

**RE: Land and premises at 222 Moor Lane Cranham Upminster RM14 1HN**

**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. Brian Leonard Ward 222 Moor Lane Cranham Upminster RM14 1HN
  4. Jacqueline Ann Ward 222 Moor Lane Cranham Upminster RM14 1HN
  5. The Company Secretary, Bank of Scotland PLC (Scot. Co. Regn. No. SC327000 ), Halifax Division, 1 Lovell Park Road, Leeds LS1 1NS.

**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 and premises at 222 Moor Lane Cranham Upminster RM14 1HN shown black on the attached plan( hereinafter called " the Land " ).

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

Without planning permission the unauthorised construction of a front dormer.

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 unauthorised development in question was substantially completed less than four years ago. The dormer, by reason of its design, depth, position, and bulk appear out of scale and character with the dwelling and materially harmful to the visual amenity of the surrounding area. It is contrary to the London Borough of Havering Supplementary Design Guidance ( Residential Extensions and Alterations ) and DC61 of the Core Strategy and Development Control Policies Submission Plan Document. The Council do not consider that

planning permission should be given because planning conditions could not overcome these problems.

The owner of the land applied for planning permission under planning application P0312.08 for the retention of existing dormer, which was refused, and an appeal against the Council's decision was dismissed on 21<sup>st</sup> January 2009. A further planning application under P1615.08 for a larger front dormer was similarly refused for the reasons stated above. The owner did not appeal against the Council's decision.

## 5. WHAT YOU ARE REQUIRED TO DO

- (i) Remove the front dormer.

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

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

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

- (iii) Restore the building to its condition before the breach occurred by reinstating the authorised roof.

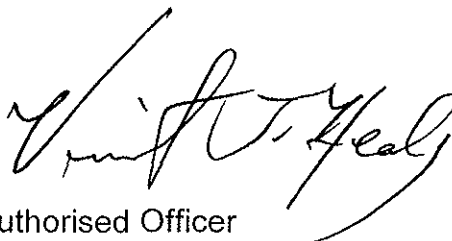
Time for compliance: 6 months from the effective date of this notice

## 6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 22<sup>nd</sup> October 2010, unless an appeal is made against it beforehand.

Dated: *14<sup>th</sup> September* 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 before 22<sup>nd</sup> October 2010. Further details are given on the information sheet from the Planning Inspectorate which accompanies this Notice. The enclosed booklet "Enforcement Appeals – A guide to procedure" also sets out your rights.

## **WHAT HAPPENS IF YOU DO NOT APPEAL**

If you do not appeal against this Enforcement Notice, it will take effect on 22<sup>nd</sup> October 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**

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 22<sup>nd</sup> October 2010.

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

### **GROUND OF APPEAL**

Under section 174 of the Town and Country Planning Act 1990 (as amended) you may appeal on one or more of the following grounds :- 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 :

- (a) that those matters have not occurred;
- (b) that those matters (if they occurred) do not constitute a breach of planning control;
- (c) 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;
- (d) that copies of the enforcement notice were not served as required by section 172;
- (e) 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;
- (f) 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.

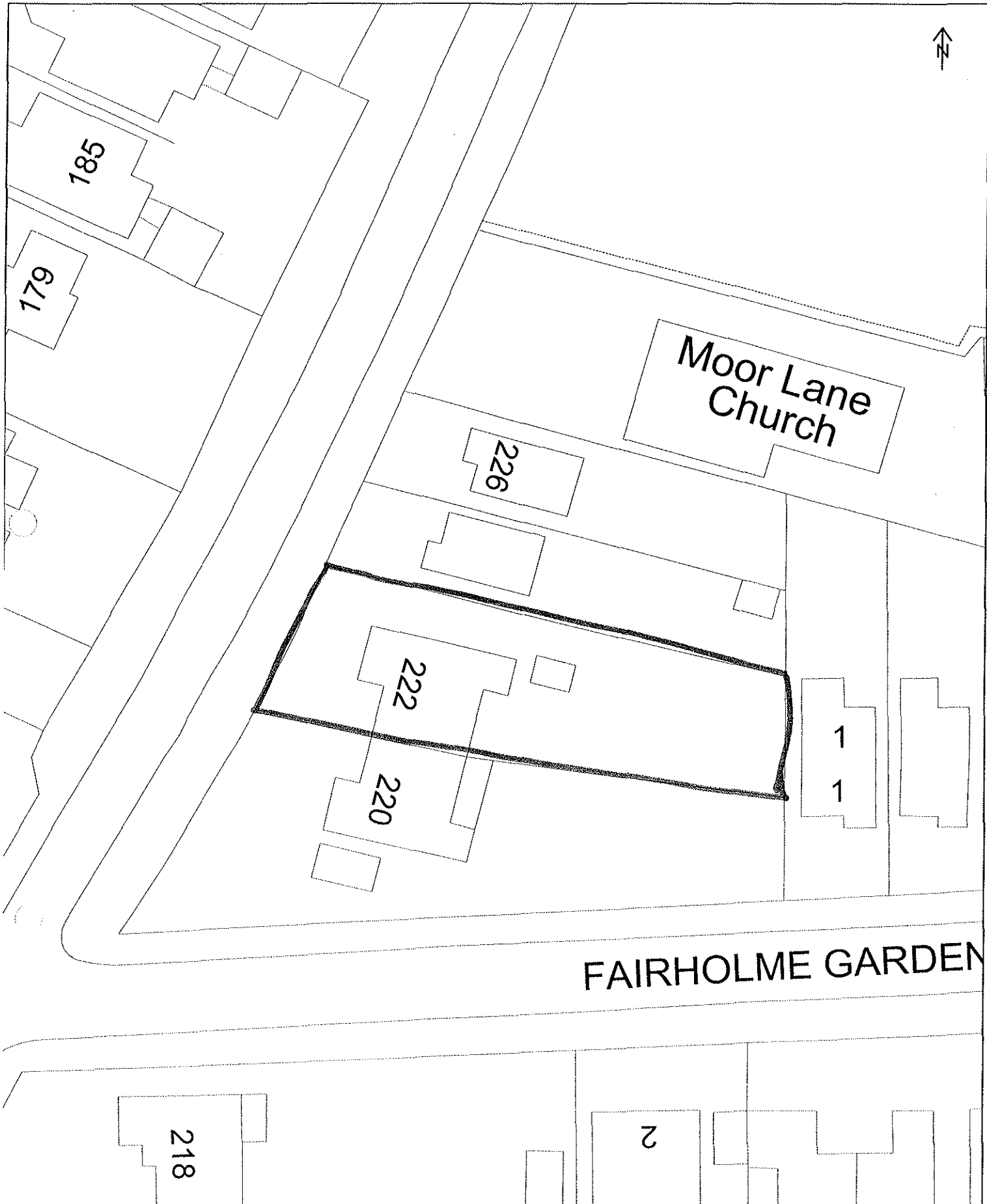
### **STATEMENT ON GROUNDS OF APPEAL**

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 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**

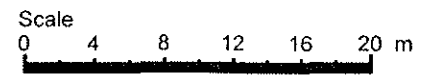
The names and addresses of all the persons on whom the Enforcement Notice has been served are:

1. The Owner of the said land
2. The Occupier of the said land
3. Brian Leonard Ward 222 Moor Lane Cranham Upminster RM14 1HN
4. Jacqueline Ann Ward 222 Moor Lane Cranham Upminster RM 14 1HN
5. The Company Secretary, Bank of Scotland PLC ( Scot. Co. Regn. No. SC327000 ), Halifax Division, 1 Lovell Park Road, Leeds LS1 1NS.



FAIRHOLME GARDEN

222 Moor Lane



Scale @ A4 1:445



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