

RE: 29 Lessington Avenue Romford RM7 9EB

**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
  2. The Occupier of the said land
  3. Nahid Bano Siddiqui, 29 Lessington Avenue, Romford RM7 9EB
  4. The Company Secretary, Barclays Bank PLC ( Co. Regn. No. 1026167 ) , Meridian House, Anchor Boulevard, Crossways Business Park, Dartford DA2 6QU, trading as the Woolwich

**ISSUED BY:** London Borough of Havering

1. **THIS IS A FORMAL NOTICE** which is issued by 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. 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.

2. **THE LAND AFFECTED**

The land at 29 Lessington Avenue Romford RM7 9EB shown edged black on the attached plan "A" ( hereinafter called " the Land " )

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

Without planning permission the laying of hard surface to the front of the property shown shaded on the attached plan "B", the installation of external security grills on the front windows shown on the attached photograph, and the erection of a 2 metre high metal fence, including gates, adjacent to the highway shown thick edged black on the attached plan "C" (also shown on attached photograph)

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breaches of planning control have occurred within the last four years. The hardstanding, security grills, fence, including gates,

in question were substantially completed less than four years ago. The hardstanding, grills, fence, including gates, appear as visually intrusive development and are detrimental to the streetscene. It is contrary to development plan policies and harmful to the visual amenities of the area. The Council do not consider that planning permission should be given because planning conditions could not overcome these problems.

In making its decision to issue this Notice the Council considered that the unauthorised use is contrary to the following policies of the Local Development Framework : policies CP17, DC61 and DC63.

## 5. WHAT YOU ARE REQUIRED TO DO

- (i) Reduce the height of the fence, including the gates, adjacent to the public highway, shown marked thick edged black on the attached plan "C", to no greater than 1 metre (also shown on attached photograph)

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

- (ii) Remove the metal security grills that cover the front windows shown on the attached photograph

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

- (iii) Remove from the land all waste materials, building rubble and debris resulting from compliance with (i) and (ii) above.

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

- (iv) Remove all hardstanding shown shaded on attached plan "B"

Time for compliance: 6 months from the effective date of this notice

- (v) Remove from the land all waste materials, building rubble and debris resulting from compliance with (iv) above

Time for compliance: 6 months from the effective date of this notice

## 6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 8<sup>th</sup> September 2010, unless an appeal is made against it beforehand

Dated: 27<sup>th</sup> July 2010

Signed:

  
Authorised Officer

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

### **YOUR RIGHT OF APPEAL**

You can appeal against this Enforcement Notice to the Secretary of State by 8<sup>th</sup> September 2010. 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 8<sup>th</sup> September 2010 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 copy 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 8<sup>th</sup> September 2010.

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

Under 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 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 the 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 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 a notice so requiring, 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.

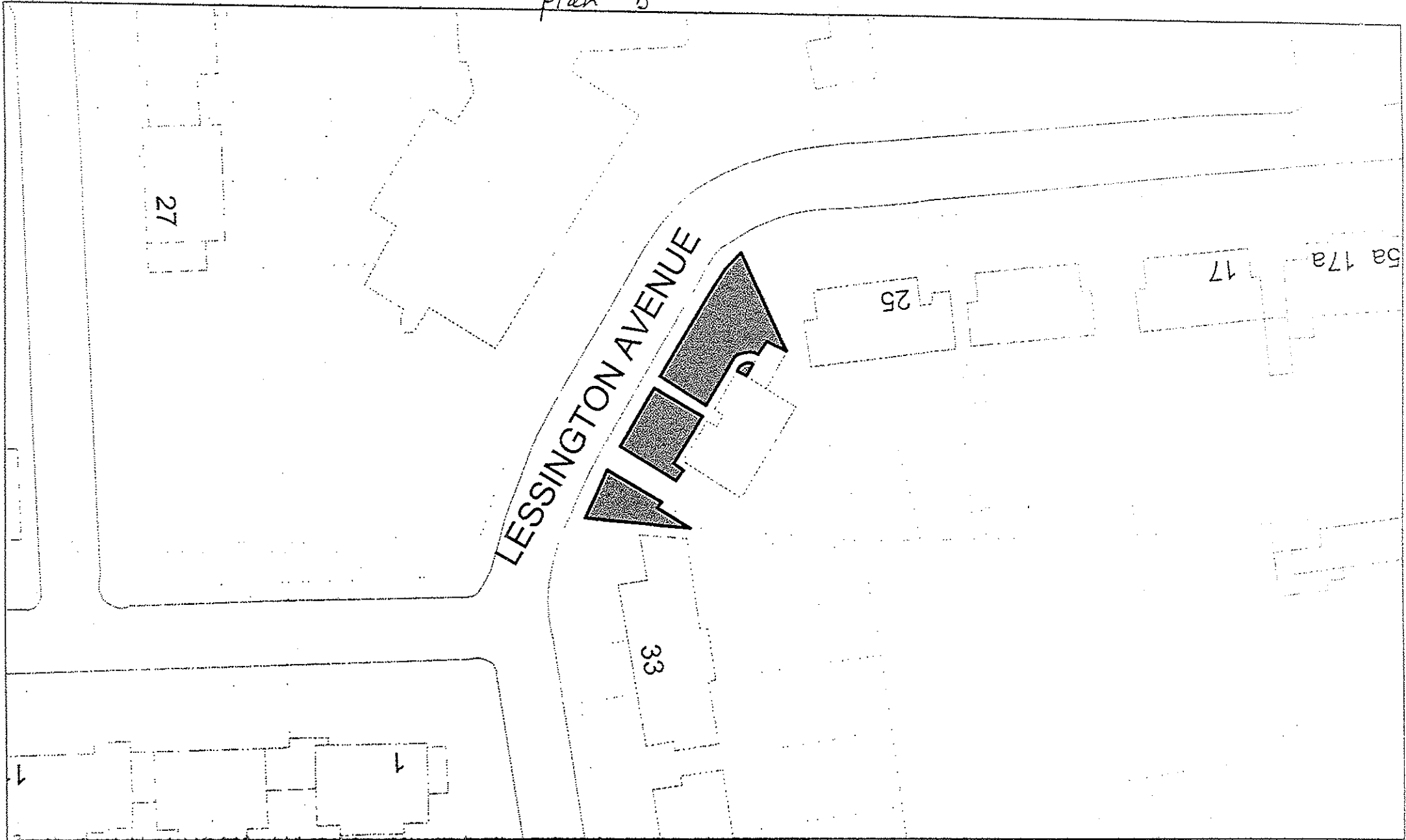
#### **RECIPIENTS OF THE ENFORCEMENT NOTICE**

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

1. The Owner of the said land
2. The Occupier of the said land
3. Nahid Bano Siddiqui, 29 Lessington Avenue, Romford RM7 9EB
4. The Company Secretary, Barclays Bank PLC ( Co. Regn. No. 1026167 ),  
Meridian House, Anchor Boulevard, Crossways Business Park, Dartford DA2  
6QU, trading as The Woolwich.



Plan "B"

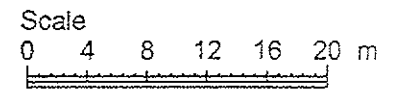


29 Lessington Avenue, Romford.



Map Reference: TQ5088SW  
Date: 15/04/2010

Scale @ A4  
1:500

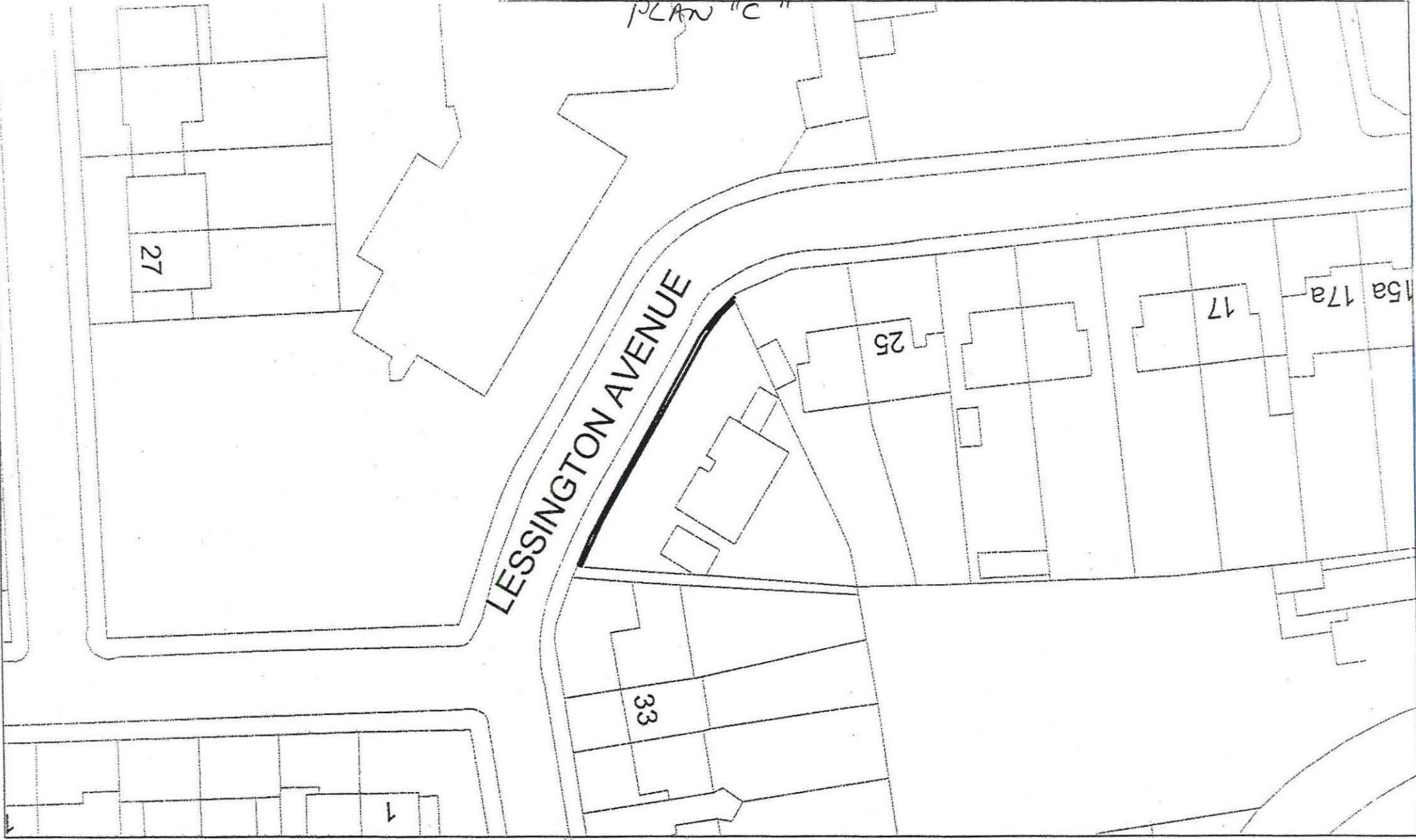


London Borough of Havering  
Town Hall, Main Road  
Romford, RM1 3BD  
Tel: 01708 424243



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PLAN "C"

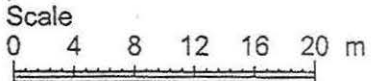


29 Lessington Avenue, Romford.



Map Reference: TQ5088SW  
Date: 28/05/2010

Scale @ A4  
1:500



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



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photograph showing fence, including gates.



photograph showing seecenty gulls on front windows.

