

ENFORCEMENT NOTICE

RE: 18 Tyle Green, Hornchurch RM11 2TB

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

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 have been breaches 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. The Explanatory Notes at the end of this Notice and the Enclosures referred to therein contain important additional information.

2. THE LAND AFFECTED

The land known as 18 Tyle Green, Hornchurch Essex RM11 2TB shown edged in black on the attached plan and is registered under Land Registry Title Number EGL103785.

3. THE BREACHES OF PLANNING CONTROL ALLEGED

Without planning permission, the erection of front and side boundary walls not in accordance with condition 10 of planning permission ref: P0839.86.

Condition 10 states:

Notwithstanding the provisions of Article 3 and Schedule 1, Class II to the Town and Country Planning General Development Order 1977, no walls, gates, fences, screens or other means of enclosure shall be erected between the houses and the highway boundary except 3' (915mm) high brick walls of a brick to the agreed in writing with the Local Planning Authority.

4. REASONS FOR ISSUING THIS NOTICE

(1) It appears to the Council that the above breaches of planning control have occurred within the last four years. Steps should be taken to remedy the breaches in accordance with the purposes stipulated in Section 173 (4) (a) of the above Act.

(2) The development is therefore considered to be contrary to adopted guidelines illustrated below for current development and is deemed to be unneighbourly, visually intrusive and harmful to the spacious and open character of the area which is detrimental to the local character.

The development is contrary to the following Local Development Framework ("LDF") Policies:

LDF

DC61 – Urban Design

The Council does not consider that planning permission should be granted because conditions attached to any consent would not overcome these problems.

5. WHAT YOU ARE REQUIRED TO DO

By this Enforcement Notice you are required, within TWO MONTHS of the date when this Notice takes effect to have:

- i. Removed the boundary walls within the frontage of the property; or
- ii. Rebuild the boundary walls to a maximum height of 915mm with brick walls of a brick to FIRST be agreed in writing with the Local Planning Authority; and
- iii. Remove all debris and building materials accumulated as a result of taking steps i. or ii above.

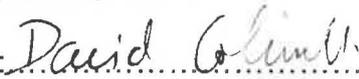
6. TIME FOR COMPLIANCE

TWO MONTHS after the date when this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice will take effect on 11th January 2018, unless an appeal is made against it beforehand.

Dated: 30th November 2017

Signed: .....

Name: David Colwill

Team Leader, Planning Enforcement and Appeals

on behalf of London Borough of Havering

5th Floor, Mercury House, Mercury Gardens, Romford RM1 3SL

Nominated Officer: Onkar Bhogal

Telephone Number: 01708 43158

Email: Onkar.Bhogal@haverling.gov.uk

YOUR RIGHT OF APPEAL

You can appeal against this Enforcement Notice to the Secretary of State before 11th January 2018. 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 11th January 2018 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 this 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 11th January 2018.

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, 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 **£344** is payable to the Council. 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 you 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

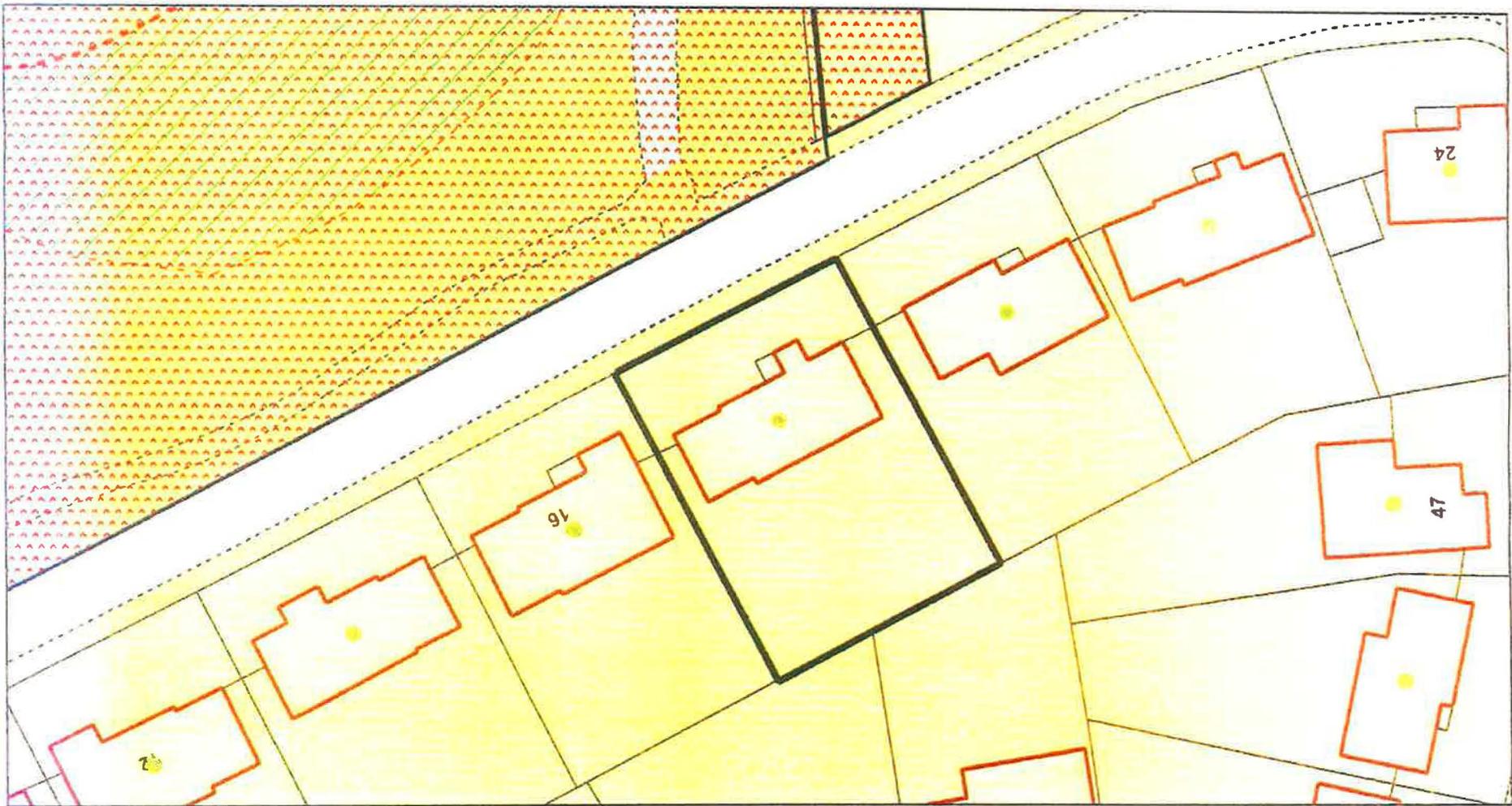
The names and addresses of all the persons on whom the Enforcement Notice has been served are:

Dr R V Mane
18 Tyle Green
Hornchurch
Essex RM11 2TB

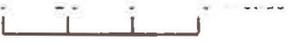
Mrs Mane
18 Tyle Green
Hornchurch
Essex RM11 2TB

The Owners / Occupiers
18 Tyle Green
Hornchurch
Essex RM11 2TB

Santander UK PLC
(Co. Reg. 2294747)
2 Triton Square
Regents Place
London NW1 3AN



18 Tyle Green N
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Scale: 1:500
Date: 13 November 2017
Size: A4



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

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