

RE: 57 NAGS HEAD LANE, BRENTWOOD, Essex CM14 5NL

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 property.
 2. The Occupier of the said property.
 3. Fozlul Haqe Rashid of 62 Grosvenor Road, Ilford, Essex IG1 1LA.
 4. Jahanara Begum McCready of 86 Goodmayes Lane, Ilford, Essex IG3 9QA.
 5. Mr Somsul Haqe Rashid of 57 Nags Head Lane, Brentwood, Essex CM14 5NL.
 6. Mr Somsul Haqe Rashid of 10 Clovelly Close, Ickenham, Middlesex UB10 8PT.

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 57 Nags Head Lane, Brentwood, Essex CM14 5NL shown edged in black on the attached plan ("the Property").

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

Without planning permission the construction on the Property of:

An extension to the side and rear of the main house shown hatched in red on the attached plan ("the House Extension");

A raised patio area to the side and rear of the main house shown shaded yellow on the attached plan ("the Patio");

A swimming pool enclosure shown hatched in green on the attached plan (the Swimming Pool”);

A screen wing outbuilding shown shaded blue on the attached plan (“the Outbuilding”);

A car port extension, connecting the main house to the garage shown hatched blue on the attached plan (“the Garage Extension”);

A boundary wall standing at approximately 3.5 meters in height to the front and side of the Property between the points marked (A) and (B) on the attached plan (“the Boundary Wall”).

4. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the above breaches of planning control have occurred within the last four years.

The Property lies within the Metropolitan Green Belt.

The unauthorised constructions are inappropriate and harmful to the character, openness and appearance of the Green Belt.

The Property has been overdeveloped.

The unauthorised constructions cause material harm to the visual amenity of the area.

The unauthorised constructions are contrary to Policy DC45 of the Local Development Framework (Development Plan Documents) and governmental policy PPG2.

The unauthorised constructions do not constitute permitted development under the General Permitted Development Order 1995 (as amended).

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 House Extension from the Property.

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

- (ii) Remove the Patio from the Property.

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

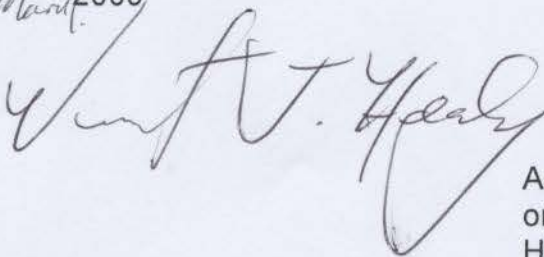
- (iii) Remove the Swimming Pool enclosure from the Property.
Time for compliance: 9 months from the effective date of this notice.
- (iv) Remove the Outbuilding from the Property.
Time for compliance: 9 months from the effective date of this notice.
- (v) Remove the Garage Extension from the Property.
Time for compliance: 9 months from the effective date of this notice.
- (vi) Reduce the height of the Boundary Wall to a maximum of 2 meters in height.
Time for compliance: 9 months from the effective date of this notice.
- (vii) Remove all materials, machinery, apparatus, equipment and installations used in connection with or resulting from the removal of the unauthorised development.
Time for compliance: 9 months from the effective date of this notice.
- (viii) Restore those parts of the Property upon which the House Extension, the Patio, the Swimming Pool, the Outbuilding, and the Garage Extension were constructed to a green garden area.
Time for compliance: 9 months from the effective date of this notice.

6. WHEN THIS NOTICE TAKES EFFECT

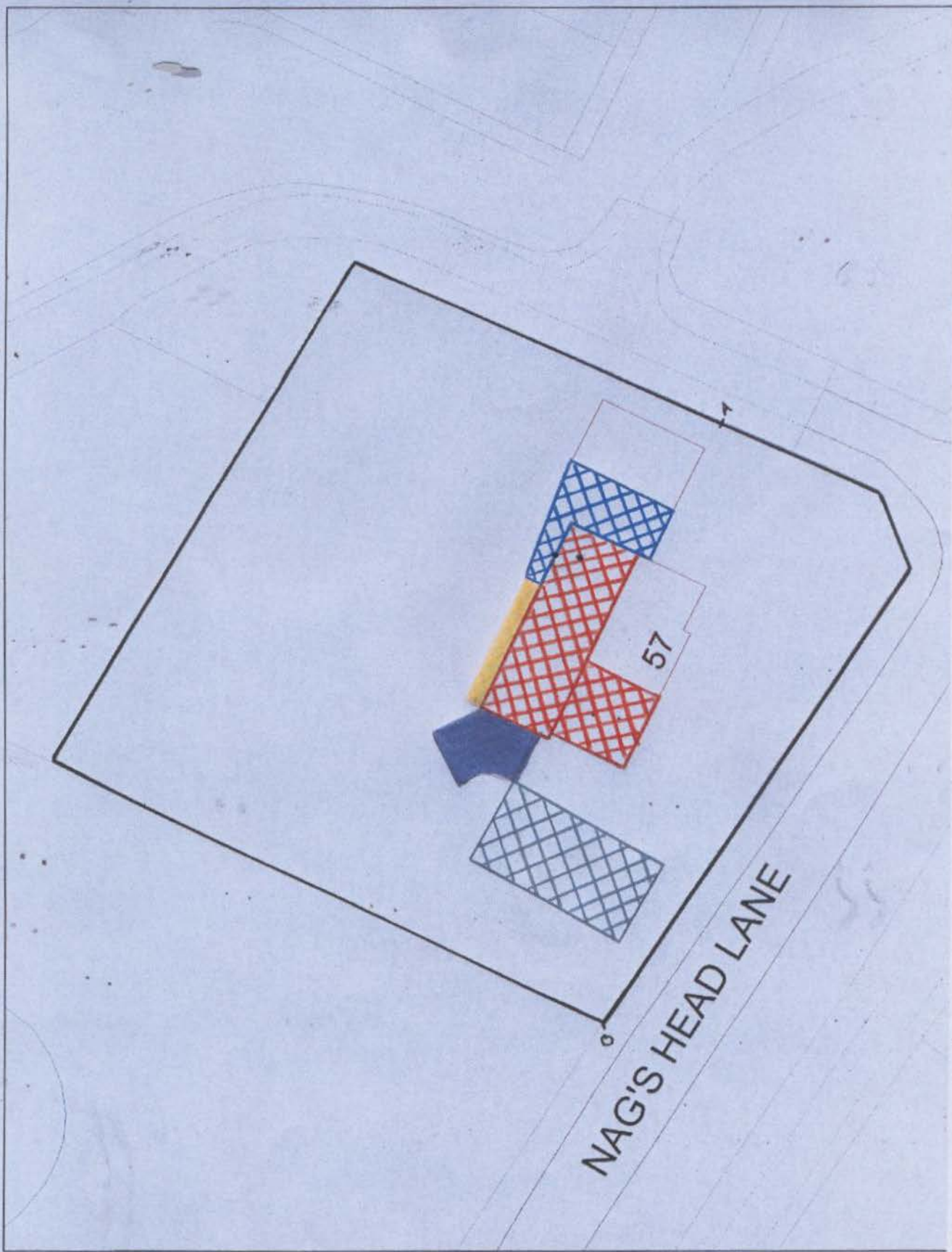
This Notice takes effect on 17 April 2009, unless an appeal is made against it beforehand

Dated: *6th March* 2009

Signed:



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



Map Reference: TQ5691SE



Scale @ A4 1:450
Date: 25/02/2009



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

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YOUR RIGHT OF APPEAL

You can appeal against this Enforcement Notice to the Secretary of State by 17 April 2009. 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 17 April 2009 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.

At 1105hrs Friday 6th March 2009,
I attended 57 Wags Head Lane,
Brentwood and served Mr Rashid
with a copy of the attached Notice.
V. J. Long

EXPLANATORY NOTES

STATUTORY PROVISIONS

A copy of Sections 171A, 171B and 172 to 177 of the Town and Country Planning Act 1990 (as amended) accompanies 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 17 April 2009.

If you intend to appeal this Notice you should follow the 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:-

- (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 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;
- (g) that any period specified in the notice in accordance with section 173(9) falls short of what should reasonably be allowed.

Not all of 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

If you decide to appeal you should 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 property.
2. The Occupier of the said property.
3. Fozlul Haq Rashid of 62 Grosvenor Road, Ilford, Essex IG1 1LA.
4. Jahanara Begum McCready of 86 Goodmayes Lane, Ilford, Essex IG3 9QA.
5. Mr Somsul Haq Rashid of 57 Nags Head Lane, Brentwood, Essex CM14 5NL.
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