

**1A CHASE CROSS ROAD, COLLIER ROW, ROMFORD RM53PJ**

**IMPORTANT- THIS COMMUNICATION AFFECTS YOUR PROPERTY**

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

**1991) ENFORCEMENT NOTICE- Council Reference:**

**ENF/140/17**

**ISSUED BY:** London Borough of Havering (herein after referred to as "the Council")

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 at **1a Chase Cross Road, Collier Row, Romford, RM7 7AR** as shown edged in black on the attached plan.

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

Without planning permission, the material change of use of the ground floor from A1 use to a residential (C3) unit.

**4. REASONS FOR ISSUING THIS NOTICE**

(1) It appears to the Council that the above breach of planning control has occurred "within the last FOUR years" and that steps should be taken to remedy the breach by Section 173 4(a) or to remedy any amenity or injury which has been caused by the breach.

(2) The use of the ground floor as residential unit (C3) results in the loss of a commercial unit and creates an unacceptable unit of residential accommodation which does not meet space standards, parking, outdoor amenity space and provides poor quality natural light within the main living room/kitchen contrary to Policies DC04, DC33 and DC61 of the LDF Core Strategy and is contrary to the NPPF - National Planning Policy Framework (2019) Chapter 12, in particular Paragraph 127 which relates to achieving well designed places.

(3) The Council does not consider that planning permission should be granted because conditions attached to any consent will not remedy the breach.

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

**Within one month of the effective date of this Notice to:**

1. Cease the use of the ground floor as a residential unit (C3); AND
2. Remove all cooking facilities, residential fixtures and fittings and residential paraphernalia from the ground floor; AND
3. Remove all materials and debris resulting from taking steps (1) and (2) above.

**6. TIME FOR COMPLIANCE**

**TWO MONTHS** after the date this Notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 30th **September 2019**, unless an appeal is made against it beforehand

Dated: 30th August 2019

Signed: .....

David Colwill Authorised Officer

On behalf of London Borough of Havering  
5th Floor Mercury House, Mercury Gardens  
Romford, RM1 3SL

**Nominated Contact Officer:**

George Atta-Adutwum, Planning Enforcement & Appeals Officer  
01708 432157      [george.atta-adutwum@havering.gov.uk](mailto:george.atta-adutwum@havering.gov.uk)

**THE RIGHT TO APPEAL**

Those with a legal or equitable interest in the land or who is a relevant occupier can appeal against this Enforcement Notice to the Secretary of State before the **30th September 2019**. Further details are given in the attached explanatory note.

**WHAT HAPPENS IF AN APPEAL IS NOT RECEIVED**

If an appeal is not received against this Enforcement Notice, it will take effect on **30th September 2019** 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, 1718 and 172 to 177 of the Town and Country Planning Act 1990 (as amended) can be viewed online at <https://www.legislation.gov.uk/ukpga/1990/8/contents>

#### **THE RIGHT TO APPEAL**

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 on or before the **30th September 2019**. If an appeal against this Notice is intended, the instructions given on the information sheet from the Planning Inspectorate which accompanies this Notice should be followed.

#### **GROUND OF APPEAL**

The grounds of appeal are set out in Section 174 of the Town and Country Planning Act 1990 (as amended) and an appeal may be made 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 **£924** is payable to the Council when the appeal is lodged. If this fee is not paid, the planning merits of the appeal will not be considered by the Planning Inspector.

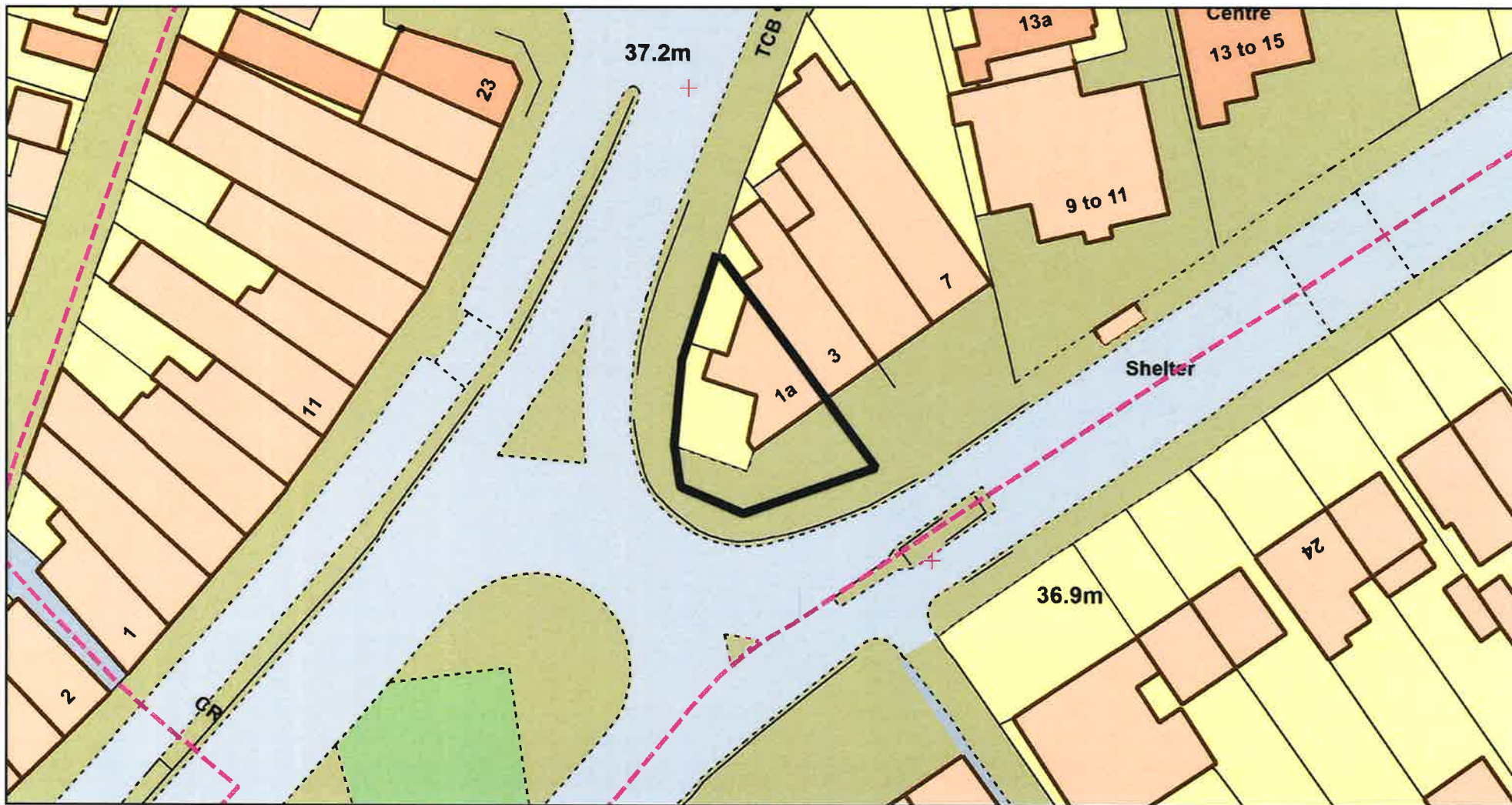
## **STATEMENT ON GROUNDS OF APPEAL**


It must be submitted 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, a statement in writing specifying the grounds on which the appeal against the Enforcement Notice is being made and stating briefly the facts on which it is proposed 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:

1. THOMAS ROBERT of 52 Eaton Drive, Collier Row, Romford RM5 2ND
2. The Owners of 1 Chase Cross Road, Romford, RM5 3PJ
3. The Occupiers of 1 Chase Cross Road, Romford, RM5 3PJ
4. Irina Gogoase of 1 Chase Cross Road, Romford, RM5 3PJ.
5. NATIONALWESTMINSTER BANK PLC (Co. Regn. No.00929027) of POBox 121, 9 The Town, Enfield EN2 6RB.



1a Chase Cross Road, Collier Row, RM5 3PJ	
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	<p>Scale: 1:500          Date: 28 May 2019          Size: A4</p> 
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CST Room 3/13  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

Direct Line 0303-444 5000  
Email [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk)

## THIS IS IMPORTANT

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

- on-line at the Appeals Casework Portal <https://acp.planninginspectorate.gov.uk/> or
- sending us enforcement appeal forms, which can be obtained by contacting us on the details above.

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

Please read the appeal guidance documents at <https://www.gov.uk/appeal-enforcement-notice/how-to-appeal>

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;
- 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.