

RE: 138 BALGORES LANE, GIDEA PARK, ROMFORD, RM2 5JX

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. Callan Peter Davis, 138 Balgores Lane, Gidea Park , Romford, RM2 5JX
 4. Claire Louise Davis, 138 Balgores Lane, Gidea Park , Romford, RM2 5JX
 5. Abbey National PLC, Deeds Centre, 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 dwelling and associated land at 138 Balgores Lane, Gidea Park, outlined black on the attached plan.

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

Without planning permission the construction of hardstanding for vehicles on part of the front garden shown hatched black on the attached plan.

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 excessive extent of the hardstanding is inappropriate and visually intrusive in the streetscene and is out of character with and detrimental to the character and appearance of the Gidea Park Conservation Area.

The Council do not consider that planning permission should be given because planning conditions could not overcome these problems. In making its decision to issue this Notice the Council considered that the unauthorised development is contrary to the following policies of the Havering Unitary Development Plan. Policies

ENV1, ENV3, ENV23 and Appendix 7 of the Havering Unitary Development Plan in particular the Article 4 Direction operating in the Conservation Area which makes the construction of a hard surface, suitable for the parking of vehicles at the front of a dwelling only acceptable where there is no reasonable alternative site, where the hard surface is constructed of materials suitable to the area, and where the hard surface does not cover more than 50% of the front garden.

5. WHAT YOU ARE REQUIRED TO DO

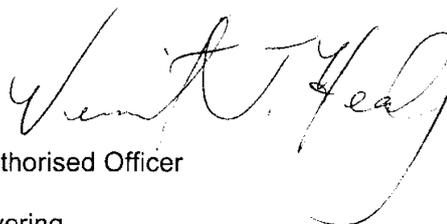
- (i) Remove the hardstanding as shown in the attached plan.
Time for compliance: 3 months from the effective date of this notice.
- (ii) Remove from the land all building materials and rubble arising from compliance with the first requirement above
Time for compliance: 3 months from the effective date of this notice
- (iii) restore the land to its condition before the breach occurred by reseeded the affected area
Time for compliance: 4 months from the effective date of this notice

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 24 May 2005, unless an appeal is made against it beforehand

Dated: 19 April 2005

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 by the 24 May 2005. 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 24 May 2005 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 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 24 May 2005. The enclosed booklet "Enforcement Appeals - A guide to Procedure" sets out your rights. Read it carefully. If you appeal you should use the enclosed appeal forms. Two copies are for you to send to the Secretary of State if you decide to appeal. The other is for you to keep as a duplicate for your own records. You should also send the Secretary of State a copy of the Enforcement Notice.

GROUND OF APPEAL

The grounds of appeal are set out in Section 174 of the Town and Country Planning Act 1991 and are also set out on pages 2 - 5 the enclosed appeal forms.

PLANNING APPLICATION FEE

Should wish to appeal on ground (a) - that planning permission should be granted for the unauthorised development - then a fee of £135 is payable both to the Secretary of State and 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 him a notice so requiring him, 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:

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