
(as amended)**Enforcement Notice**  
Operational Development

(b) 24 Tower Hill, Chipperfield, Hertfordshire

**WHEREAS:**

(1) It appears to the<sup>(a)</sup> Dacorum Borough Council ("the Council"), being the local planning authority for the purposes of section 87 of the Town and Country Planning Act 1971 ("the Act") in this matter, that there has been a breach of planning control 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 87, for the reasons set out in [the annex to] this notice.<sup>(c)</sup>

**NOTICE IS HEREBY GIVEN** that the Council require that the steps specified in Schedule 3 below be taken [in order to remedy the breach] <sup>(d)</sup>

within [the period of one ~~day~~ month] from the date on which this notice takes effect [the period specified in respect of each step in that Schedule].<sup>(e)</sup>

**THIS NOTICE SHALL TAKE EFFECT**, subject to the provisions of section 88(10) of the Act, on 25th November 1988 <sup>(f)</sup>

Issued 21st October 1988

Council's address

Civic Centre  
Marlowes  
Hemel Hempstead  
Hertfordshire HP1 1HH

(Signed) Keith Hunt

(Designation) Borough Secretary  
(The officer appointed for this purpose)

**CONTINUED OVERLEAF — P.T.O.****NOTES TO THE LOCAL PLANNING AUTHORITY**

- (a) Insert the name of the Council issuing the notice.  
 (b) Insert the address or a description of the land to which the notice relates.  
 (c) See paragraph 29 of DOE Circular 38/81 (Welsh Office Circular 57/81).  
 (d) Or, as the case may be, having regard to section 87(7)(a) and (b) of the Act. Where steps are required to be taken for more than one of the purposes provided for in section 87, the purpose for which each step is required should be specified in Schedule 3. Steps may be required as alternatives.  
 (e) If a single period is to be specified, by which all the required steps must be taken, insert it here. But if a series of steps is required to be taken, with a different compliance period for each step, the appropriate period should be clearly stated against each step (in columns if more suitable) in Schedule 3.  
 (f) The date selected must be not less than 28 clear days after all the copies of the notice will have been served (see section 87(5) of the Act).

SCHEDULE 1

Land or premises to which this notice relates

*(address or description)*

24 Tower Hill, Chipperfield, Hertfordshire

shown edged [red] [

] on the attached plan. (g)

SCHEDULE 2

Alleged breach of planning control

*(description of operations carried out on the land) (h)*

Erection of a means of enclosure abutting a highway constructed in brick and fencing exceeding 1m in height (shown coloured yellow on the attached plan).

SCHEDULE 3

Steps required to be taken<sup>(i)</sup>

(i)

Reduce the height of the means of enclosure to 1m by removing the fencing placed on top of the brick wall.

---

**NOTES TO THE LOCAL PLANNING AUTHORITY**

(g) See paragraph 31 of DOE Circular 38/81 (Welsh Office Circular 57/81).

(h) Where the works being enforced against are on only part of the land identified in Schedule 1, their position should be shown on the plan.

(i) Specify the actual steps to be taken with, if appropriate, the compliance period for each step. The requirements should be clear and precise. See also notes (d) and (e) overleaf.

## EXTRACTS from the TOWN AND COUNTRY PLANNING ACT 1971 (as amended)

### Power to issue enforcement notice

87.—(1) Where it appears to the local planning authority that there has been a breach of planning control after the end of 1963, then subject to the following provisions of this section, the authority, if they consider it expedient to do so having regard to the provisions of the development plan and to any other material considerations, may issue a notice requiring the breach to be remedied and serve copies of the notice in accordance with subsection (5) of this section.

(2) A notice under this section is referred to in this Act as an "enforcement notice".

(3) There is a breach of planning control—

(a) if development has been carried out, whether before or after the commencement of this Act, without the grant of the planning permission required in that behalf in accordance with Part III of the Act of 1962 or Part III of this Act; or

(b) if any conditions or limitations subject to which planning permission was granted have not been complied with.

(4) An enforcement notice which relates to a breach of planning control consisting in—

(a) the carrying out without planning permission of building, engineering, mining or other operations in, on, over or under land; or

(b) the failure to comply with any condition or limitation which relates to the carrying out of such operations and subject to which planning permission was granted for the development of that land; or

(c) the making without planning permission of a change of use of any building to use as a single dwelling-house; or

(d) the failure to comply with a condition which prohibits or has the effect of preventing a change of use of a building to use as a single dwelling-house.

may be issued only within the period of four years from the date of the breach.

(5) A copy of an enforcement notice shall be served, not later than 28 days after the date of its issue and not later than 28 days before the date specified in the notice as the date on which it is to take effect—

(a) on the owner and on the occupier of the land to which it relates; and

(b) on any other person having an interest in that land, being an interest which in the opinion of the authority is materially affected by the notice.

(6) An enforcement notice shall specify the matters alleged to constitute a breach of planning control.

(7) An enforcement notice shall also specify—

(a) any steps which are required by the authority to be taken in order to remedy the breach;

(b) any such steps as are referred to in subsection (10) of this section and are required by the authority to be taken.

(8) An enforcement notice shall specify the period within which any such step as is mentioned in subsection (7) of this section is to be taken and may specify different periods for the taking of different steps.

(9) In this section "steps to be taken in order to remedy the breach" means (according to the particular circumstances of the breach) steps for the purpose—

(a) of restoring the land to its condition before the development took place; or

(b) of securing compliance with the conditions or limitations subject to which planning permission was granted,

including—

(i) the demolition or alteration of any buildings or works;

(ii) the discontinuance of any use of land; and

(iii) the carrying out on land of any building or other operations.

(10) The steps mentioned in subsection (7)(b) of this section are steps for the purpose—

(a) of making the development comply with the terms of any planning permission which has been granted in respect of the land; or

(b) of removing or alleviating any injury to amenity which has been caused by the development.

(11) Where the matters which an enforcement notice alleges to constitute a breach of planning control include development which has involved the making of a deposit of refuse or waste materials on land, the notice may require that the contour of the deposit shall be modified by altering the gradient or gradients of its sides in such manner as may be specified in the notice.

(12) The Secretary of State may by regulations direct—

(a) that enforcement notices shall specify matters additional to those which they are required to specify by this section; and

(b) that every copy of an enforcement notice served under this section shall be accompanied by an explanatory note giving such information as may be specified in the regulations with regard to the right of appeal conferred by section 88 of this Act.

(13) Subject to section 88 of this Act, an enforcement notice shall take effect on a date specified in it.

(14) The local planning authority may withdraw an enforcement notice (without prejudice to their power to issue another) at any time before it takes effect.

(15) If they do so, they shall forthwith give notice of the withdrawal to every person who was served with a copy of the notice.

(16) Where—

(a) an enforcement notice has been issued in respect of development consisting of the erection of a building or the carrying out of works without the grant of planning permission; and

(b) the notice has required the taking of steps for a purpose mentioned in subsection (10)(b) of this section; and

(c) the steps have been taken,

for the purposes of this Act planning permission for the retention of the building or works as they are as a result of compliance with the notice shall be deemed to have been granted on an application for such permission made to the local planning authority.

### Appeal against enforcement notice

88.—(1) A person having an interest in the land to which an enforcement notice relates may, at any time before the date specified in the notice as the date on which it is to take effect, appeal to the Secretary of State against the notice, whether or not a copy of it has been served on him.

(2) An appeal may be brought on any of the following grounds—

(a) that planning permission ought to be granted for the development to which the notice relates or, as the case may be, that a condition or limitation alleged in the enforcement notice not to have been complied with ought to be discharged;

(b) that the matters alleged in the notice do not constitute a breach of planning control;

(c) that the breach of planning control alleged in the notice has not taken place;

(d) in the case of a notice which, by virtue of section 87(4) of this Act, may be issued within the period of four years from the date of the breach of planning control to which the notice relates, that that period had elapsed at the date when the notice was issued;

(e) in the case of a notice not falling within paragraph (d) of this subsection, that the breach of planning control alleged by the notice occurred before the beginning of 1964;

(f) that copies of the enforcement notice were not served as required by section 87(5) of this Act;

(g) that the steps required by the notice to be taken exceed what is necessary to remedy any breach of planning control or to achieve a purpose specified in section 87(10) of this Act;

(h) that the period specified in the notice as the period within which any step is to be taken falls short of what should reasonably be allowed.

(3) An appeal under this section shall be made by notice in writing to the Secretary of State.

(4) A person who gives notice under subsection (3) of this section shall submit to the Secretary of State, either when giving the notice or within such time as may be prescribed by regulations under subsection (5) of this section, a statement in writing—

(a) specifying the grounds on which he is appealing against the enforcement notice; and

(b) giving such further information as the regulations may prescribe.

(5) The Secretary of State may by regulations prescribe the procedure which is to be followed on appeals under this section, and in particular, but without prejudice to the generality of this subsection—

\* (a) may prescribe the time within which an appellant is to submit a statement under subsection (4) of this section and the matters on which information is to be given in such a statement;

\*NOTE: The Secretary of State has specified that such a statement must be submitted to him either when the appellant is giving notice of appeal, or within 28 days from the date on which the Secretary of State sends the appellant a notice requiring such a statement to be submitted.



- (b) may require the local planning authority to submit, within such time as may be prescribed, a statement indicating the submissions which they propose to put forward on the appeal;
  - (c) may specify the matters to be included in such a statement;
  - (d) may require the authority or the appellant to give such notice of appeal under this section as may be prescribed, being notice which in the opinion of the Secretary of State is likely to bring the appeal to the attention of persons in the locality in which the land to which the enforcement notice relates is situated;
  - (e) may require the authority to send to the Secretary of State, within such period from the date of the bringing of the appeal as may be prescribed, a copy of the enforcement notice and a list of the persons served with copies of it.
- (6) The Secretary of State—
- (a) may dismiss an appeal if the appellant fails to comply with subsection (4) of this section within the time prescribed by regulations under subsection (5); and
  - (b) may allow an appeal and quash the enforcement notice if the local planning authority fail to comply with any requirement of regulations made by virtue of paragraph (b), (c) or (e) of subsection (5) of this section within the period prescribed by the regulations.
- (7) Subject to subsection (8) below, the Secretary of State shall, if either the appellant or the local planning authority so desire, afford to each of them an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

(8) The Secretary of State shall not be required to afford such an opportunity if he proposes to dismiss an appeal under paragraph (a) of subsection (6) of this section or to allow an appeal and quash the enforcement notice under paragraph (b) of that subsection.

- (9) If—
- (a) a statement under subsection (4) of this section specifies more than one ground on which the appellant is appealing against an enforcement notice; but
  - (b) the appellant does not give information required under paragraph (b) of that subsection to each of the specified grounds within the time prescribed by regulations under subsection (5) of this section,
- the Secretary of State may determine the appeal without considering any of the specified grounds as to which the appellant has failed to give such information within that time.

(10) Where an appeal is brought under this section, the enforcement notice shall be of no effect pending the final determination or the withdrawal of the appeal.

(11) Schedule 9 to this Act applies to appeals under this section, including appeals under this section as applied by regulations under any other provision of this Act.

**88A.**—(1) On the determination of an appeal under section 88 of this Act, the Secretary of State shall give directions for giving effect to the determination, including, where appropriate, directions for quashing the enforcement notice or for varying its terms.

(2) On such an appeal the Secretary of State may correct any informality, defect or error in the enforcement notice, or give directions for varying its terms, if he is satisfied that the correction or variation can be made without injustice to the appellant or to the local planning authority.

(3) Where it would otherwise be a ground for determining such an appeal in favour of the appellant that a person required to be served with a copy of the enforcement notice was not served, the Secretary of State may disregard that fact if neither the appellant nor that person has been substantially prejudiced by the failure to serve him.

**88B.**—(1) On the determination of an appeal under section 88 of this Act, the Secretary of State may—

- (a) grant planning permission for the development to which the enforcement notice relates or for part of that development or for the development of part of the land to which the enforcement notice relates;
- (b) discharge any condition or limitation subject to which planning permission was granted;
- (c) determine any purpose for which the land may, in the circumstances obtaining at the time of the determination, be lawfully used having regard to any past use of it and to any planning permission relating to it.

(2) In considering whether to grant planning permission under subsection (1) of this section, the Secretary of State shall have regard to the provisions of the development plan, so far as material to the subject matter of the enforcement notice, and to any other material considerations; and any planning permission granted by him under that subsection may—

- (a) include permission to retain or complete any buildings or works on the land, or to do so without complying with some condition attached to a previous planning permission;
  - (b) be granted subject to such conditions as the Secretary of State thinks fit;
- and where under that subsection he discharges a condition or limitation, he may substitute another condition or limitation for it, whether more or less onerous.

(3) Where an appeal against an enforcement notice is brought under section 88 of this Act, the appellant shall be deemed to have made an application for planning permission for the development to which the notice relates and, in relation to any exercise by the Secretary of State of his powers under subsection (1) of this section—

- (a) any planning permission granted under that subsection shall be treated as granted on that application;
- (b) in relation to a grant of planning permission or a determination under that subsection, the Secretary of State's decision shall be final; and
- (c) for the purposes of section 34 of this Act, the decision shall be treated as having been given by the Secretary of State in dealing with an application for planning permission made to the local planning authority.

(4) On an appeal under section 88 of this Act against an enforcement notice relating to anything done in contravention of a condition to which section 71 of this Act applies, the Secretary of State shall not be required to entertain the appeal in so far as the appellant claims that planning permission free from that condition ought to be granted.

**Penalties for non-compliance with enforcement notice**

**89.**—(1) Subject to the provisions of this section, where a copy of an enforcement notice has been served on the person who, at the time when the copy was served on him, was the owner of the land to which the notice relates, then, if any steps required by the notice to be taken (other than the discontinuance of a use of land) have not been taken within the period allowed for compliance with the notice, that person shall be liable on summary conviction to a fine not exceeding £2,000 or on conviction on indictment to a fine.

(2) If a person against whom proceedings are brought under subsection (1) of this section has, at some time before the end of the period allowed for compliance with the notice, ceased to be the owner of the land, he shall, upon information duly laid by him, and on giving to the prosecution not less than three clear days' notice of his intention, be entitled to have the person who then became the owner of the land (in this section referred to as "the subsequent owner") brought before the court in the proceedings.

(3) If, after it has been proved that any steps required by the enforcement notice have not been taken within the period allowed for compliance with the notice, the original defendant proves that the failure to take those steps were attributable, in whole or in part, to the default of the subsequent owner—

- (a) the subsequent owner may be convicted of the offence; and
- (b) the original defendant, if he further proves that he took all reasonable steps to secure compliance with the enforcement notice, shall be acquitted of the offence.

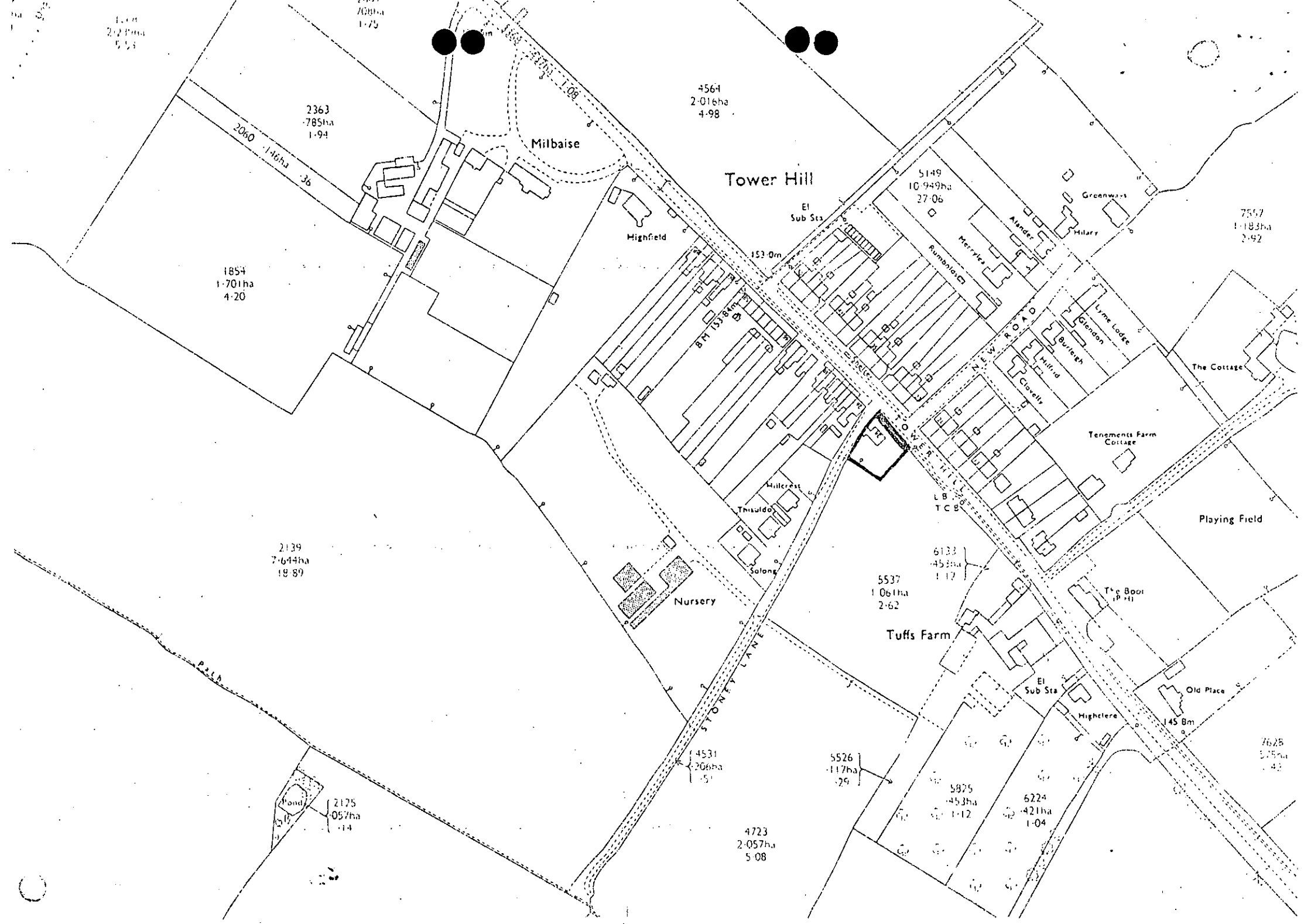
(4) If, after a person has been convicted under the preceding provisions of this section, he does not as soon as practicable do everything in his power to secure compliance with the enforcement notice, he shall be guilty of a further offence and liable—

- (a) on summary conviction to a fine not exceeding £100 for each day following his first conviction on which any of the requirements of the enforcement notice (other than the discontinuance of the use of land) remain unfulfilled; or
- (b) on conviction on indictment to a fine.

(5) Where, by virtue of an enforcement notice, a use of land is required to be discontinued, or any conditions or limitations are required to be complied with in respect of a use of land or in respect of the carrying out of operations thereon, then if any person uses the land or causes or permits it to be used, or carries out those operations or causes or permits them to be carried out, in contravention of the notice, he shall be guilty of an offence, and shall be liable on summary conviction to a fine not exceeding £2,000, or on conviction on indictment to a fine; and if the use is continued after the conviction he shall be guilty of a further offence and liable on summary conviction to a fine not exceeding £100 for each day on which the use is so continued, or on conviction on indictment to a fine.

(6) Any reference to this section to the period allowed for compliance with an enforcement notice is a reference to the period specified in the notice for compliance therewith of such extended period as the local planning authority may allow for compliance with the notice.

**Note.**—Attention is also directed to section 91 relating to the execution and costs of works required by enforcement notice, section 110 which contains supplementary provisions as to appeals to the Secretary of State and section 243 relating to the validity of Enforcement Notices.



1.00  
2.2 Pma  
5.53

7090ha  
1.75

2363  
785ha  
1.94

2060  
1.16ha  
3.6

1854  
1.701ha  
4.20

2139  
7.644ha  
18.89

2175  
0.57ha  
1.14

4564  
2.016ha  
4.98

### Tower Hill

Milbaise

Highfield

Nursery

Tuffs Farm

4531  
2.06ha  
5.1

5526  
1.17ha  
2.9

4723  
2.057ha  
5.08

5149  
10.949ha  
27.06

6133  
4.53ha  
1.12

5537  
1.061ha  
2.62

5825  
4.53ha  
1.12

6224  
4.21ha  
1.04

7557  
1.183ha  
2.92

7628  
5.15ha  
1.42

Path

Pond

El Sub Sta

Millerest

Thisuldo

Solons

El Sub Sta

Hightere

145 Bm

Tenements Farm  
Cottage

Playing Field

The Cottage

Lyme Lodge

Glendon

Burleigh

Clavelly

W. O. V. O.

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

2.2

Annex to Enforcement Notice dated: 21st October 1986

This information is given in pursuance of the Town and Country Planning (Enforcement Notices and Appeals) Regulations 1981 and Circular 38/81.

The Council, as the local planning authority, consider it expedient to serve this Notice upon you for the following reason(s):-

The fence obscures visibility for vehicles emerging from Stoney Lane to the detriment of the safety of vehicles and pedestrians on a classified road.

NONHIGATE  
DOCUMENT STAMPED  
TO ENSURE DETECTION  
BY SCANNER