

ENFORCEMENT NOTICE

AT: 19 CROSS ROAD, MAWNEYS, ROMFORD RM7 8AT

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 **19 CROSS ROAD, MAWNEYS, ROMFORD RM7 8T** shown edged in black on the attached plan and is registered under Land Registry Title Number EGL135729.

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

Without the benefit of planning permission, the enlargement of a dormer window to the front elevation of the dwelling.

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(b) to remedy the injury to amenity which has been caused by the breach.

(2) The front dormer window by reason of its inappropriate design by way of its bulk, height and mass along with the external materials used result in an intrusive, dominant and incongruous feature within the roof which is harmful both to the appearance of the host dwelling and the nearby streetscene contrary to national and local planning policies, the Local Development Framework Core Strategy and Development Control Policies Development Plan Document (2008) Policies CP17: Design and DC61: Urban Design; London Plan Policies 7.4 (Local character) and 7.6 (Architecture); and guidance with the NPPF.

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**

The Enforcement Notice requires within **TWO MONTHS** of the date when this Notice takes effect to:

1. Remove entirely the unauthorised dormer from the front of the property;

OR

2. Alter the front former and its fenestration to that as it existed prior to its replacement in accordance with 'Existing East Elevation' and 'Existing North Elevation' of drawing GM-PA05 as submitted in application P1751.17 and copied below. Clad the external surfaces of the sides and front with tiles matching that of the main roof of the dwelling;

AND

3. Remove all materials and debris accumulated as a result of taking either step 1 or step 2 above.



Existing East Elevation



Existing North Elevation


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 7th September 2018, unless an appeal is made against it beforehand.

Dated: 3rd August 2018

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: David Colwill

Telephone Number: 01708 432647 / Email: david.colwill@haverling.gov.uk

YOUR RIGHT OF APPEAL

You can appeal against this Enforcement Notice to the Secretary of State before **7th September 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 **7th September 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 **7th September 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.

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

Should you wish to appeal on ground (a) - that planning permission should be granted for the unauthorised development - then a fee of **£412** is payable to the Council (being the fee for planning permission of £206 which is payable both to the Council and the Planning Inspectorate). 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:

Gary William Morris
19 Cross Road
Mawneys
Romford
RM7 8AT

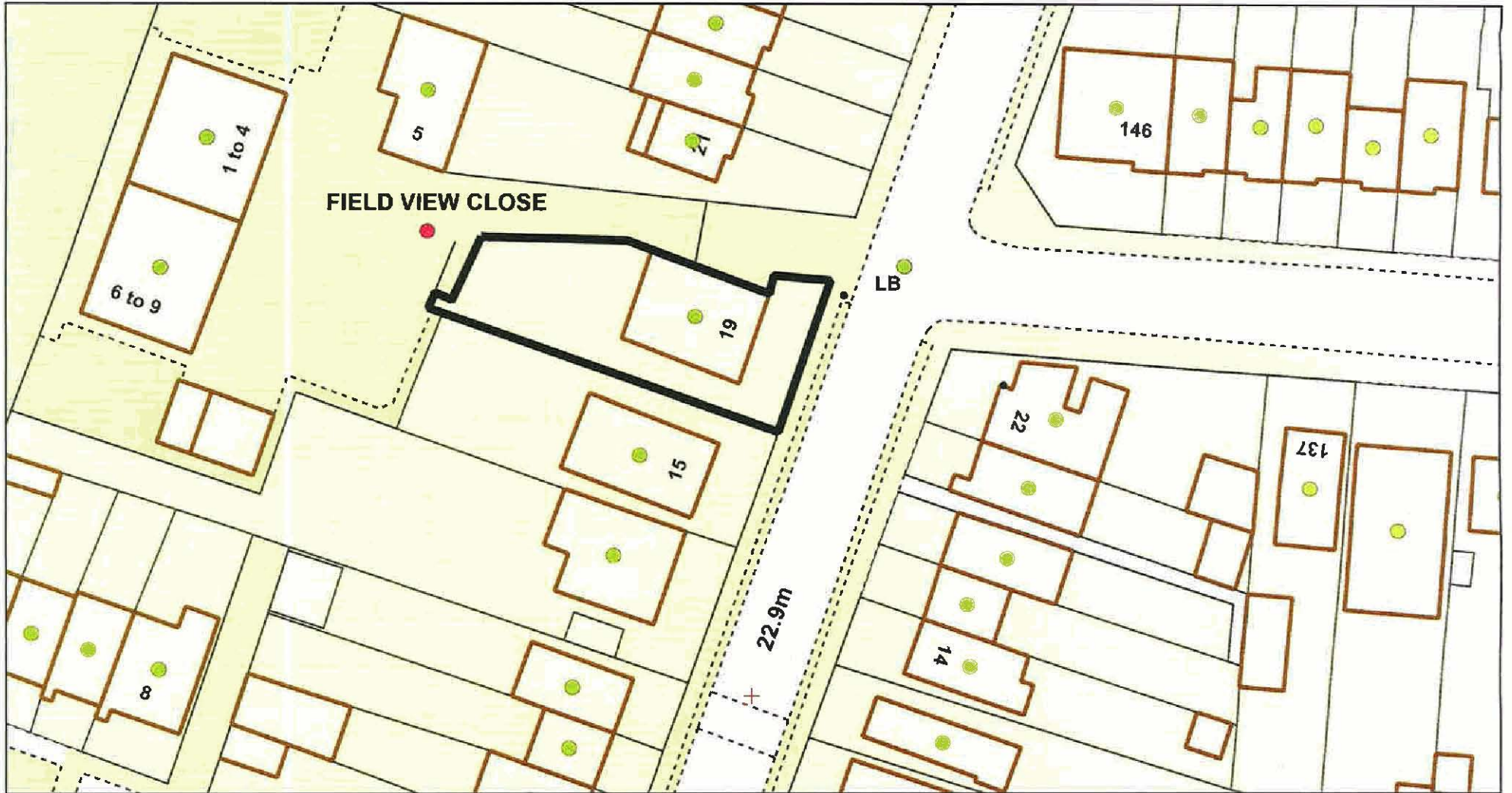
Gary William Morris
8 Field View Close
Mawneys
Romford
RM7 8AQ

Lisa Jean Morris
19 Cross Road
Mawneys
Romford
RM7 8AT

Lisa Jean Morris
8 Field View Close
Mawneys
Romford
RM7 8AQ

The Occupier
19 Cross Road
Mawneys
Romford
RM7 8AT

The Owner
19 Cross Road
Mawneys
Romford
RM7 8AT



19 Cross Road, Mawneys, Romford RM7 8AT N
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CST Room 3/13
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Direct Line 0303-444 5000

Fax No 0117-372 8782

THIS IS IMPORTANT

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

- on-line at the Planning Casework Service area of the Planning Portal (www.planningportal.gov.uk/pcs); or
- by getting enforcement appeal forms by phoning us on 0303 444 5000 or by emailing us at enquiries@pins.gsi.gov.uk

You MUST make sure that we receive your appeal before the effective date on the enforcement notice.

In exceptional circumstances you may give notice of appeal by fax or letter. You should include:-

- the name of the local planning authority;
- the site address;
- your 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.