

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR
PROPERTY**

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

**ENFORCEMENT NOTICE
OPERATIONAL DEVELOPMENT**

ISSUED BY: THE LONDON BOROUGH OF LEWISHAM ("the 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 and the enclosures to which it refers contain important additional information.

2. THE LAND TO WHICH THE NOTICE RELATES

Land at the junction of Duncombe Hill and Brockley Rise London SE23 1QB as shown edged red on the attached site plan ("the Land").

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

Without planning permission the installation of a timber hoarding and associated gates on the Land as shown on the Photographs, attached

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 development by virtue of its scale, siting and design has resulted in substantial harm to the appearance of the street scene and public realm visual amenity. It is considered to be a bulky and incongruous addition, dominating the street scene contrary to Policy 15 High quality design for Lewisham of the Core Strategy (2011) and Policy DM30 Urban design and local character of the Lewisham Development Management Local Plan (2014)

The Council do 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. Remove the hoarding and associated gates shown on the Photographs, attached from the Land by hand or by using hand held non-mechanical tools
2. Remove all hoarding posts and any concrete haunching installed on the Land using hand held non mechanical tools
3. Restore the Land to its previous form and appearance by gently loosening and decompacting the soil around the post holes avoiding damage to tree roots and root protection areas, and back filling the holes with good quality topsoil
4. Remove all materials, debris, waste and equipment resulting from compliance with requirements 1-3 above from the land

6. TIME FOR COMPLIANCE

1 month after the Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 1st April 2019
unless an appeal is made against it beforehand.

ISSUED ON 13th February 2019

Keith Nicholson

Signed:.....

Head of Law on behalf of The Mayor and Burgesses of the London Borough
of Lewisham, the planning authority

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 Planning Inspectorate acting on behalf of the Secretary of State before the date specified in paragraph 7 above being the date the Notice takes effect.

The enclosed information sheet published by the Planning Inspectorate gives details of how to make an appeal [link to <http://www.planningportal.gov.uk/uploads/pins/eninfosheet.pdf>]

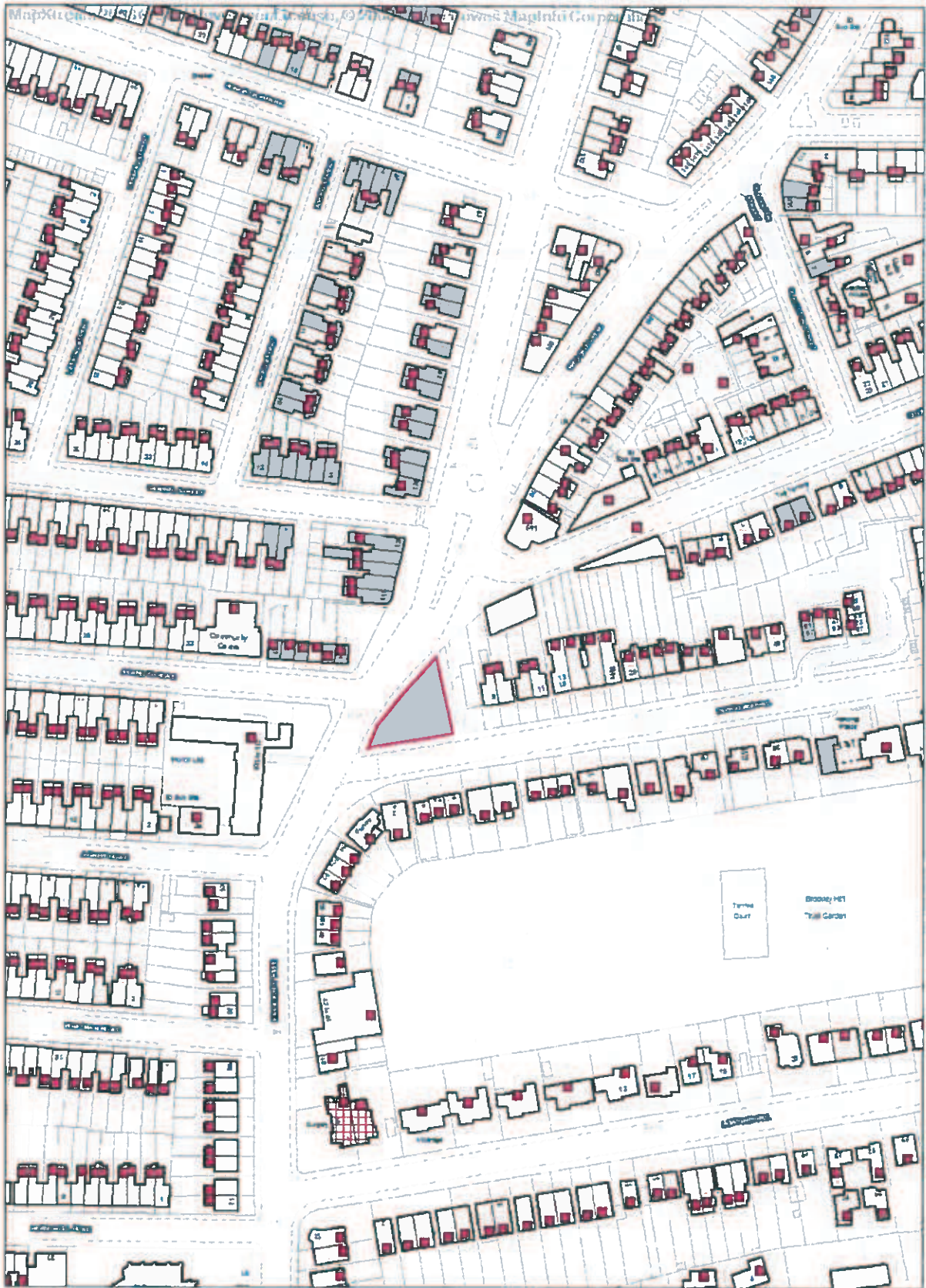
You must submit to the Planning Inspectorate, acting on behalf of the Secretary of State, either when giving notice of appeal or within 14 days when the Planning Inspectorate sends you a notice requiring a written statement specifying the grounds on which you are appealing against the enforcement notice and stating briefly the facts on which you propose to rely upon in support of each of these grounds.

FEES PAYABLE ON APPEAL

Pursuant to regulation 10 (7) of the Town & Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 the following fees are payable for an appeal under section 174 (a) of the Town & Country Planning Act 1990 for the deemed application for planning permission for the development alleged to be in breach of planning control in the enforcement notice. A fee of £412.00 is payable to the local planning authority.

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 above 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.





Picture 1: Site visit taken on 28.01.19 of the timber hoarding (Brockley Rise)



Picture 2: Site visit taken on 28.01.19 of the timber hoarding (accessway)



Picture 3: Site visit taken on 28.01.19 of the timber hoarding (Duncombe Hill)