

RE: 51 Osborne Road, Hornchurch, RM11 1EX

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 property
 2. The Occupier of the said property
 3. Martin Duignam 51 Osborne Road, Hornchurch, RM11 1EX
 4. Eleanor Duignam 51 Osborne Road, Hornchurch, RM11 1EX
 5. Yorkshire Building Society, Yorkshire House, Yorkshire Drive, Bradford, BD5 8LJ

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 to the rear of 51 Osborne Road, Hornchurch, RM11 1EX with a boundary next to the Thorncroft highway as shown edged black on the attached plan.

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

Without planning permission, the erection of a two metre high close board fence and gate adjacent to a highway and erection of two garden sheds within 20 metres of the highway.

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last 4 years.

Planning application P1244.04 seeking to retain the unauthorised developments was refused as the boundary fence and two garden sheds, by reason of their height, bulk and mass, are unacceptably dominant and visually intrusive features in the streetscene

and harmful to the appearance of the surrounding area contrary to Policy ENV1 of the Havering Unitary Development Plan.

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

5. WHAT YOU ARE REQUIRED TO DO

- (i) Remove from the land the fence and sheds and return the land to its original condition before the unauthorised development took place.
- (ii) Remove from the land all materials, equipment and rubble arising from the compliance with (i) above.

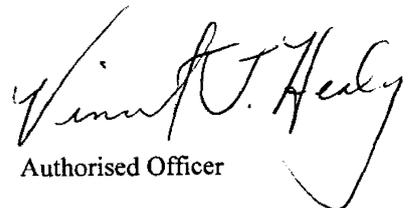
Time for compliance: 3 months from the effective date of this notice.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 1 April 2005, unless an appeal is made against it beforehand

Dated: 25 February 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 1 April 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 1 April 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 1 April 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 of the enclosed appeal forms.

PLANNING APPLICATION FEE

Should you 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 property
2. The Occupier of the said property
3. Martin Duignam 51 Osborne Road, Hornchurch, RM11 1EX
4. Eleanor Duignam 51 Osborne Road, Hornchurch, RM11 1EX
5. Yorkshire Building Society, Yorkshire House, Yorkshire Drive, Bradford, BD5 8LJ



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Map Reference: TQ5288SE

Date: 15/02/2005

Scale: 1:1250

Drawing No.:

