

RE: 2 Pettley Gardens, Romford RM7 9AB

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT NOTICE

- TO:**
1. The Owner of the said land and property.
 2. The Occupier of the said land and property.
 3. Mr Derrick Alan Sinfield of 2 Pettley Gardens, Romford RM7 9AB.
 4. Mr Derrick Alan Sinfield of 135 High Street, North Weald, Essex CM16 6EA.
 5. Southern Pacific Mortgage Limited of Deeds Admin Team, St Johns Place, Easton Street, High Wycombe, Bucks HP11 1NL.
 6. Southern Pacific Mortgage Limited of 10 – 18 Union Street, London SE1 1SZ.

ISSUED BY: London Borough of Havering

1. **THIS IS A FORMAL NOTICE** which is issued by the London Borough of Havering ("the Council") because it appears to the Council that there has been a breach of planning control, under Section 171A(1)(a) of the above Act, at the land described below. The Council considers that it is expedient to issue this Notice, having regard to the provisions of the development plan and to other material planning considerations.

2. **THE LAND AFFECTED**

The land and property known as 2 Pettley Gardens, Romford RM7 9AB (registered under title no. EGL370722) and shown outlined in bold black on the attached plan ("the Land").

3. **THE BREACH OF PLANNING CONTROL ALLEGED**

Without planning permission, the unauthorised erection of a canopy structure to join an existing ground floor extension and garages, in the rear garden of the property, and shown hatched black on the attached plan ("the Canopy").

4. **REASONS FOR ISSUING THIS NOTICE**

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

The Canopy has a materially harmful impact on the available amenity space in the rear garden of the property and the structure gives rise to overdevelopment.

The Canopy by reason of its appearance and siting has an adverse visual affect on occupiers of adjacent properties. The Canopy has created a solid wall in excess of 2 meters in height running along the shared boundary between the property and No. 4 Pettley Gardens.

The unauthorised development is contrary to policy DC61 of the Council's Local Development Framework Core Strategy and Development Control Policies Development Plan.

The Canopy does not constitute permitted development under the General Permitted Development Order 1995 (as amended).

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) Remove the unauthorised canopy structure connecting the garage to the rear authorised ground floor extension.

Time for compliance: 3 months from the effective date of this notice.

- (ii) Remove from the Land all rubble and building materials resulting from compliance with (i) above.

Time for compliance: 3 months from the effective date of this notice.

6. WHEN THIS NOTICE TAKES EFFECT

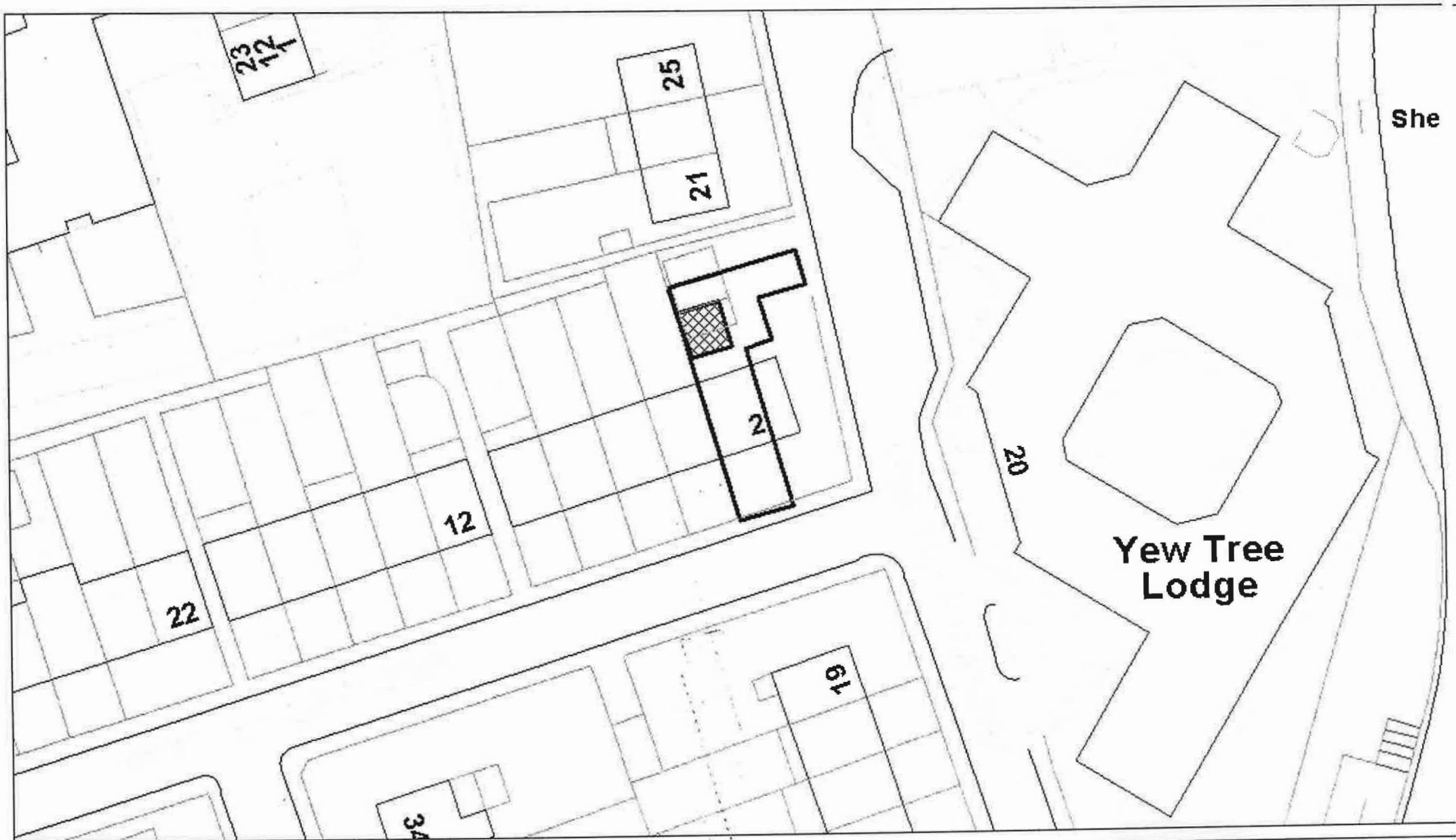
This Notice takes effect on 13 June 2012, unless an appeal is made against it beforehand

Dated: 7 May 2012

Signed:

A handwritten signature in black ink, appearing to read 'W. H. Fealy', written in a cursive style.

Authorised Officer
on behalf of London Borough of
Havering
Town Hall
Main Road, Romford RM1 3BD

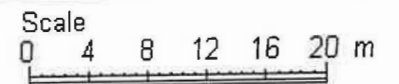


2 Pettley Gardens Romford



Map Reference: TQ5088NE
Date: 23/04/2012

Scale @ A4
1:500



London Borough of Havering
Town Hall, Main Road
Romford, RM1 3BD
Tel: 01708 434343

nlp
National Local Partnership



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YOUR RIGHT OF APPEAL

You can appeal against this Enforcement Notice to the Secretary of State by 13 June 2012. Further details are given in the attached explanatory note.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Enforcement Notice, it will take effect on 13 June 2012 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 the Notice.

FAILURE TO COMPLY WITH AN ENFORCEMENT NOTICE WHICH HAS TAKEN EFFECT CAN RESULT IN PROSECUTION AND/OR REMEDIAL ACTION BY THE COUNCIL.

EXPLANATORY NOTES

STATUTORY PROVISIONS

A summary of Sections 171A, 171B and 172 to 177 of the Town and Country Planning Act 1990 (as amended) is enclosed with this Notice.

YOUR RIGHT OF APPEAL

You can appeal against this Notice, but any appeal must be in writing and received, or posted (with the postage paid and properly addressed) in time to be received in the ordinary course of the post, by the Secretary of State before 13 June 2012.

If you intend to appeal against this Notice you should follow the instructions given on the information sheet from the Planning Inspectorate which accompanies this Notice.

GROUND OF APPEAL

The grounds of appeal are set out in Section 174 of the Town and Country Planning Act 1990 (as amended) you may appeal 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, 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 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.

Not all these grounds may be relevant to you.

PLANNING APPLICATION FEE

Should you wish to appeal on Ground (a) - that planning permission should be granted for the unauthorised development - then a fee of £150.00 is payable both to the Secretary of State and to the Council making the total fees payable £300.00. If the fees are not paid then that ground of appeal will not be valid.

STATEMENT ON GROUNDS OF APPEAL

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 him a notice so requiring him, 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.

RECIPIENTS OF THE ENFORCEMENT NOTICE

The names and addresses of all the persons on whom the Enforcement Notice has been served are:

1. The Owner of the said land and property.
2. The Occupier of the said land and property.
3. Mr Derrick Alan Sinfield of 2 Pettley Gardens, Romford RM7 9AB.
4. Mr Derrick Alan Sinfield of 135 High Street, North Weald, Essex CM16 6EA.
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