

RE: 59 Kingsley Gardens, Hornchurch, RM11 2HY

**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. Mark Victor With of 59 Kingsley Gardens, Ardleigh Green, Hornchurch RM11 2HY.
  4. Charlotte Nicola With of 59 Kingsley Gardens, Ardleigh Green, Hornchurch RM11 2HY.
  5. Bank of Scotland PLC of Intelligent Finance Division, P.O. Box 17316, Edinburgh EH12 1AY.

**ISSUED BY:** London Borough of Havering

1. **THIS IS A FORMAL NOTICE** which is issued by the London Borough of Havering ("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. The Council considers 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 and property known as 59 Kingsley Gardens, Ardleigh Green, Hornchurch RM11 2HY shown edged in black on the attached plan ("the Property").

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

Without planning permission, the construction of a dormer to the rear of the Property which is higher, wider and deeper than that approved in planning application reference P1817.06.

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 design, size and location causes material harm to the visual amenity of the area.

The unauthorised dormer is contrary to Policy DC61 of the Local Development Framework (Development Plan Documents).

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

The Council does not consider that planning permission should be given, because planning conditions could not overcome these problems.

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

- (i) Reduce the size of the dormer (height, width and depth) so that it is in accordance with the approved plan in planning application P1817.06

Time for compliance: 6 months from the effective date of this notice.

- (ii) Remove all materials, machinery, apparatus, equipment and installations used in connection with or resulting from the removal of or alterations to the dormer.

Time for compliance: 6 months from the effective date of this notice.

**6. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 26 August 2008, unless an appeal is made against it beforehand

Dated: *7 July* 2008

Signed:

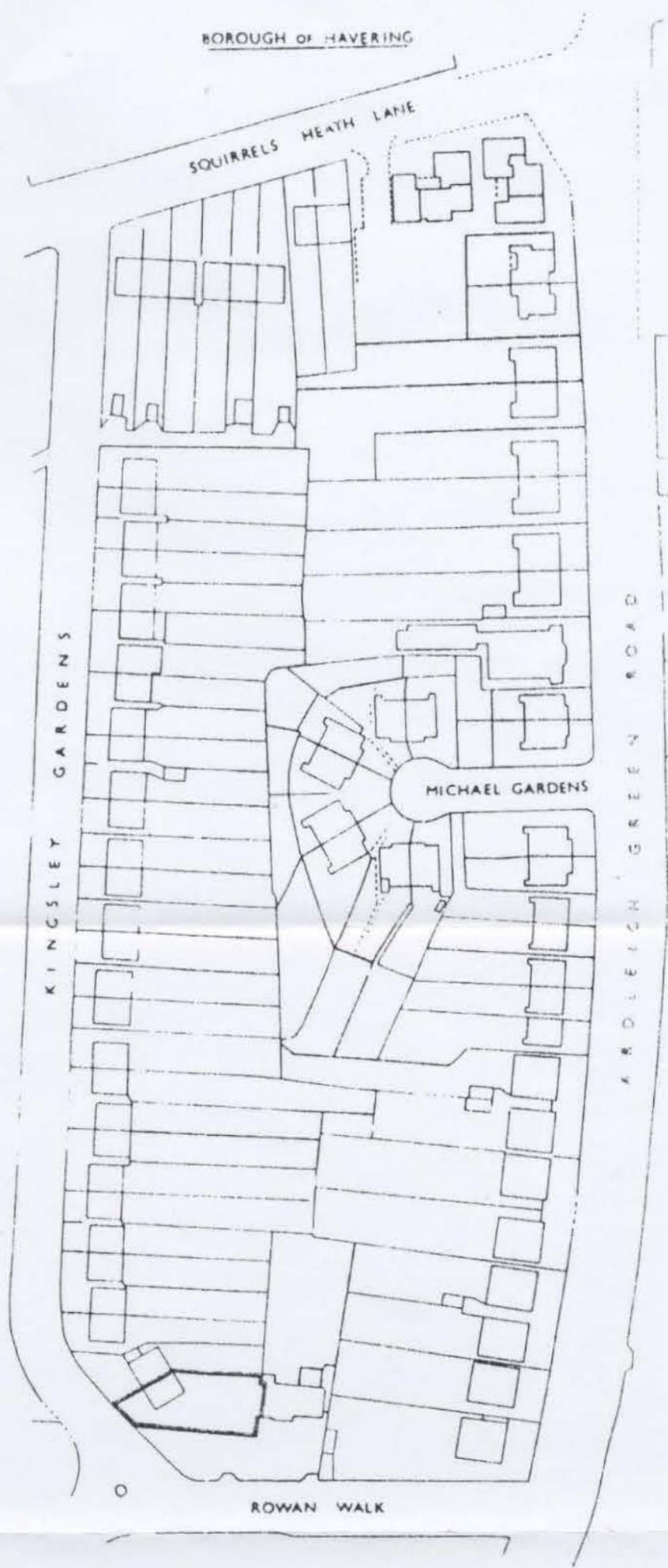


Authorised Officer  
on behalf of London Borough of  
Havering  
Town Hall  
Main Road, Romford RM1 3BD

# H. M. LAND REGISTRY

NATIONAL GRID PLAN TQ5389 SECTION P  
GREATER LONDON

Scale 1/1250



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Title No. **EGL 169190**



This official copy is issued, and shows the state of this title plan, on 13 June 2008 at 12:13:33.  
It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002).  
This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide 19 - Title Plans and Boundaries.  
This title is dealt with by Land Registry, Stevenage Office.  
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## 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 26 August 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.

### **GROUNDS 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 property.
2. The Occupier of the said property.
3. Mark Victor With of 59 Kingsley Gardens, Ardleigh Green, Hornchurch RM11 2HY.

4. Charlotte Nicola With of 59 Kingsley Gardens, Ardleigh Green, Hornchurch RM11 2HY.
5. Bank of Scotland PLC of Intelligent Finance Division, P.O. Box 17316, Edinburgh EH12 1AY.

## **YOUR RIGHT OF APPEAL**

You can appeal against this Enforcement Notice to the Secretary of State by 26 August 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 26 August 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.**