

RE: 3 Church Lane, Wennington Road, Rainham, RM13 9DU

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. Mr Gary Smith, 69 Brook Way, Rainham, RM13 9HN
 4. Mr Gary Smith, 3 Church Lane, Wennington Road, Rainham, RM13 9DU
 5. GMAC-RFC Limited, Eastern Gate, Brants Bridge, Bracknell, Berks, RG12 9BZ

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 at 3 Church Lane, Wennington Road, Rainham, RM13 9DU shown hatched black on the attached plan ("the Land").

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

Without planning permission, the construction of a dormer to the rear of the property.

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 unauthorised construction of a dormer at the rear of the property by reason of its bulky design and intrusive appearance causes material harm both visually and to residential amenity, including an overbearing impact on

neighbouring properties, the streetscene and character and appearance of the Green Belt.

The dormer does not constitute permitted development under the General Permitted Development Order 1995 (as amended).

The Council do not consider that this harm can be overcome by the use of planning conditions.

In making its decision to issue this Notice the Council considered that the unauthorised construction is contrary to the following policies of the Havering Unitary Development Plan: policies ENV1 and GRB14.

5. **WHAT YOU ARE REQUIRED TO DO**

- (i) Remove the dormer in its entirety

Time for compliance: 3 months from the effective date of this notice.

- (ii) Reinstate the roof to its condition prior to the erection of the dormer

Time for compliance: 3 months from the effective date of this notice.

- (iii) Remove all materials, machinery, apparatus, equipment and installations brought onto the Land in connection with the removal of the dormer and the re-instatement of the roof to its condition prior to the erection of the dormer

Time for compliance: 3 months from the effective date of this notice.

6. **WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 15 May 2007, unless an appeal is made against it beforehand

Dated: 10 April 2007

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 15 May 2007. 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 15 May 2007 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 15 May 2007. 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.

GROUNDINGS 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 page 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 use - 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.

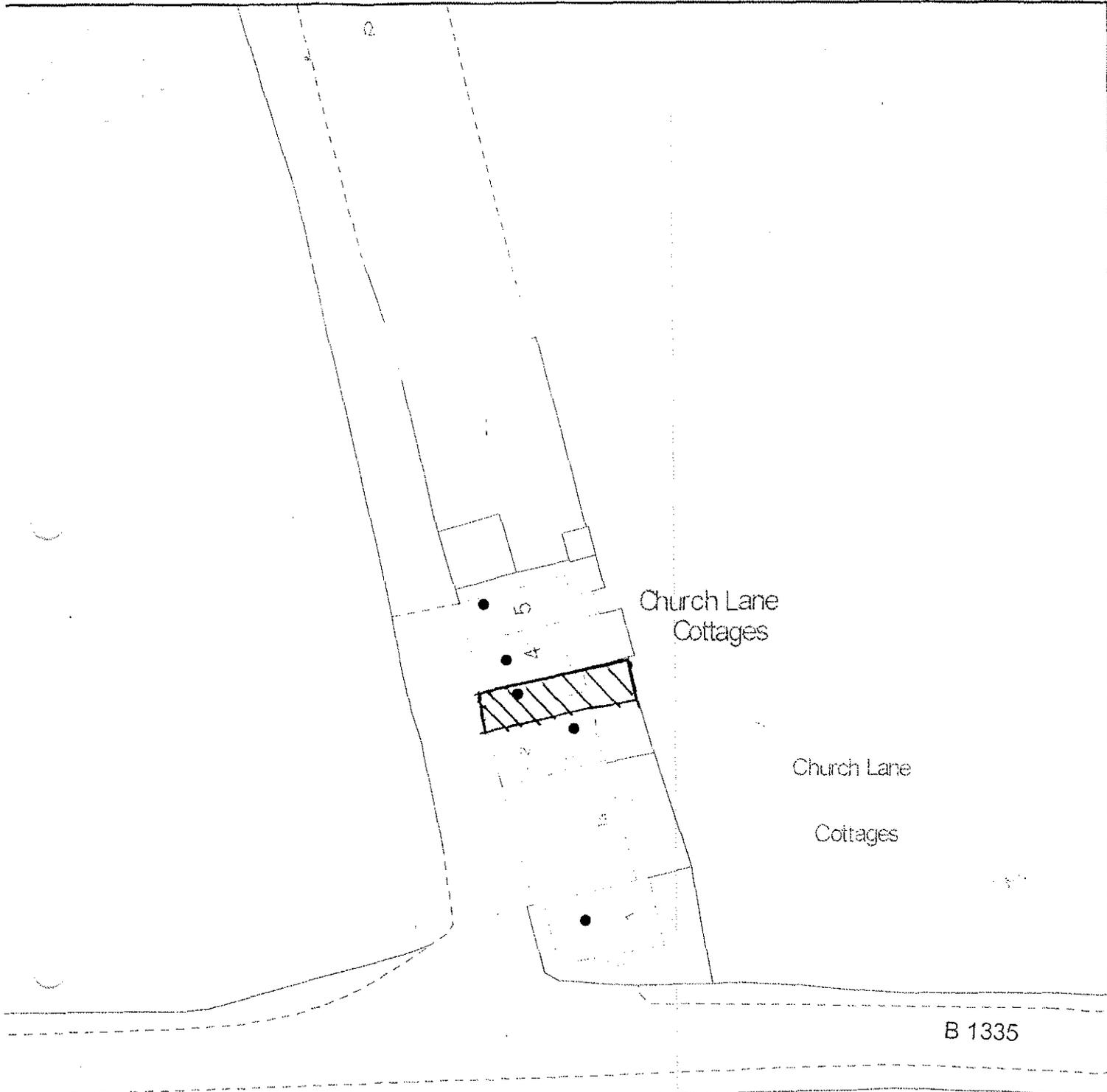
STATEMENT ON GROUNDS OF APPEAL

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:

1. The Owner of the said land
2. The Occupier of the said land
3. Mr Gary Smith, 69 Brook Way, Rainham, RM13 9HN
4. Mr Gary Smith, 3 Church Lane, Wennington Road, Rainham, RM13 9DU
5. GMAC-RFC Limited, Eastern Gate, Brants Bridge, Bracknell, Berks, RG12 9BZ



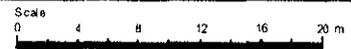
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Map Reference: TQ5381SE
 Date: 16/01/2007

Scale: 1:500



3 church lane wennington



London Borough of Havering
 Planning Department
 Mercury House, Mercury Gardens
 Romford, RM1 3SL
 Tel: 01708 434343

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