

RE: Land and premises at 64 Berwick Road Rainham RM13 9QL

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. Steve William Reynolds of 64 Berwick Road Rainham Essex RM13 9QL
 4. Barbara Reynolds of 64 Berwick Road Rainham Essex RM13 9QL
 5. The Company Secretary, Abbey National PLC (Co. Regn. No. 2294747) of Deeds Services, 101 Midsummer Boulevard, Milton Keynes MK9 1AA

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 and premises at 64 Berwick Road Rainham Essex RM 13 9QL shown black on the attached plan(hereinafter called " the Land ").

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

Without planning permission the erection of fence shown cross hatched black on the attached plan in excess of one metre which flanks the site running along the southern edge of the verge on the south side of Abbey Wood Lane.

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 erection of the fence in question was substantially completed less than four years ago. It appears visually obtrusive, dominant and harmful to the streetscene and surrounding area contrary to the Supplementary

Design Guidance (Residential Extensions and Alterations) and DC61 of the London Development Framework Development Control Policies Development Plan Document. The fence is considered harmful to a significant degree by reason of its position, design and choice of finishing materials contrary to development policy.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Reduce the height of the fence shown cross hatched black on the attached plan to a maximum of 1 metre above ground level

Time for compliance: 2 months from the effective date of this notice

- (ii) Remove from the Land all machinery, equipment, apparatus and building materials brought onto the Land to comply with the first requirement above and remove from the Land any rubble and other materials arising from compliance with the first requirement above

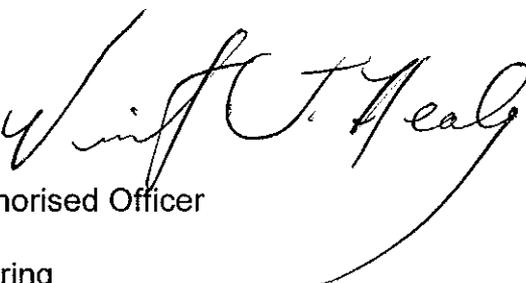
Time for compliance: 2 months from the effective date of this notice

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 1st October 2009, unless an appeal is made against it beforehand

Dated: 27th August 2009

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 on 1st October 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 1st October 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.

EXPLANATORY NOTES

STATUTORY PROVISIONS

A copy 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

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 1st October 2009.

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

- (a) that those matters have not occurred;
- (b) that those matters (if they occurred) do not constitute a breach of planning control;
- (c) 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;
- (d) that copies of the enforcement notice were not served as required by section 172;
- (e) 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;
- (f) 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 £ 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 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.

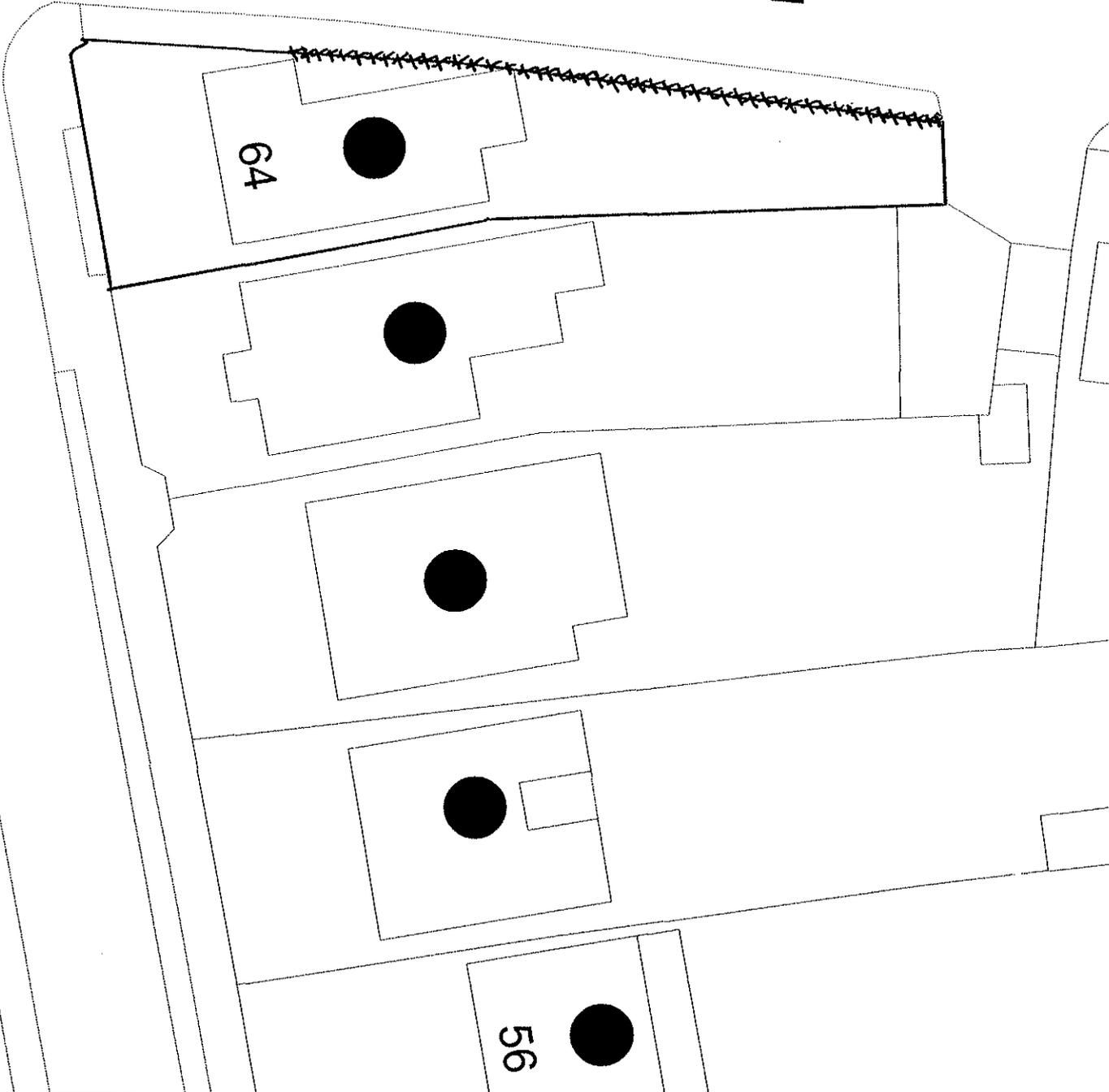
RECIPIENTS OF THE ENFORCEMENT NOTICE

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. Steve William Reynolds of 64 Berwick Road Rainham Essex RM13 9QL
4. Barbara Reynolds of 64 Berwick Road Rainham Essex RM13 9QL
5. The Company Secretary, Abbey National PLC (Co. Regn. No. 2294747) of Deeds Services, 101 Midsummer Boulevard, Milton Keynes MK9 1AA



ABBNEY WOOD LANE



Scale
0 2 4 6 8 10 m

Scale @ A4 1:300



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

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