

Mr Shkelqim Lisha
Ms Mimosa Matoshi
24 Burley Hill
Harlow
Essex
CM17 9QQ

**Planning and Building Control
Services
Civic Centre
The Water Gardens
Harlow
Essex
CM20 1WG**

Contact: Elizabeth Fitzgerald
Telephone: 01279 446593
Fax: 01279 446639
Email:
elizabeth.fitzgerald@harlow.gov.uk

Our Ref. HWEN/14/00008
Your Ref.
Date: 6 March 2015

Dear Mr Lisha and Ms Matoshi,

**Town and Country Planning Act 1990 Section 172
ENFORCEMENT NOTICE
IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY.**

Re: No. 263 Northbrooks, Harlow, CM19 4DJ

The Council has issued an Enforcement Notice relating to the above land and we now serve on you a copy of that Notice, in view of your interest in the land.

Unless an appeal is made to the Secretary of State as described in the Annex to the Enforcement Notice, the Notice will take effect on the 9th June 2015 and you must then ensure that the required steps for which you may be held responsible are taken within the period specified in the Notice.

You have a right to appeal and, if you wish to appeal against the Notice, you should read the Important Note from the Planning Inspectorate enclosed herewith. The appeal can only be made on the grounds set out in Section 174, and it must be accompanied by a statement of the grounds and the facts on which the appeal is based.

Your appeal should be sent to the address shown on the appeal form and must be received by the Planning Inspectorate before the date given in the Enforcement Notice when the Notice takes effect.

Yours sincerely,



Elizabeth Fitzgerald
Development Manager.

Bank of Scotland PLC
(Scot. Co. Regn. No. SC327000)
Halifax Division,
1 Lovell Park Road,
Leeds
LS1 1NS

Planning and Building Control
Services
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Contact: Elizabeth Fitzgerald
Telephone: 01279 446593
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Email:
elizabeth.fitzgerald@harlow.gov.uk

Our Ref. HWEN/14/00002
Your Ref.
Date: 6 March 2015

Dear Sir/Madam,

**Town and Country Planning Act 1990 Section 172
ENFORCEMENT NOTICE
IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY.**

Re: No. 263 Northbrooks, Harlow, CM19 4DJ

The Council has issued an Enforcement Notice relating to the above land and we now serve on you a copy of that Notice, in view of your interest in the land.

Unless an appeal is made to the Secretary of State as described in the Annex to the Enforcement Notice, the Notice will take effect on the 9th June 2015 and you must then ensure that the required steps for which you may be held responsible are taken within the period specified in the Notice.

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Your appeal should be sent to the address shown on the appeal form and must be received by the Planning Inspectorate before the date given in the Enforcement Notice when the Notice takes effect.

Yours faithfully,



Elizabeth Fitzgerald
Development Manager.

IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990 ("TCPA 1990") (as amended)

ENFORCEMENT NOTICE

ISSUED BY: HARLOW DISTRICT COUNCIL ("the Council") of Civic Centre, The Water Gardens, Harlow, Essex, CM20 1WG

1. THIS NOTICE is issued by the Council because it appears that there has been a breach of planning control, within paragraph (a) of Section 171A(1) 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. The annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. THE LAND TO WHICH THE NOTICE RELATES

263 Northbrooks, Harlow, CM19 4DJ, shown edged in red on the attached plan marked "Plan A" ("the Property").

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

Without planning permission the material change of use of the Property from a single residential dwellinghouse to two residential flats.

4. REASONS FOR ISSUING THE NOTICE

It is expedient to issue this notice because the Council considers that:

- I. the change of use of the Property to two residential flats would lead to a material increase for the demand for parking at a property that does not contain any dedicated off street parking contrary to policy T9 of the Adopted Replacement Harlow Local Plan 2006 and the Essex Parking Standards SPD. The said change of use is likely, therefore, to give rise to inconvenience and danger to other highway users.
- II. the change of use of the Property to two residential flats would lead to a material increase in the intensity of the use of the first floor of the property. This would give rise to an increase in the extent of overlooking from the first floor, leading to a loss of privacy for neighbouring properties, particularly 260 Northbrooks. The said change of use is therefore considered to be contrary to principle DG30 of the Harlow Design Guide SPD.

5. WHAT YOU ARE REQUIRED TO DO

1. Cease the use of the Property as two residential flats
2. Remove from the Property all items, materials and debris associated with the unauthorised use, including:
 - I. the external doorway at point A on the attached floor plan of the Property marked "Plan B" ("Plan B")
 - II. the internal dividing wall between points B and C on Plan B.
 - III. the ground floor bathroom

IV. the first floor kitchen.

3. Restore the Property to its condition before the breach took place.

6. TIME FOR COMPLIANCE

The periods for compliance with the steps set out in paragraph 5 are:

3 Calendar months after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **9th June 2015** unless an appeal is made against it beforehand.

Signed:



Dianne Cooper (Planning and Building Control Manager)

On behalf of Harlow District Council of Civic Centre, The Water Gardens, Harlow, Essex,
CM20 1WG

Dated: 9th March 2015

ANNEX

Harlow District Council has issued an enforcement notice relating to land at Plot 17, Harlow Business Park, Roydon Road, Harlow, Essex, CM19 5DT and you are served with a copy of that notice as you have an interest in the Land. Copies of the notice have also been served on the parties listed at the end of this Annex.

YOUR RIGHT OF APPEAL

You can appeal against this enforcement notice, but any appeal must be **received** by the Planning Inspectorate (or be posted or electronically communicated at such time that, in the ordinary course of post or transmission, it would be delivered to the Planning Inspectorate) **before** the date specified in paragraph 7 of the notice.

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

- Online at the Planning Casework Service area of the Planning Portal (www.planningportal.gov.uk/pcs).
- By getting enforcement appeal forms from the Planning Inspectorate on 0117 372 6372 or by e-mailing the Planning Inspectorate at enquiries@pins.gsi.gov.uk.

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.
- The effective date of the enforcement notice.

This should **immediately** be followed by your completed appeal forms.

The Planning Inspectorate's address and contact details are as follows:

The Planning Inspectorate
CST Room 3/05
Temple Quay House
2 The Square
BRISTOL BS1 6PN

Direct line: 0117 372 6372
Fax number: 0117 372 8782

Under section 174 of the TCPA 1990 you may appeal on one or more of the following grounds 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 or, as the case may be, the condition or limitation concerned ought to be discharged.
- Those matters have not occurred.
- Those matters (if they have occurred) do not constitute a breach of planning control.
- 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.
- Copies of the enforcement notice were not served as required by section 172 of the TCPA 1990.
- The 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 such breach.

- Any period specified in the notice in accordance with section 173(9) of the TCPA 1990 falls short of what should reasonably be allowed.

Not all of these grounds may be relevant to you.

If you appeal under ground (a) of section 174(2) of the TCPA 1990 this is the equivalent of applying for planning permission for the development alleged in the notice and you will have to pay a fee of £395.00. You should pay the fee to Harlow District Council.

If you decide to appeal, you should state in writing the ground(s) on which you are appealing against the enforcement notice and you should state briefly the facts on which you intend to rely in support of each of those grounds. If you do not do this when you make your appeal the Secretary of State will send you a notice requiring you to do so within 14 days.

A copy of sections 171A, 171B and 172 to 177 of the TCPA 1990 are attached for your information.

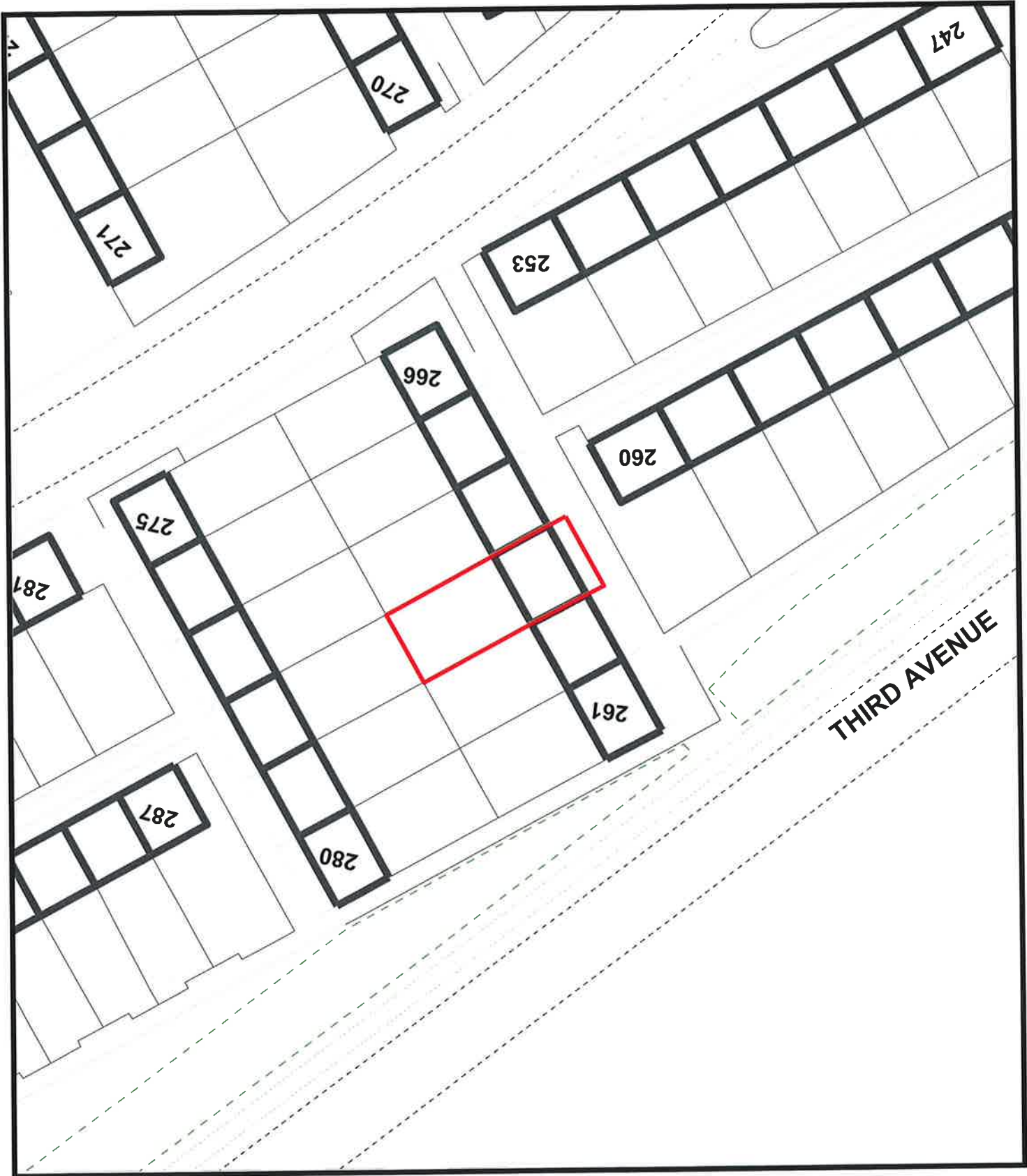
WHAT HAPPENS IF YOU DO NOT APPEAL

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.

Persons served with a copy of this enforcement notice are as follows:

Mr Shkelqim Lisha and Ms Mimoza Matoshi, 24 Burley Hill, Harlow, Essex, CM17 9QQ

Bank of Scotland PLC (Scot. Co. Regn. No. SC327000) Halifax Division, 1 Lovell Park Road, Leeds LS1 1NS



Harlow
Council

Working together for Harlow
Property and Facilities
Civic Centre
The Water Gardens
Harlow
Essex CM20 1WG

Tel. 01279446687 Fax: 01279446639

263 Northbrooks
Harlow
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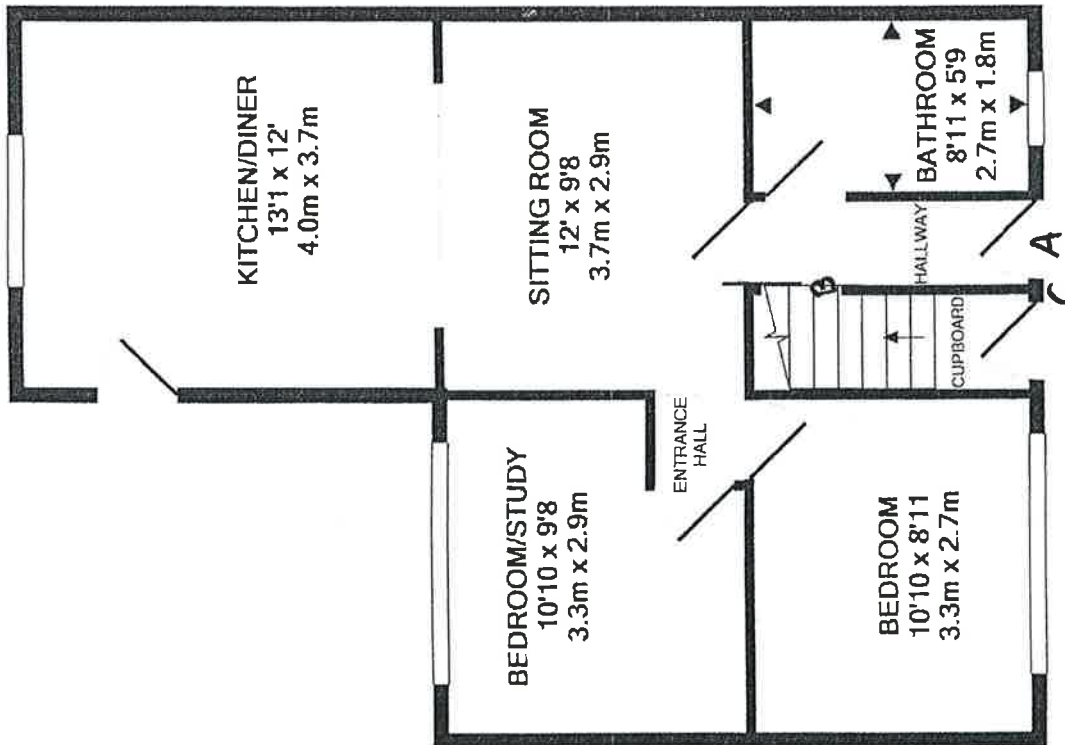
PLAN A



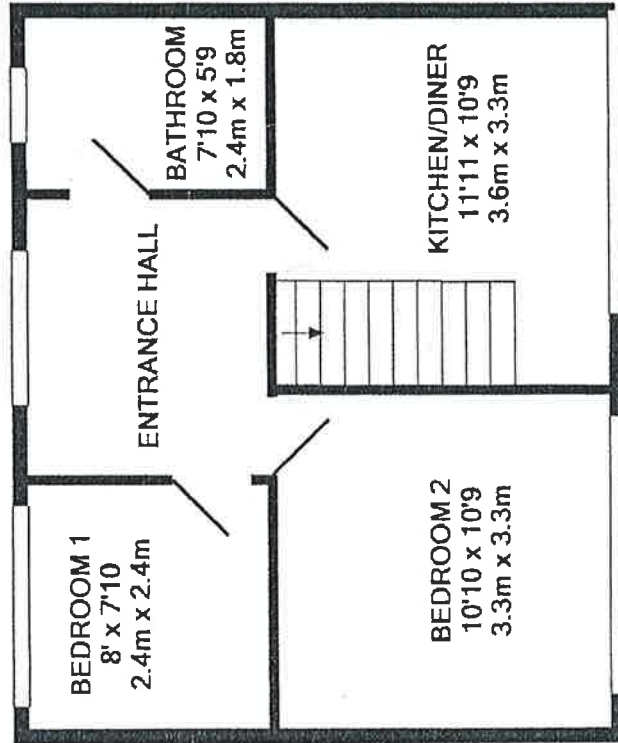
SCALE: 1:500 at A4	DATE: 6th March 2015	DRAWN BY: DJ	Drawing No.
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Harlow District Council
RECEIVED
04 JUL 2014
Planning & Building Control
Services



GROUND FLOOR
APPROX. FLOOR
AREA 583 SQ.FT.
(54.2 SQ.M.)



1ST FLOOR
APPROX. FLOOR
AREA 424 SQ.FT.
(39.3 SQ.M.)

PROPOSED FLOOR PLANS FOR 263 NORTHBROOKS
TOTAL APPROX. FLOOR AREA 1007 SQ.FT. (93.5 SQ.M.)

Whilst every attempt has been made to ensure the accuracy of the floor plan contained here, measurements of doors, windows, rooms and any other items are approximate and no responsibility is taken for any error, omission, or mis-statement. This plan is for illustrative purposes only and should be used as such by any prospective purchaser. The services, systems and appliances shown have not been tested and no guarantee as to their operability or efficiency can be given