

2D WOBURN AVENUE, HORNCHURCH, RM12 4NG

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT REFERENCE: ENF/666/20

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 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 **2D WOBURN AVENUE, HORNCHURCH, RM12 4NG**, shown in solid black, with the planning unit marked with a black line on the attached plan and is registered under Land Registry Title Numbers **BGL141364, BGL125673 & BLG125677**.

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the increase height of the flat roof and the construction of parapet walls on the western and eastern elevations and wooden overhang to the southern elevation contrary to planning application P1105.01.

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(a) or to remedy any injury to amenity which has been caused by the breach.
2. The unauthorised operational development being works to the roof and construction of parapet walls to the western and eastern elevations and wooden canopy to the southern elevation above that of the adjoining single storey rear extension (2C Woburn Avenue), by reason of its additional height, scale, bulk and mass constitutes a dominant addition to the detriment of the appearance of the property and being on a prominent corner position, harmful to the appearance of the wider street scene, contrary to the provisions of the National Planning Policy Framework (NPPF), Policy

DC61 (Urban Design) of the London Borough of Havering Local Development Framework Core Strategy and Development Control Policies Development Plan Document 2008, the Residential Extensions and Alterations Supplementary Planning Document 2011 and Policy 7.4 of the London Plan.

3. The unauthorised works to the roof and construction of parapet walls to the western and eastern elevations and wooden canopy to the southern elevation, by reason of its additional height and prominent position close to the boundary of the site, is an intrusive and unneighbourly development as well as having an adverse effect on the amenities of the occupier of the studio flat (2D Woburn Avenue) and the first floor flat (2B Woburn Avenue), contrary to provisions of the National Planning Policy Framework (NPPF), Policy DC61 (Urban Design) of the London Borough of Havering Local Development Framework Core Strategy and Development Control Policies Development Plan Document 2008, the Residential Extensions and Alterations Supplementary Planning Document 2011.
4. The Council does not consider that planning permission should be granted because planning conditions attached to any consent would not overcome these problems.

5. WHAT YOU ARE REQUIRED TO DO

The Enforcement Notice requires, **within 1 month**:

- (i) Reduce the flat roof so that it accords with planning permission P1105.01 plan reference 20-543-P05, Revision A and plan reference 20-543-P06, Revision A, attached as APPENDIX 1, so that the flat roof is no higher than 2.75 metres above ground level and any brick work or block work or wood work or other structures on the flat roof are permanently removed so as to be no higher than 2.75 metres from ground level and no projections/overhangs outside the perimeter of the brick wall of the studio flat;

AND

- (ii) Remove all debris accumulated as a result of taking step (i) above.

6. TIME FOR COMPLIANCE

1 MONTH after the date when this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **22nd JANUARY 2021**, unless an appeal is made against it beforehand

Dated: **18th DECEMBER 2020**

Signed: 

DAVID COLWILL

Authorised Officer on behalf of London Borough of Havering, Mercury House, Mercury Gardens, Romford, RM1 3SL

Nominated Officer to contact regarding this Notice: Phillip Jones

Telephone Number: 01708 431439 Email: Phillip.jones@havering.gov.uk

THE RIGHT OF APPEAL

Those with a legal or equitable interest in the land or who is a relevant occupier can appeal against this Enforcement Notice to the Planning Inspectorate acting on behalf of the Secretary of State before **22nd January 2021**. Further details are given in the attached explanatory note.

WHAT HAPPENS IF AN APPEAL IS NOT RECEIVED

If an appeal is not received against this Enforcement Notice, it will take effect on **22nd JANUARY 2021** 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) can be viewed online at <https://www.legislation.gov.uk> .

THE 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 Planning Inspectorate before **22nd JANUARY 2021**.

If an appeal against this Notice is intended, the instructions given on the information sheet from the Planning Inspectorate which accompanies this Notice should be followed.

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 or use, then a fee of **£412** is payable to the Council when the appeal is lodged. If this fee is not paid, the planning merits of the appeal will not be considered by the Planning Inspector.

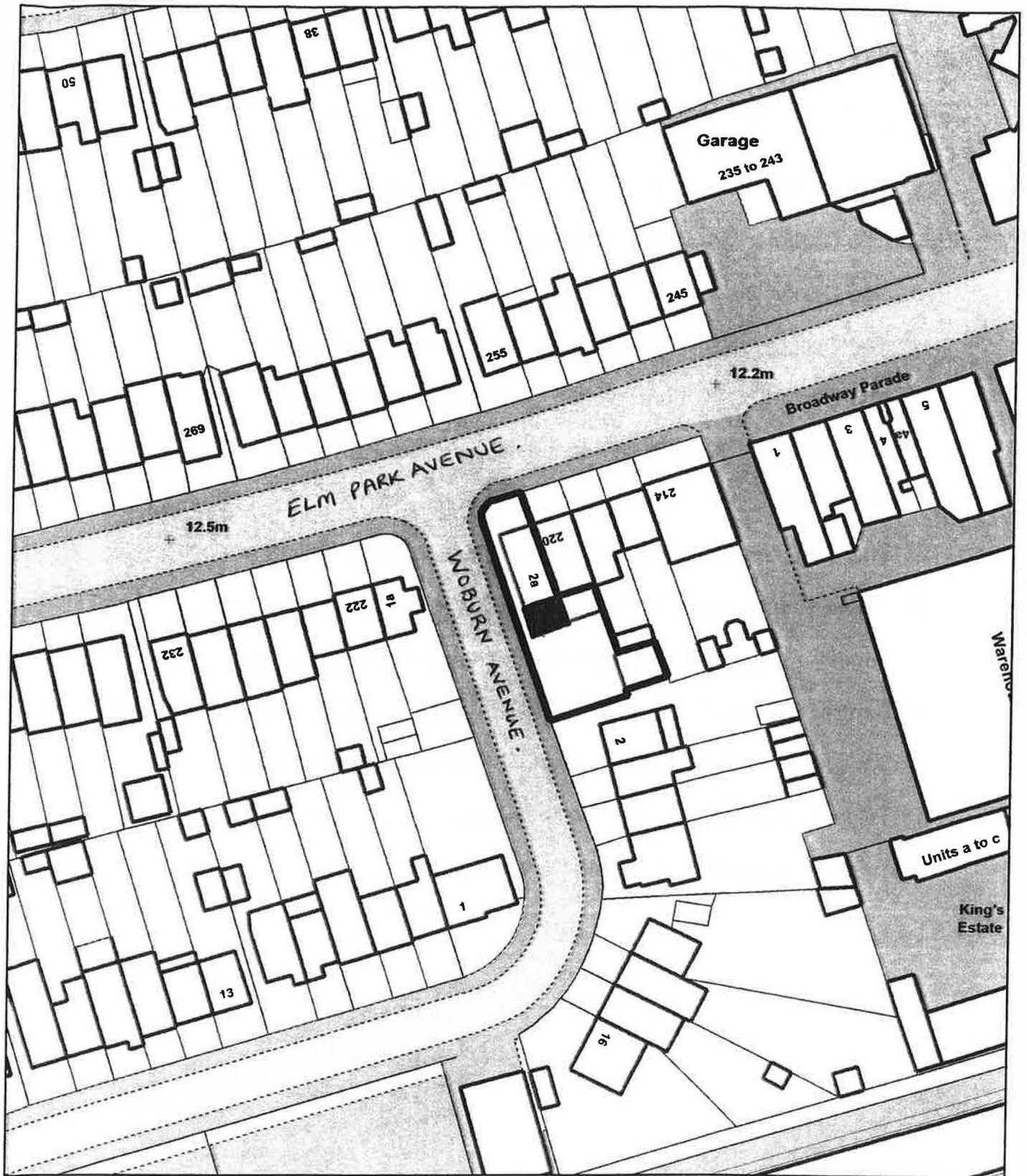
STATEMENT ON GROUNDS OF APPEAL

The grounds of appeal must be submitted to the Planning Inspectorate, either when giving notice of the appeal or within 14 days from the date on which the Planning Inspectorate sends you a notice so requiring, a statement in writing specifying the grounds on which the appeal against the Enforcement Notice is being made 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, 2A Woburn Avenue, Hornchurch, RM12 4NG.
2. The Occupier, 2A Woburn Avenue, Hornchurch, RM12 4NG.
3. The Owner, 2B Woburn Avenue, Hornchurch, RM12 4NG.
4. The Occupier, 2B Woburn Avenue, Hornchurch, RM12 4NG.
5. The Owner, 2C Woburn Avenue, Hornchurch, RM12 4NG.
6. The Occupier, 2C Woburn Avenue, Hornchurch, RM12 4NG.
7. The Owner, 2D Woburn Avenue, Hornchurch, RM12 4NG.
8. The Occupier, 2D Woburn Avenue, Hornchurch, RM12 4NG.
9. Tejpal Singh Rathor, 2A Woburn Avenue, Hornchurch, RM12 4NG.
10. Together Commercial Finance Limited, Lakeside, Cheadle, SK8 3GW.
11. Bank of Scotland PLC Halifax Division, 1 Lovell Park Road, Leeds, LS1 1NS.
12. Sunil Kandukuri, 2B Woburn Avenue, Hornchurch, RM12 4NG.
13. Tejpal Singh Rathor, 345 Clayhall Avenue, Ilford, IG5 0SJ.
14. Tejpal Singh Rathor, 27 South Park Drive, Ilford, IG3 9AA.

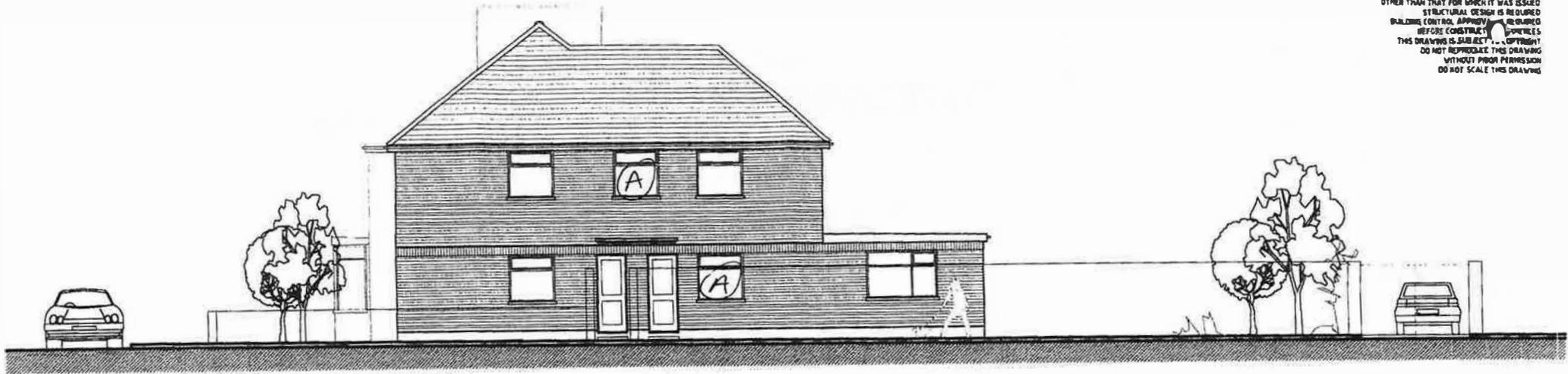


ENF/666/20	2D Woburn Avenue, Hornchurch, RM12 4NG 
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   <small>The National Land & Property Gazetteer</small>	Scale: 1:750 Date: 18 December 2020
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PROPOSED WOBURN ROAD ELEVATION

APPENDIX 1



ROOF TILES TO MATCH EXISTING
 FACING BRICKWORK TO MATCH EXISTING
 ALL DOORS AND WINDOWS TO MATCH

PROPOSED FRONT ELEVATION

REPLY A. PLANNING - 1 BED UNIT OMITTED 01-07-2001

DHIMAN DESIGN CONSULTANTS
 14 BECCATE ROAD
 URBAN 0208
 10/3 8 H-C
 T 0208 598864
 F 0208 598864

Client
MRS J KHAIRA

Job
**220 ELM PARK AVENUE
 ELM PARK**

Title
PROPOSED ELEVATIONS

Date
NOV 2000

Scale
1:100

Drawing no
20-543-P05

Revision
A

Decision: **APPROVED** Date: **10 SEP 2001**

P 1105-01

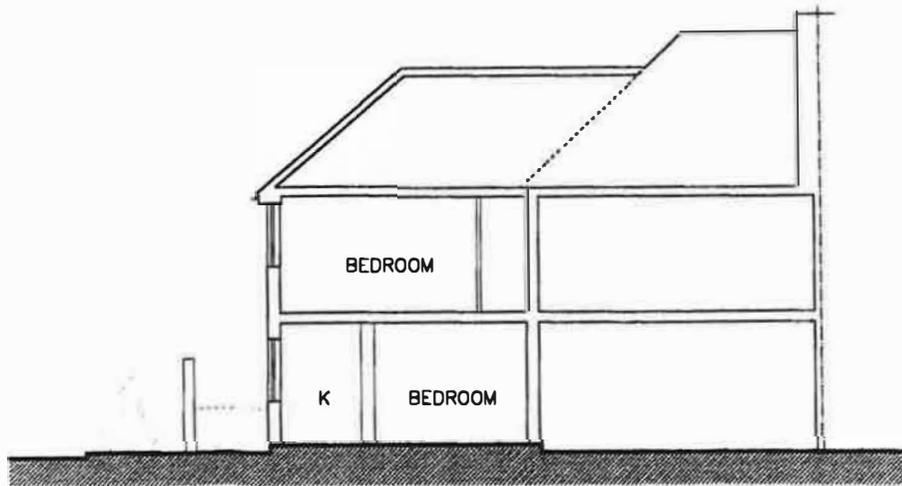
PLANNING ACT

APPENDIX 1

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PROPOSED REAR ELEVATION



PROPOSED CROSS SECTION

Town & Country Planning & Design
 P 1 0 0 1 . 0 1
 Decision: Date:

REV A PLANNING - 1 BED UNIT OMITTED. 01-07-2001

DHIMAN DESIGN CONSULTANTS
 14 BRIDGE ROAD
 HURDLESPOND, ESSEX
 T 0208 598824
 F 0208 598824

client
MRS J KHAIRA

job
**220 ELM PARK AVENUE
 ELM PARK**

title
**PROPOSED ELEVATION
 AND SECTION**

date	scale
NOV 2000	1:100
drawing no	revision
20-543-P08	A

Customer Support Team
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Direct Line 0303-444 5000
Email enquiries@planninginspectorate.gov.uk

THIS IS IMPORTANT

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

- on-line at the Appeals Casework Portal (<https://acp.planninginspectorate.gov.uk/>); or
- sending us enforcement appeal forms, which can be obtained by contacting us on the details above.

You MUST make sure that we RECEIVE your appeal BEFORE the effective date on the enforcement notice.

Please read the appeal guidance documents at <https://www.gov.uk/appeal-enforcement-notice/how-to-appeal>.

In exceptional circumstances you may give written notice of appeal by letter or email. You should include the name and contact details of the appellant(s) and either attach a copy of the Enforcement notice that you wish to appeal or state the following:

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