

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

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

**ENFORCEMENT NOTICE**

**ISSUED BY: Harlow District Council**

1. **THIS NOTICE** is issued by the Council because it appears to them 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. The Annex at the end of the notice contains important additional information.

2. **THE LAND TO WHICH THE NOTICE RELATES**

Land at 49 Brooklane Field, Harlow, CM18 7AU shown edged red on the attached plan.

3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**

Without planning permission: The erection of a balcony/terrace structure to the rear elevation at 2nd floor level.

4. **REASONS FOR ISSUING THIS NOTICE**

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

b) The 2nd floor rear balcony/terrace by virtue of the location, form and size is considered to cause an unacceptable loss of amenity to neighbouring properties. In particular the adjoining property has an unacceptable level of overlooking, loss of privacy to, and sense of overbearing, which is detrimental to the levels of amenity the occupiers of the property might reasonably expect to enjoy.

c) The development is contrary to the Core Planning Principles of the National Planning Policy Framework and Principle DG48 of the Harlow Design Guide Supplementary Planning Document.

The Council does not consider that planning permission should be given, because planning conditions could not overcome these issues. For the reasons above the Council considers that it is expedient to issue this Notice.

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

The Balcony/terrace platform, railings and associated materials should be completely and permanently removed from the 2nd floor rear elevation of the dwelling house, and the Brick façade should be made good in order to match the existing materials of the rear elevation.

**6. TIME FOR COMPLIANCE**

Compliance due within 4 months of the date of the notice taking effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

The Notice takes effect on 8<sup>th</sup> January 2014 unless an appeal is made against it beforehand.

Dated: 5<sup>th</sup> December 2013

Signed:



Dianne Cooper  
Planning & Building Control Manager

On behalf of: Harlow District Council  
Planning & Building Control Services  
Civic Centre  
The Water Gardens  
Harlow  
Essex  
CM20 1WG.

**Annex**

**Your Right Of Appeal**

You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before the date specified in paragraph 7 of the notice. See attached Important Note from the Planning Inspectorate for details on how to appeal.

**What Happens If You Do Not Appeal**

If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice 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[s] specified in paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.



## The Planning Inspectorate

CST Room 3/13  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

Direct Line      0303-444 5000  
Fax No            0117-372 8782

### THIS IS IMPORTANT

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

- on-line at the Planning Casework Service area of the Planning Portal ([www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)); or
- by getting enforcement appeal forms by phoning us on 0303 444 5000 or by emailing us at [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk)

**You MUST make sure that we receive your appeal before the effective date on the enforcement notice.**

In exceptional circumstances you may give notice of appeal by fax or letter. You should include:-

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





**Harlow**  
Council  
*Working together for Harlow*

Civic Centre  
The Water Gardens  
College Square  
Harlow  
Essex CM20 1WG



Title and Drawing no  
49 Brook Lane Field

Drawn By sandra lery

Date 20th November 2013

Scale 1:1250

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