

## **IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

TOWN AND COUNTRY PLANNING ACT 1990  
(as amended by the Planning and Compensation Act 1991  
and the Planning and Compulsory Purchase Act 2004)

### **ENFORCEMENT NOTICE**

ISSUED BY: LONDON BOROUGH OF WALTHAM FOREST

1. **THIS NOTICE** is issued by the Council because it appears to them 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. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material 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 THIS NOTICE RELATES**

Land at 26 Underwood Road, Chingford, London E4 registered at HM land Registry under title number EGL102097 and shown edged black and hatched red on the attached plan.

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

The first floor windows do not accord with the approved Planning Application number 2004/1174 since they are larger and of a different shape than what was approved.

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 installation of windows at first floor level at the rear of the extension (which are different from those approved under reference 2004/1174) results in overlooking of the garden of 28 Underwood Road and loss of privacy for occupiers. The development is therefore contrary to Policies ENV1 and PSC4 of the Waltham Forest Unitary Development Plan and guidance in Supplementary Planning Guidance Note 4.

The windows installed at first floor level at the rear of the extension (which are different from those approved under reference 2004/1174) do not match those on the original dwelling, which is detrimental to the appearance of the building and the visual amenities of the local area. The Development is therefore contrary to Policies

ENV1 and PSC4 of the Waltham Forest Unitary Development Plan and Guidance in Supplementary Planning Guidance Note 4.

The Council does not consider that planning permission should be given, because planning conditions could not overcome these objections to the development.

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

(1) Replace the windows in accordance with the windows shown on the approved drawing of Planning Application 2004/1174.

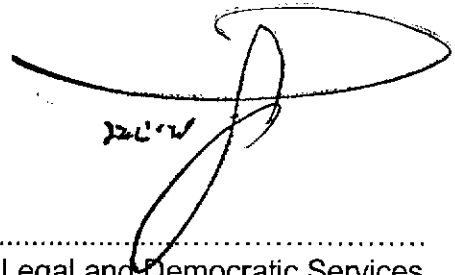
6. **TIME FOR COMPLIANCE:**

**2 (Two) Months** after this notice takes effect.

7. **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 26 January 2006 unless an appeal is made against it beforehand.

DATED: 19 December 2005



Signed .....  
Head of Legal and Democratic Services  
On behalf of  
London Borough of Waltham Forest  
Town Hall  
Forest Road  
Walthamstow  
London E17

**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. The enclosed booklet "Making your enforcement appeal" sets out your rights. Read it carefully. You may use the enclosed appeal forms.

- (a) One is for you to send to the Secretary of State if you decide to appeal together with a copy of this Enforcement Notice

- (b) The second copy of the Appeal Form and Notice should be sent to the Council.
- (c) The third copy is for your own records.

**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.



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Scale 1/1250 Date 24/10/2005

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