

RE: 29 Reed Pond Walk Gidea Park Romford RM2 5PH

**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. Kevin James Lye  
29 Reed Pond Walk  
Gidea Park  
Romford RM2 5PH
  4. Deborah Jane Kelsey  
29 Reed Pond Walk  
Gidea Park  
Romford RM2 5PH
  5. The Company Secretary  
Bank of Scotland PLC (Scot. Co. Regn. No. SC327000)  
Halifax Division  
1 Lovell Park Road  
Leeds LS1 1 NS

**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 at 29 Reed Pond Walk Gidea Park Romford RM2 5PH, shown edged in black on the attached plan ("the Land").

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

Without planning permission, the erection of a ground floor conservatory in the area shown shaded grey on the attached plan, including the construction of PVCu windows in conjunction with the conservatory, at the rear of the building on the Land.

#### 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 ground floor conservatory on the Land was substantially completed less than four years ago.

The conservatory is a large and visually intrusive element in the rear garden on the Land. By reason of its depth, height, materials and design the conservatory is considered to relate poorly to the existing dwelling, a 1911 Exhibition House, and to be a large and visually intrusive element in the rear garden on the Land, which has an adverse impact on the character and appearance of the Gidea Park Conservation Area.

In order to maintain the particular character of the Gidea Park Conservation Area, extensions to the rear of existing properties should not normally exceed 3 metres. However, for 1911 properties such as the one to which the conservatory is attached, where design conditions take precedence, rear extensions may need to be smaller. The rear conservatory is 3.5 metres deep and 3.7 metres in height, in close proximity to the boundary with No. 31 Reed Pond Walk. The height and design of the conservatory, particularly the use of PVCU windows, is not compatible with the design and proportions of the original property. The conservatory therefore results in an excessively bulky addition to the original dwelling and has an unacceptable impact on the character and appearance of the Conservation Area.

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

In making its decision to issue this Notice the Council considered that the unauthorised development is contrary to the following policies of the Local Development Framework: policies DC61, DC68, CP18. PPG15 is also relevant.

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

- (i) Remove the ground floor conservatory, shown shaded grey on the attached plan, from the Land.

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

- (ii) Remove from the Land all plastic PVCU frames and ridge details used in conjunction with the building of the windows of the conservatory shown shaded grey on the attached plan.

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

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

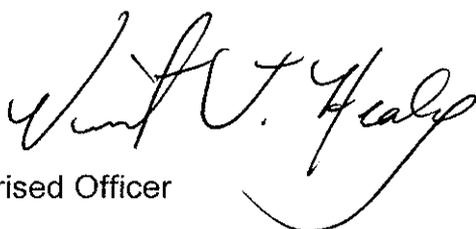
Time for compliance: 6 months from the effective date of this notice.

## 6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 8 April 2010, unless an appeal is made against it beforehand.

Dated: 25 February 2010

Signed:



Authorised Officer

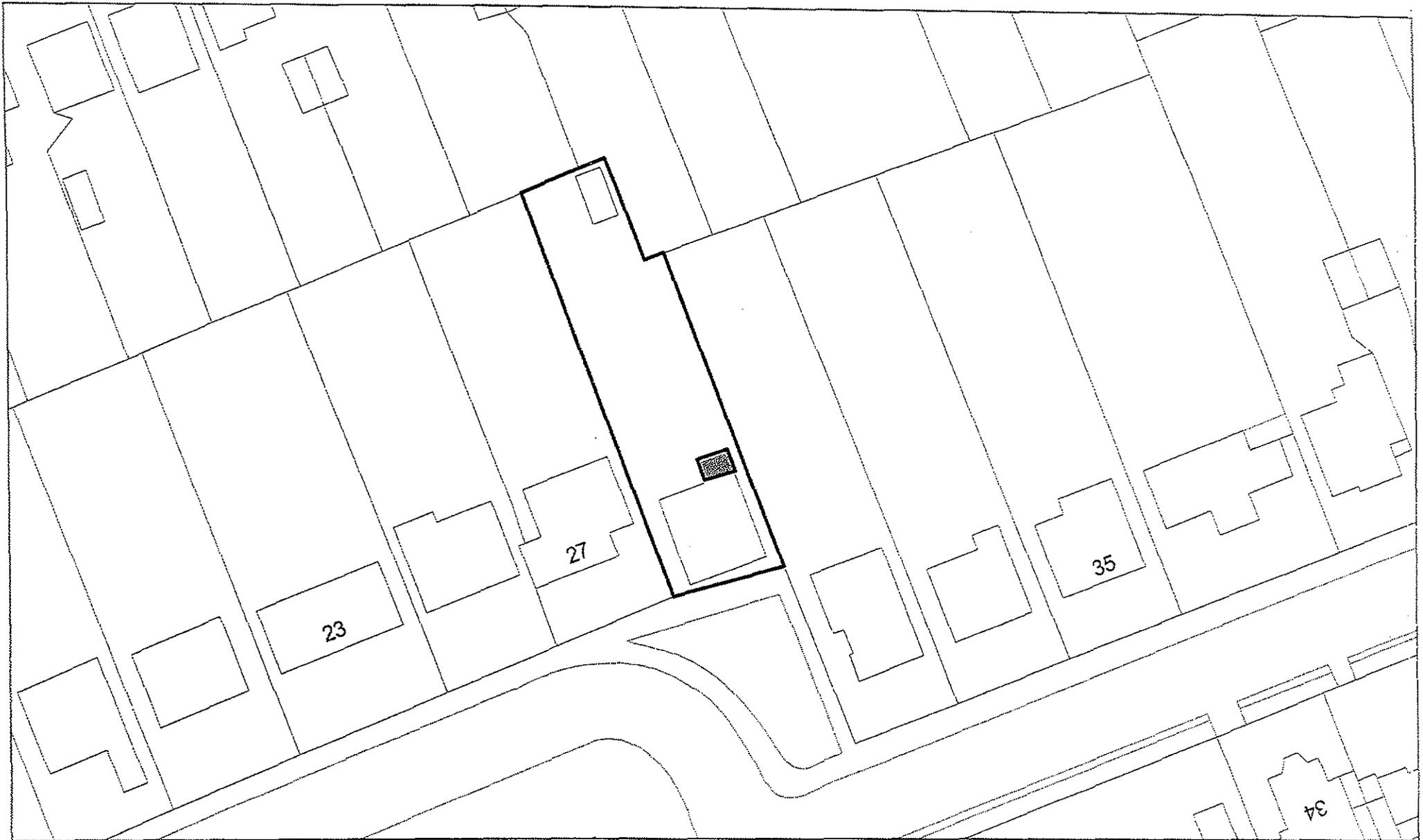
on behalf of London Borough of Havering  
Town Hall  
Main Road  
Romford RM1 3BD  
**YOUR RIGHT OF APPEAL**

You can appeal against this Enforcement Notice to the Secretary of State by 8 April 2010. 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 8 April 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.**



29 Reed Pond Walk. Gidea Park. Romford.



Map Reference: TQ5290SW  
Date: 24/02/2010

Scale @ A4  
1:500



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



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## **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 8 April 2010.

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.

## **GROUNDINGS 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, or 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 £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 him 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. Kevin James Lye  
29 Reed Pond Walk  
Gidea Park  
Romford RM2 5PH
4. Deborah Jane Kelsey  
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