

RE: LAND AND FIRST FLOOR PREMISES AT 83A LONDON ROAD, ROMFORD

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 Land
 2. The Occupier of the said Land
 3. East Anglian Facilities (Romford) Limited, 3-7 The Parade, Gallows Corner, Romford, RM3 0DX
 4. Holy Michael Parish represented by Kolawole Afolabi Kayode, 1 Gay Gardens, Dagenham, Essex, RM10 7TT.
 5. Celestial Prayer Meeting Group, 83A London Road, Romford, RM7 9QD.

ISSUED BY: London Borough of Havering

1. **THIS IS A FORMAL NOTICE** which is issued by 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. 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.

2. **THE LAND AFFECTED**

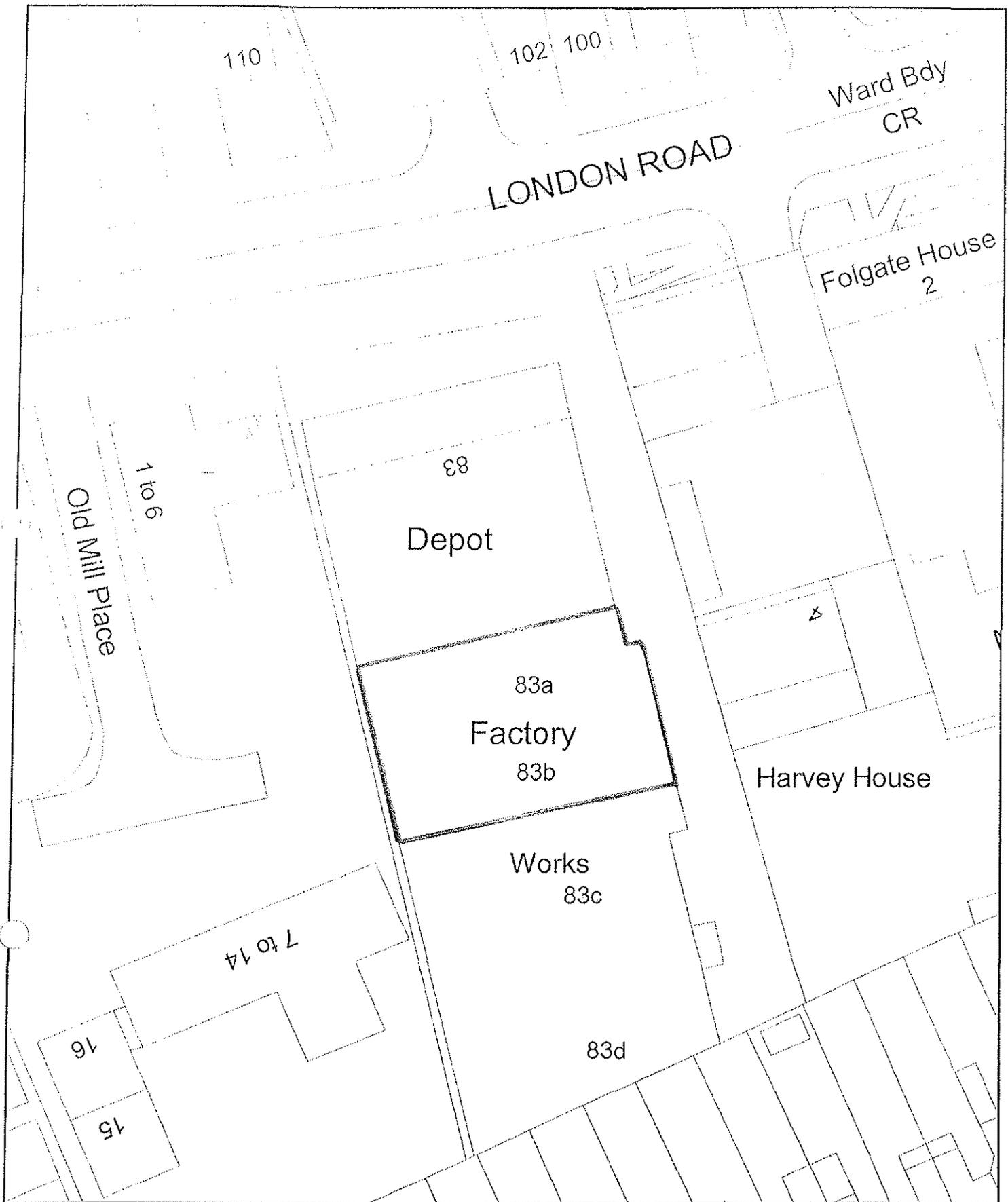
The land and first floor premises at 83A London Road, Romford, Essex, RM7 9QD shown edged black on the attached plan (hereinafter called "the Land").

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

Without planning permission material change of use of the said Land from office and storage use to a place of assembly and worship.

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last ten years. The policy consideration is Policy DC26 of the Havering Core Strategy and Development Control Policies Development Plan Document. It states planning permission for new community facilities will only be granted where they do not have a significant adverse effect on residential character and amenity.



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| 83a London Road | Map Reference: TQ5088SE |
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|--|--------------------------------------|-----------|
| | Scale @ A4 1:444 Date: 10/11/2010 | Scale |
|--|--------------------------------------|-----------|

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| <p>Havering LONDON BOROUGH</p> | London Borough of Havering Town Hall, Main Road Romford, RM1 3BD Tel: 01708 434343 | Based upon the Ordnance Survey Mapping with the permission of the Controller of Her Majesty's Stationery Office. Crown © copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. London Borough of Havering, 100024327 2010 |
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The unauthorised use causes considerable harm to the residential character and amenity of the area, causing noise and disturbance to residents including hours of operation and effective waste disposal. The unauthorised use also causes problems with access, car parking and car parking standards which are against Policies DC33 (car parking) and Annex 5 (car parking standards) of the Havering Core Strategy and Development Control Policies Development Plan Document.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Stop using the Land as a place of assembly and worship.

Time for compliance: 3 months from the effective date of this notice.

- (ii) Remove from the Land all equipment including seating, audio and amplifier equipment and musical instruments associated with the unauthorised use.

Time for compliance: 3 months from the effective date of this notice.

- (iii) Restore the Land back to its authorised general storage and office use.

Time for compliance: 3 months from the effective date of this notice.

- (iv) Remove from the Land all materials, including building materials and rubble resulting from compliance with requirements (i) to (iii) above.

Time for compliance: 3 months from the effective date of this notice.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 8th April 2011, unless an appeal is made against it beforehand

Dated: 4th March 2011

Signed:



Authorised Officer

On behalf of London Borough of Havering
Town Hall
Main Road
Romford RM1 3BD

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 8th April 2011. The enclosed booklet "Enforcement Appeals – A Guide to Procedure" sets out your rights.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Enforcement Notice, it will take effect on 8th April 2011 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.

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 8th April 2011.

If you intend to appeal this Notice you should follow instructions given on the information sheet from the Planning Inspectorate which accompanies this Notice.

GROUND OF APPEAL

The grounds of appeal are set out in Section 174 of the Town and Country Planning Act 1990 (as amended) you may appeal on one or more of the following grounds:-

- (a) 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, as the case may be, the condition or limitation concerned ought to be discharged;
- (b) that those matters have not occurred;
- (c) that those matters (if they occurred) do not constitute a breach of planning control;
- (d) that, 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;
- (e) that copies of the Enforcement Notice were not served as required by section 172;
- (f) that 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 any such breach;
- (g) that any period specified in the notice in accordance with section 173(9) falls short of what should reasonably be allowed.

Not all these grounds may be relevant to you.

PLANNING APPLICATION FEE

Should wish to appeal on ground (a) - that planning permission should be granted for the unauthorised development - then a fee of £335 is payable both to the Secretary of State and to the Council making the total fees payable £670. 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:

- TO:**
1. The Owner of the said Land
 2. The Occupier of the said Land
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