

RE: 18 NELMES WAY EMERSON PARK HORNCHURCH RM11 2QZ

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. **Pardeep Kumar Chopra** 18 Nelmes Way, Hornchurch, RM11 2QZ
 4. **Anuradha Chopra** 18 Nelmes Way, Hornchurch, RM11 2QZ
 5. **Company Secretary, Barclays Bank PLC** of 13-14 Faircross Parade, Longbridge Road, Barking, Essex

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 18 Nelmes Way Emerson Park Hornchurch RM11 2QZ shown edged in black on the attached plan "Map 1".

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the erection of a single storey rear extension to the dwelling and the erection of a single storey outbuilding in close proximity to the extension, both currently under construction, as shown hatched in Black on attached plan "Map2".

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 rear extension and outbuilding in question are under construction. The ground floor rear extension and outbuilding both appear unduly overbearing in the rear garden environment and are detrimental to the amenity and outlook of the occupiers of 20 Nelmes Way. The development, subject to this notice, is contrary to development plan policies and harmful to the visual amenities of the occupiers at 20 Nelmes Way. The outbuilding cannot be regarded as Permitted Development as such rights were removed by planning condition in approved

application P0950.06 which granted planning permission for a dwellinghouse. The Council do not consider that planning permission should be given to the above development because planning conditions could not overcome the adverse impact of the unauthorised buildings on the amenity of the occupiers of 20 Nelmes Way.

In making its decision to issue this Notice the Council considered that the unauthorised development is contrary to the following policies of the Local Development Framework: policy DC61

5. WHAT YOU ARE REQUIRED TO DO

- (i) Remove the unauthorised ground floor rear extension

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

- (ii) Remove the outbuilding in the rear garden which is in close proximity to the unauthorised ground floor extension

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

- (iii) Remove from the land all materials resulting from compliance with steps (i) and (ii) above.

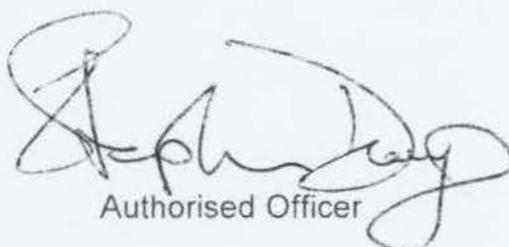
Time for compliance: 3 months from the effective date of this notice

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 28th July 2008, unless an appeal is made against it beforehand

Dated: 26th June 2008

Signed:



Authorised Officer

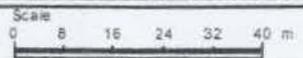
on behalf of London Borough of Havering
Town Hall
Main Road
Romford RM1 3BD



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Map Reference: TQ5489SW
 Date: 27/05/2008

Scale: 1:1250

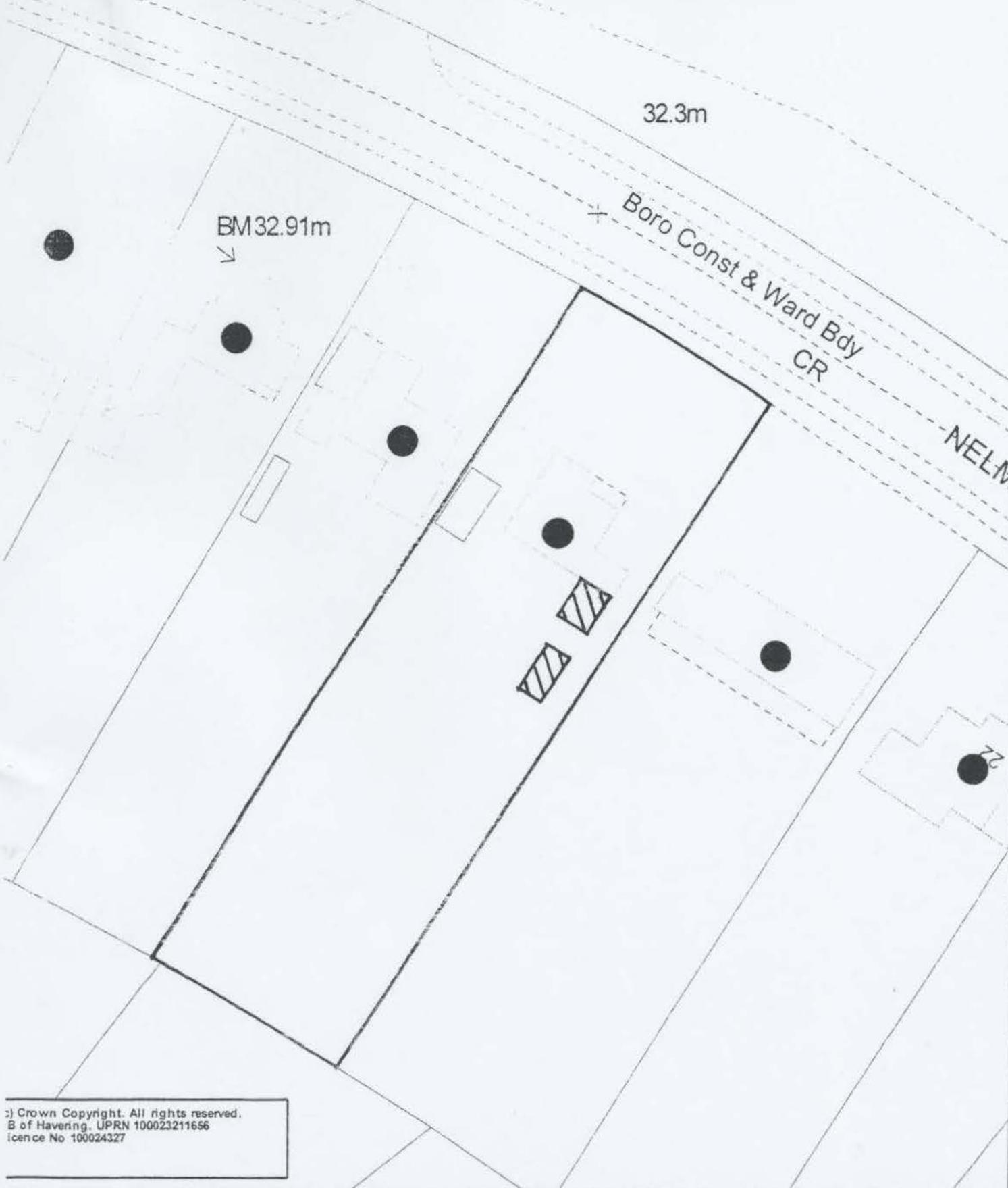


Helmets Way, Emerson Park, RM11 2QZ



London Borough of Havering
 Planning Department
 Mercury House, Mercury Gardens
 Romford, RM1 3SL
 Tel: 01708 454343

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Map Reference: TQ5489SW Date: 27/05/2008 Scale: 1:500
 Scale 0 2 4 6 8 10 m

8 Nelmes Way, Emerson Park, RM11 2QZ
lap 2

nlp
 NATIONAL STREET GAZETTEER
 Ordnance Survey

 London Borough of Havering
 Planning Department
 Mercury House, Mercury Gardens
 Romford, RM1 3SL
 Tel: 01706 434343

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YOUR RIGHT OF APPEAL

You can appeal against this Enforcement Notice to the Secretary of State by the 28th July 2008. 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 28th July 2008 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 28th July 2008. 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 you wish to appeal on ground (a) - that planning permission should be granted for the unauthorised development - then a fee of £150.00 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. **Pardeep Kumar Chopra** 18 Nelmes Way, Hornchurch, RM11 2QZ
5. **Anuradha Chopra** 18 Nelmes Way, Hornchurch, RM11 2QZ
5. **Company Secretary, Barclays Bank PLC** of 13-14 Faircross Parade, Longbridge Road, Barking, Essex