IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990 (as amended by the Planning and Compensation Act 1991)

ENFORCEMENT REFERENCE: ENF/449/20

ENFORCEMENT NOTICE

ISSUED BY: London Borough of Havering (herein after referred to as "the Council")

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 known as **264 MUNGO PARK ROAD, RAINHAM, RM13 7PU**, shown edged in black on the attached plan and is registered under Land Registry Title Number EGL432658.

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the construction of a rear / side extension.

4. REASONS FOR ISSUING THIS NOTICE

- 1. It appears to the Council that the above breach of planning control has occurred within the last four years and that steps should be taken to remedy the breach by Section 173 4(a) or to remedy any injury to amenity which has been caused by the breach.
- 2. It is considered that the side/rear extension, by reason of its excessive depth on the shared boundary, is an intrusive and unneighbourly development that has an adverse effect on the amenity of the adjoining occupiers contrary to local plan Policy 7 and contrary to the Residential Extensions and Alterations Supplementary Planning Document (2011).
- The Council does not consider that planning permission should be granted for the development because conditions attached to any consent cannot remedy the breach and because permission has already been refused under application P0028.23.

And

ii) Remove all rubbish, materials and debris resulting from taking step (i) from the site.

6. TIME FOR COMPLIANCE

TWO MONTHS after the date when this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 14th August 2023, unless an appeal is made against it beforehand

Dated: 14th July 2023

Signed: Durid Colliny

David Colwill - Team Leader, Planning Enforcement

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

Nominated Officer to contact regarding this Notice: Patricia Adesina

Telephone Number: 01708 433959 Email: patricia.adesina@havering.gov.uk

THE RIGHT TO APPEAL

Those with a legal or equitable interest in the land or who is a relevant occupier can appeal against this Enforcement Notice to the Planning Inspectorate acting on behalf of the Secretary of State before **14**th **August 2023**. Further details are given in the attached explanatory note.

WHAT HAPPENS IF AN APPEAL IS NOT RECEIVED

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STATUTORY PROVISIONS

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GROUNDS 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

STATEMENT ON GROUNDS OF APPEAL

The grounds of appeal must be submitted to the Planning Inspectorate, either when giving notice of the appeal or within 14 days from the date on which the Planning Inspectorate sends you a notice so requiring, a statement in writing specifying the grounds on which the appeal against the Enforcement Notice is being made and stating briefly the facts on which you propose to rely, in support of each of those grounds.

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2. THE LAND AFFECTED

The land known as **264 MUNGO PARK ROAD, RAINHAM, RM13 7PU**, shown edged in black on the attached plan and is registered under Land Registry Title Number EGL432658.

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the construction of a rear / side extension.

4. REASONS FOR ISSUING THIS NOTICE

- 1. It appears to the Council that the above breach of planning control has occurred within the last four years and that steps should be taken to remedy the breach by Section 173 4(a) or to remedy any injury to amenity which has been caused by the breach.
- 2. It is considered that the side/rear extension, by reason of its excessive depth on the shared boundary, is an intrusive and unneighbourly development that has an adverse effect on the amenity of the adjoining occupiers contrary to local plan Policy 7 and contrary to the Residential Extensions and Alterations Supplementary Planning Document (2011).
- The Council does not consider that planning permission should be granted for the development because conditions attached to any consent cannot remedy the breach and because permission has already been refused under application P0028.23.

And

ii) Remove all rubbish, materials and debris resulting from taking step (i) from the site.

6. TIME FOR COMPLIANCE

TWO MONTHS after the date when this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 14th August 2023, unless an appeal is made against it beforehand

Dated: 14th July 2023

Signed: Durid Colliny

David Colwill - Team Leader, Planning Enforcement

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

Nominated Officer to contact regarding this Notice: Patricia Adesina

Telephone Number: 01708 433959 Email: patricia.adesina@havering.gov.uk

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- (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;
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- (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

STATEMENT ON GROUNDS OF APPEAL

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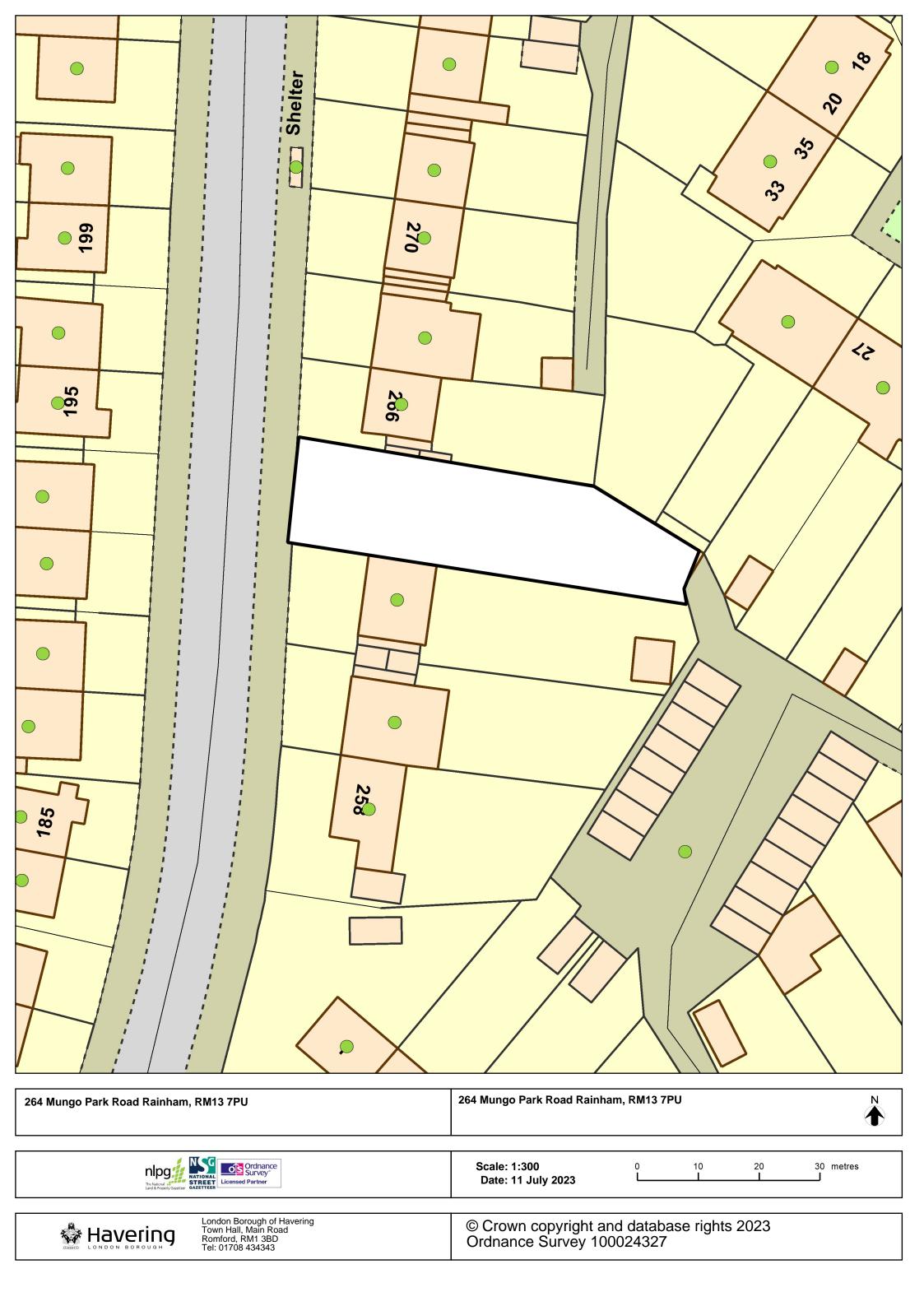
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Guidance

Enforcement appeal: information sheet for local planning authorities

Customer Support Team Temple Quay House 2 The Square Temple Quay Bristol BS1 6PN

Direct Line: 0303 444 5000

Email: enquiries@planninginspectorate.gov.uk

1. THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can do it:-

- online at the <u>Appeals Casework Portal</u>; or
- sending us enforcement appeal forms, which can be obtained by contacting us on the details above.

You MUST make sure that we RECEIVE your appeal BEFORE the effective date on the enforcement notice.

Please read the appeal guidance documents at https://www.gov.uk/appeal-enforcement-notice/how-to-appeal.

In exceptional circumstances you may give written notice of appeal by letter or email. You should include the name and contact details of the appellant(s) and either attach a copy of the Enforcement notice that you wish to appeal or state the following:

- the name of the local planning authority;
- · the site address; and
- the effective date of the enforcement notice.

We MUST receive this BEFORE the effective date on the enforcement notice. This should immediately be followed by your completed appeal forms.