

**191 NORTHUMBERLAND AVENUE HORNCHURCH RM11 2HW**

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

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

**Enforcement Reference: ENF/317/18**

## **ENFORCEMENT NOTICE**

**ISSUED BY:** London Borough of Havering (herein after referred to as “the Council”)

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 **191 Northumberland Avenue, Hornchurch, RM11 2HW** (registered under title number EGL44179) as shown edged in BLACK on the attached plan.

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

1. Deviation from approved plans, P0838.17; front extension not built in accordance with the approved plans.
2. Without planning permission, the erection of a single story rear/side extension to the dwelling.

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

- 1) It appears to the Council that the above breach of planning control has occurred “within the last FOUR years” and that steps should be taken to remedy the breach by Section 173 4(a) or to remedy any amenity which has been caused by the breach.
- 2) The front extension would, by reason of its height, bulk and mass, appear as an unacceptably dominant and visually intrusive feature in the street scene harmful to the appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD and SPD04 Residential Extensions and Alterations
- 3) The side/rear extension, by reason of its excessive depth, height and position close to the boundaries of the site, is an intrusive and unneighbourly

development as well as having an adverse effect on the amenities of adjacent occupiers contrary to Policy DC61 of the LDF Core Strategy and SPD04 Residential Extensions & Alterations

- 4) The Council does not consider that planning permission should be granted because conditions attached to any consent will not remedy the breach.

## 5. WHAT YOU ARE REQUIRED TO DO

- 1) Demolish the rear/side extension;

AND

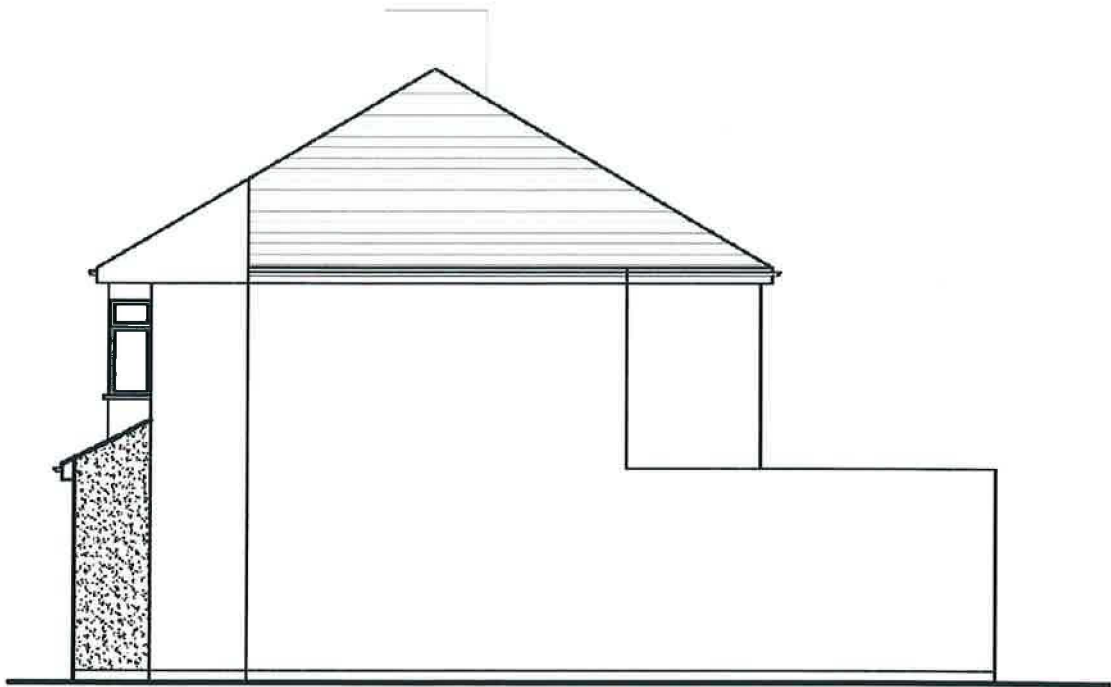
- 2) Remove the ground floor front extensions from the property in the area shown hatched in black on the attached plan;

OR

- 3) Alter the ground floor front extension in the area hatched in black on the attached plan, to conform with the approved plans of application P0838.17 as copied below.



PROPOSED FRONT ELEVATION



PROPOSED SIDE ELEVATION

- 4) Remove from the land, in the area shown outlined in black on the attached plan, all materials, rubble, machinery, apparatus and Installations used in connection with or resulting from compliance with steps (1) to (3) above.

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

## 6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **19<sup>th</sup> March 2019**, unless an appeal is made against it beforehand.

Dated: 15<sup>th</sup> February 2019

Signed: *David Colwill*

Authorised Officer

David Colwill – Team Leader Planning Enforcement & Appeals  
on behalf of London Borough of Havering  
Town Hall  
Main Road  
Romford RM1 3BD

Nominated Officer: William Coleman  
Email: [William.coleman@haverling.gov.uk](mailto:William.coleman@haverling.gov.uk)

Telephone Number: 01708 433174

## **YOUR RIGHT OF APPEAL**

You can appeal against this Enforcement Notice to the Secretary of State by the **19<sup>th</sup> March 2019**. 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 **19<sup>th</sup> March 2019** 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 **19<sup>th</sup> March 2019**.

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 wish to appeal on ground (a) - that planning permission should be granted for the unauthorised development - then a fee of **£412** is payable to the Council when you lodge your appeal. If you do not pay this fee, the planning merits of your appeal will not be considered by the Planning Inspector

### **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 you 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) ARUN SIDHU; 191 Northumberland Avenue, Hornchurch, RM11 2HW.
- (2) NARPREET SIDHU; 191 Northumberland Avenue, Hornchurch, RM11 2HW.
- (3) The Owner; 191 Northumberland Avenue, Hornchurch, RM11 2HW
- (4) The Occupier; 191 Northumberland Avenue, Hornchurch, RM11 2HW
- (5) NATIONWIDE BUILDING SOCIETY; Nationwide House, Pipers Way, Swindon L SN38 1NW.



191 NORTHUMBERLAND AVENUE



Scale: 1:500  
 Date: 15 February 2019  
 Size: A4

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

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 Ordnance Survey 100024327

CST Room 3/13  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

Direct Line 0303-444 5000  
Email [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk)

## THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can do it:-

- on-line at the Appeals Casework Portal <https://acp.planninginspectorate.gov.uk/> or
- sending us enforcement appeal forms, which can be obtained by contacting us on the details above.

**You MUST make sure that we receive your appeal before the effective date on the enforcement notice.**

Please read the appeal guidance documents at <https://www.gov.uk/appeal-enforcement-notice/how-to-appeal>

In exceptional circumstances you may give notice of appeal by fax or letter. You should include:-

- the name of the local planning authority;
- the site address;
- the effective date of the enforcement notice.

We MUST receive this BEFORE the effective date on the enforcement notice. This should **immediately** be followed by your completed appeal forms.