

RE: 11 Northumberland Avenue, Hornchurch, Essex RM11 2HJ

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. Neil Darren Barwick of 11 Northumberland Avenue, Hornchurch, Essex RM11 2HJ
 4. Santander UK PLC of Deeds Services, 101 Midsummer Boulevard, Milton Keynes MK9 1AA
 5. Santander UK PLC of 2 Triton Square, Regents Place, London NW1 3AN

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 11 Northumberland Avenue, Hornchurch, Essex RM11 2HJ (registered under title no. EGL13645) and shown outlined in bold black on the attached plan ("the Property").

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

Without planning permission, unauthorised development comprising the construction of a two storey side extension ("Extension").

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 Extension by reason of its excessive width, overall bulk and roof form, is out of scale with the Property and lacks subservience. The Extension visually unbalances the appearance of this semi-detached Property and appears as an unacceptable

form of development 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 Development Plan Document.

Planning application P1409.11 for the construction of the Extension and retrospective planning application P0204.12 for the retention of the Extension were refused for the reasons outlined above.

The Councils decision to refuse planning permission P0204.12 was appealed to the Planning Inspectorate (appeal reference APP/B5480/D/12/2179178). On 8 October 2012 the Planning Inspectorate dismissed the appeal for the following reasons: '...the extension is harmful to the character and appearance of the area, it conflicts with policy DC61 and therefore the appeal fails'.

The Council do not consider that planning permission should be given because planning conditions could not overcome these problems.

On 26 July 2013 the Council approved planning application P0461.13 for an extension to the Property that removed the front gable over the garage doors, removed the prominent first floor front gable and set the first floor back considerably from that which had been constructed. The development approved under planning application P0461.13 is shown on the approved drawing No. 2790.02 ("Drawing"). A copy of the Drawing is attached to this notice.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Remove the unauthorised Extension to the Property in its entirety or execute such alterations to the Extension to fully accord with the details on the Drawing, submitted to the Council in accordance with planning permission P0461.13

Time for compliance: 9 months from the effective date of this notice.

- (ii) Remove from the land all materials, rubble, machinery, apparatus and installations used in connection with or resulting from compliance with (i) above.

Time for compliance: 9 months from the effective date of this notice.

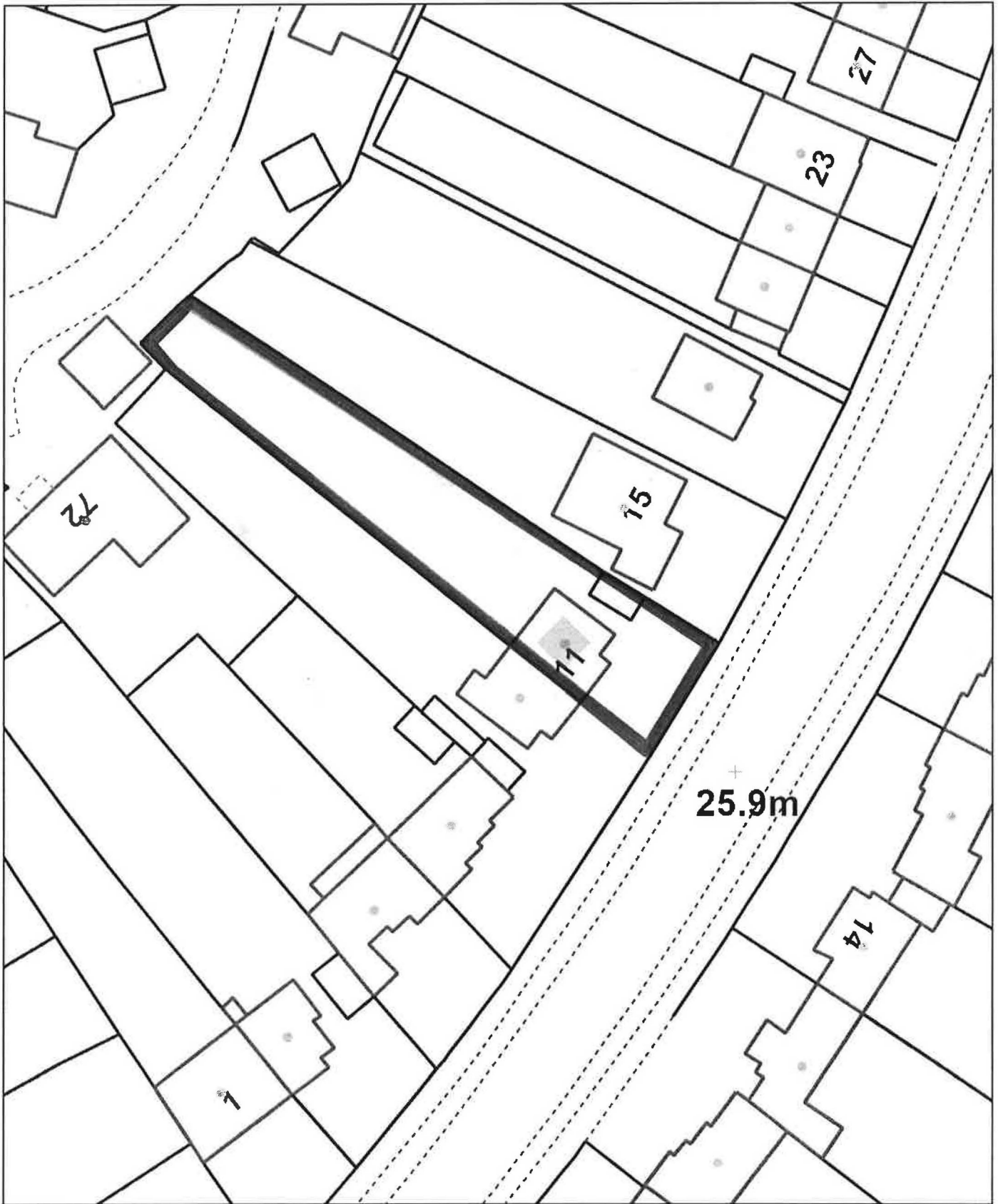
6. **WHEN THIS NOTICE TAKES EFFECT**


This Notice takes effect on 31 August 2015, unless an appeal is made against it beforehand

Dated: 13th July 2015

Signed: 

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




11 NORTHUMBERLAND AVE, HORNCHURCH RM11 2HT 





 Licensed Partner

Scale: 1:500 0 5 10 15 metres
 Date: 08 July 2015 

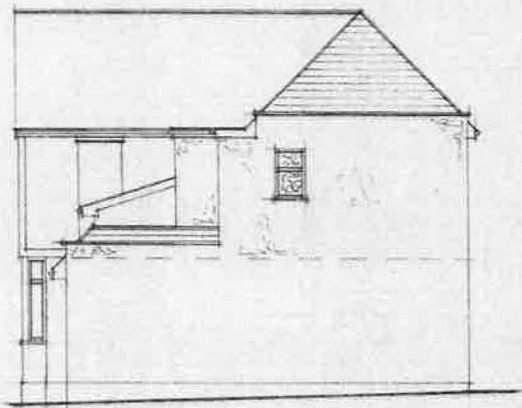


 London Borough of Havering
 Town Hall, Main Road
 Romford, RM1 3BD
 Tel: 01708 434343

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 Ordnance Survey 100024327



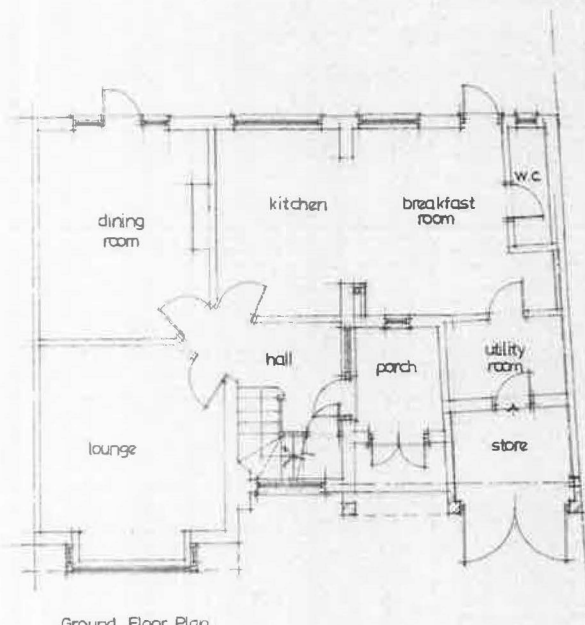
Front Elevation



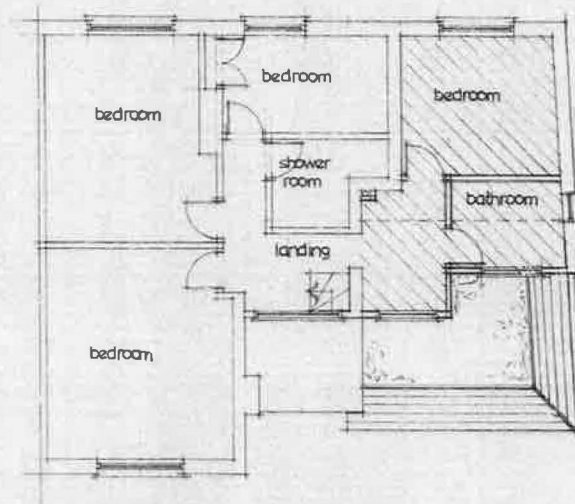
Side Elevation



Rear Elevation



Ground Floor Plan



First Floor Plan

PLANNING & BUILDING
CONTROL SERVICES
Tel: 01708 227135
File No.

Disclaimer: Do not use these drawings. All dimensions and levels etc. shall be checked on site and all works carried out in accordance with the local authority approved drawings and specifications. Any discrepancies to be reported immediately.

Contractor's obligation: The whole of the works shall be carried out strictly in accordance with the contract documents, specifications and all governing building and planning regulations, with and to meet all relevant statutory requirements of planning and in compliance with the regulations and acts of all public utilities, local authorities, health and safety regulations.

PLAN SERVICES
28A STATION ROAD
LIPMINSTER
ESSEX
RM14 2UR TEL: 01708 227135

project
11, NORTHUMBERLAND AVENUE
HORNCHURCH ESSEX
FIRST FLOOR SIDE EXTENSION
PROPOSED SCHEME

date OCT 2012

scale 1:50 dwg. no 2790_02

YOUR RIGHT OF APPEAL

You can appeal against this Enforcement Notice to the Secretary of State
By 31 August 2015. 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 31 August 2015 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 31 August 2015.

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

If you intend to appeal against the notice on ground (a) - that planning permission should be granted for the unauthorised development - then a fee of £344.00 is payable to the Council. If the fee is 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. Neil Darren Barwick of 11 Northumberland Avenue, Hornchurch, Essex RM11 2HJ
4. Santander UK PLC of Deeds Services, 101 Midsummer Boulevard, Milton Keynes MK9 1AA
5. Santander UK PLC of 2 Triton Square, Regents Place, London NW1 3AN