

RE: 34 Lake Rise, Romford RM1 4DY

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. Cormac John Grannell of 34 Lake Rise, Romford RM1 4DY
 4. The Company Secretary Barclays Bank PLC (Co Reg No 1026167) of PO Box 187, Leeds LS11 1AN
 5. The Company Secretary Barclays Bank PLC (Co Reg No 1026167) of Business Lending Services, PO Box 16276 One Snowhill, Queensway, Birmingham B2 2XE
 6. The Company Secretary Barclays Bank PLC (Co Reg No 1026167) of 1 Churchill Place, London E14 5HP

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 34 Lake Rise, Romford RM1 4DY (registered under title no. NGL172412) 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:

- (a) the construction of a raised patio area enclosed by boundary railings attached to the rear ground floor of the Property ("the Patio");
- (b) the construction of a first floor balcony area enclosed by boundary railings and parapet wall ("the Balcony").

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 Patio results in material harm for occupants of the neighbouring property through overlooking and a loss of privacy. A person standing on the Patio is able to look back towards the rear conservatory extension and rear garden area of the neighbouring property.

The Balcony results in material harm for occupants of the neighbouring property through overlooking and a loss of privacy. A person standing on the Balcony is able to:

- a. look directly into a bedroom window of the attached house at a range of just over 1 metre;
- b. look down directly into the rear conservatory extension and rear garden of the neighbouring property.

The Council considers that screening or fencing on the party boundary would appear as an overbearing feature in the rear garden environment because of the likely height required to prevent overlooking.

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

The Council has previously refused two retrospective planning applications for the retention of the Patio (application references P1198.12 and P0675.13).

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

On 19 March 2013 the Council approved planning application P1203.12 for alterations to the rear flat roof / Balcony area of the Property. The approved drawing (drawing 840/12) required the installation of a Juliet balcony preventing access to the flat roof / Balcony area and the removal of the boundary railings and a section of the parapet wall enclosing the Balcony ("the Drawing"). A copy of the Drawing approved by the Council under planning reference P1203.12 is attached to this notice.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Remove the Patio and boundary railings to the rear of the Property.

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

- (ii) Cease the use of the roof area of the rear single storey extension as a Balcony.

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

- (iii) Execute alterations to the Property to: (a) install a Juliet balcony preventing access to the flat roof / Balcony (b) remove the boundary

railings and a section of the parapet wall enclosing the Balcony as detailed on the Drawing, submitted to the Council in accordance with planning permission P1203.12.

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

- (iv) Remove from the Land all waste materials and rubble resulting from compliance with (i) and (iii) above.

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

6. **WHEN THIS NOTICE TAKES EFFECT**

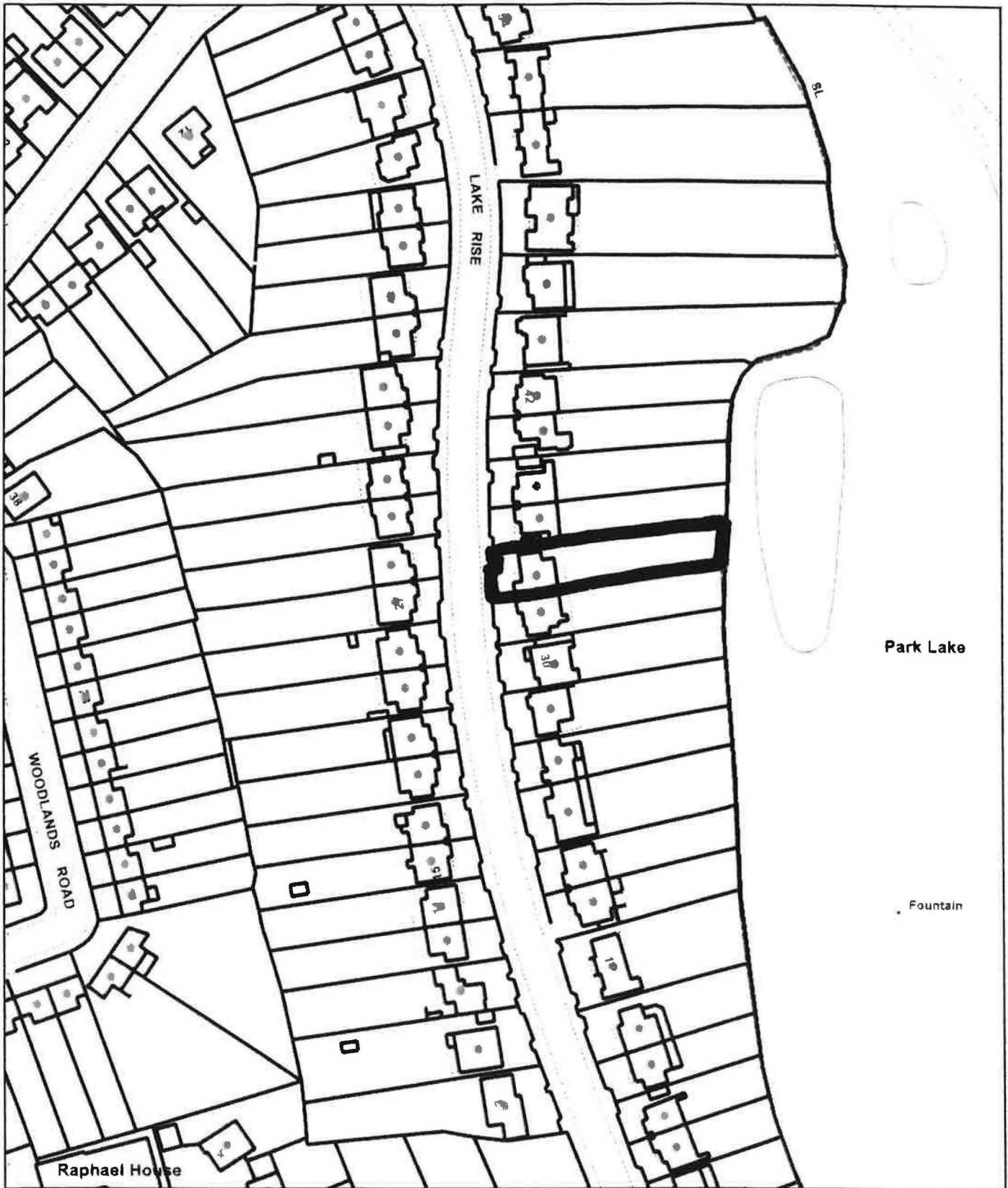
This Notice takes effect on 29 November 2013, unless an appeal is made against it beforehand

Dated: 23 October 2013

Signed:

A handwritten signature in blue ink, appearing to read 'Vincent J. Gearty', is written over the printed name and title.

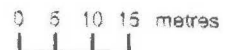
Authorised Officer
on behalf of London Borough of
Havering
Town Hall
Main Road, Romford RM1 3BD



34 Lake Rise Romford RM1 4DY



Scale: 1:1250
 Date: 09 August 2013
 Size: A4

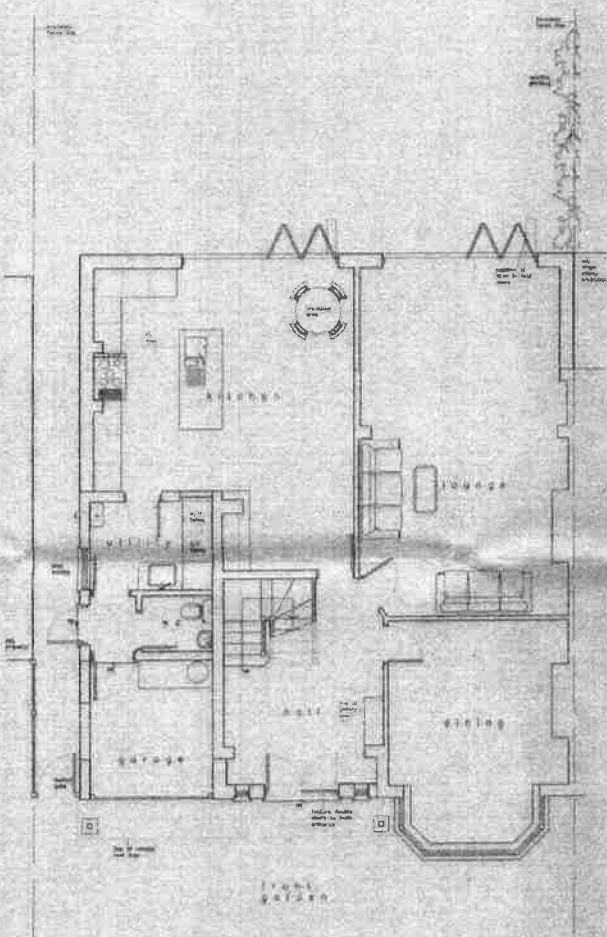


London Borough of Havering
 Town Hall, Main Road
 Romford, RM1 3BD
 Tel: 01708 434343

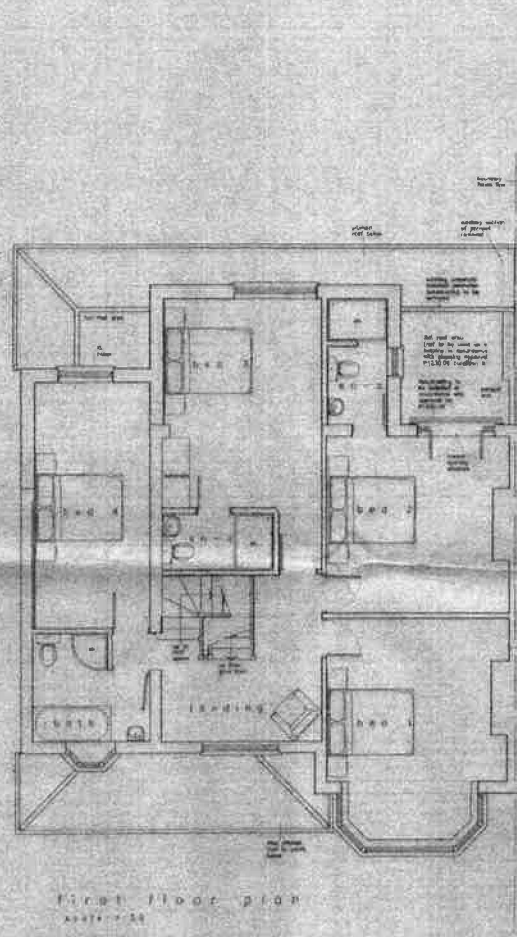
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 Ordnance Survey 100024327

1. The Architect's design and construction documents are prepared in accordance with the provisions of the Building Act 1975 and the Building Regulations 1984. The Architect's design and construction documents are prepared in accordance with the provisions of the Building Act 1975 and the Building Regulations 1984. The Architect's design and construction documents are prepared in accordance with the provisions of the Building Act 1975 and the Building Regulations 1984.

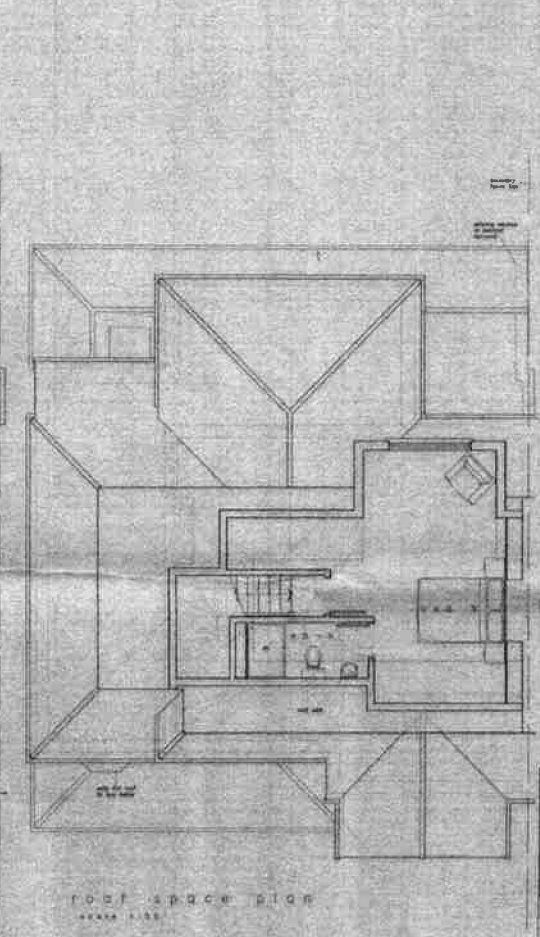
No.	Date	Detail	Scale



ground floor plan
XXXXX 1:100



first floor plan
XXXXX 1:100



roof space plan
XXXXX 1:100

ARCHITECTS
URBAN DESIGN
SPACE PLANNING

REGISTERED BY ARCHITECTS
BOARD No. 101
101/01/01/01
101/01/01/01
101/01/01/01

client	Mr & Mrs Grinnell
project	34 Lake Road, Roxford, Essex, RM1 4DY
date	Proposed Alteration & Reorganisation Proposed Layout - 2 Oct 2010

scale	1:100 @ A1
date	Sept 2010
drawing no.	840/12

YOUR RIGHT OF APPEAL

You can appeal against this Enforcement Notice to the Secretary of State by 29 November 2013. 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 29 November 2013 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 29 November 2013.

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. Cormac John Grannell of 34 Lake Rise, Romford RM1 4DY
4. The Company Secretary Barclays Bank PLC (Co Reg No 1026167) of PO Box 187, Leeds LS11 1AN
5. The Company Secretary Barclays Bank PLC (Co Reg No 1026167) of Business Lending Services, PO Box 16276 One Snowhill, Queensway, Birmingham B2 2XE
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