

**RE: 186A Main Road, Gidea Park, Romford RM2 5HA**

**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. Ronald William Budden of 36 Ernest Road, Hornchurch, Essex RM11 3JQ.
  4. Ronald William Budden of 79 Parklands Avenue Upminster RM14 2EU.
  5. Barclays Bank PLC, Trading as the Woolwich, of Meridian House, Anchor Boulevard, Crossways Business Park, Dartford DA2 6QU.
  6. Barclays Bank PLC of 1 Churchill Place, London E14 5HP.
  7. Woolwich Limited 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 186A Main Road, Gidea Park, Romford RM2 5HA, (a first floor flat registered under title no. EGL290271) and shown outlined in bold black on the attached plan ("the Property").

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

Without planning permission the installation of a uPVC window at first floor level in the front elevation of the Property, of a design and appearance detrimental to the visual amenities and character of the Gidea Park Conservation Area, shown outlined in bold blue on the attached photograph marked 'Photograph 1' ("the uPVC Window").

#### **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 Property lies within the Gidea Park Conservation Area. The Property is a first floor flat above a commercial premises and therefore has no permitted development rights under the Town and Country Planning (General Permitted Development) Order 1995 (as amended). The uPVC Window appears as a visually intrusive addition to the Property. The design and appearance of the uPVC Window is detrimental to the visual amenities and character of the Gidea Park Conservation Area.

The unauthorised development is contrary to Policies DC61 and DC68 of the Local Development Framework Core Strategy and Development Control Policy (Development Plan Documents).

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

#### **5. WHAT YOU ARE REQUIRED TO DO**

- (i) Remove the unauthorised uPVC Window.

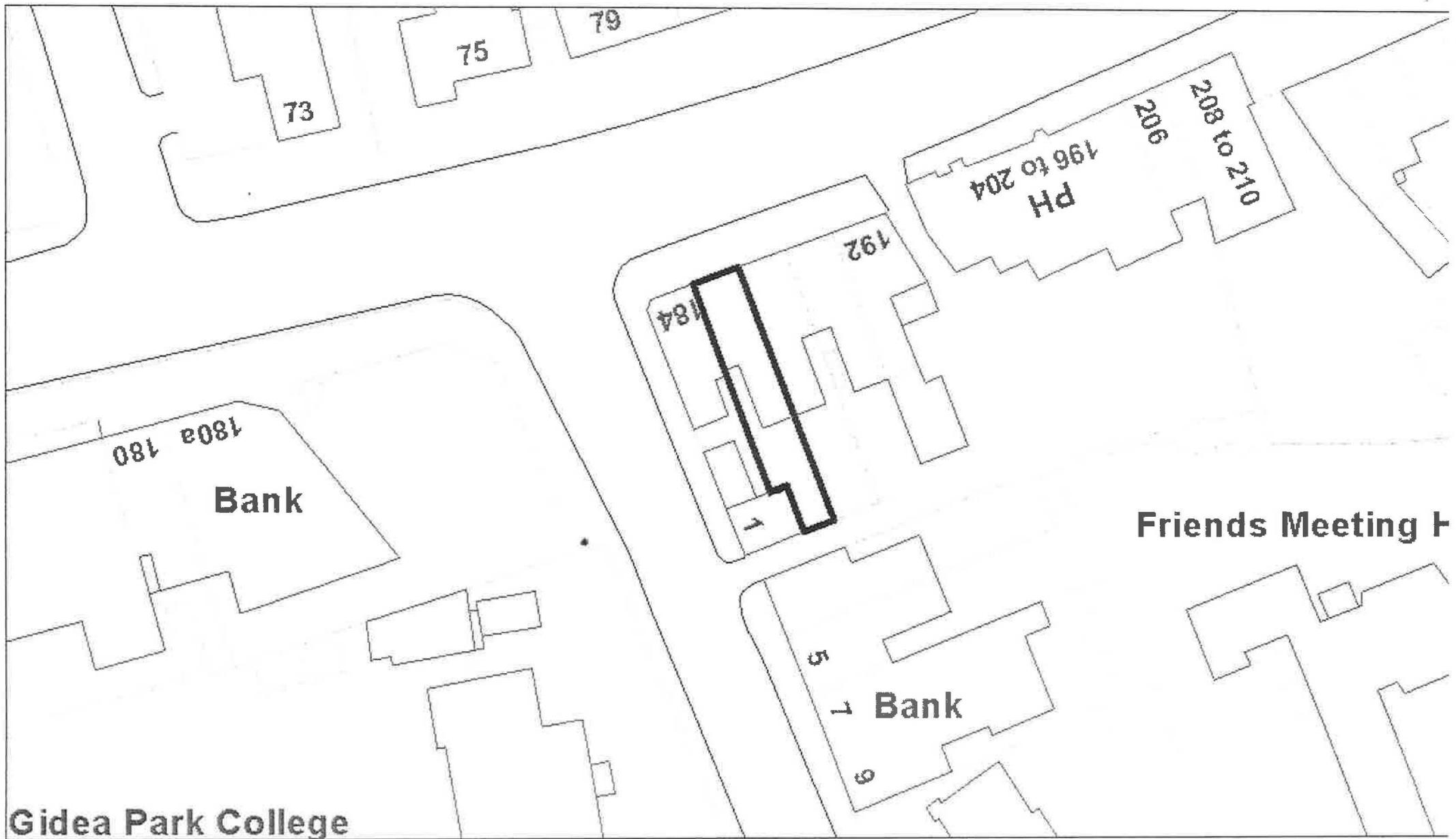
Time for compliance: 6 months from the effective date of this notice.

- (ii) Install a replacement timber casement window, stained to match the existing plinth and brackets, with leaded glazing to replace the unauthorised uPVC Window, the design of which should match that of the window removed from the Property a picture of which is shown outlined in bold red on the attached photograph marked 'Photograph 2'.

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

- (iii) Remove all building materials, debris and rubble brought arising from compliance with requirements (i) and (ii) above.

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

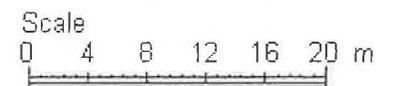


186a Main Road Gidea Park Romford



Map Reference: TQ5289NE  
Date: 30/03/2012

Scale @ A4  
1:500



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

nlp  
National Planning  
Gateway



Ordnance  
Survey  
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PHOTOGRAPH 1



PHOTOGRAPH 2



6. **WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 3 September 2012, unless an appeal is made against it beforehand

Dated: 30 July 2012

Signed:

A handwritten signature in black ink, appearing to read 'Vincent J. Healy'. The signature is written in a cursive style with a large initial 'V'.

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 3 September 2012. 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 3 September 2012 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 3 September 2012.

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 you wish to appeal on Ground (a) - that planning permission should be granted for the unauthorised development - then a fee of £170.00 is payable both to the Secretary of State and to the Council making the total fees payable £340.00. 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 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.
2. The Occupier of the said land.
3. Ronald William Budden of 36 Ernest Road, Hornchurch, Essex RM11 3JQ.
4. Ronald William Budden of 79 Parklands Avenue Upminster RM14 2EU.
5. Barclays Bank PLC, Trading as the Woolwich, of Meridian House, Anchor Boulevard, Crossways Business Park, Dartford DA2 6QU.
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