

ENFORCEMENT NOTICE - ENF/538/18

8 and 10 NORTH STREET, ROMFORD, RM1 1BH

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT NOTICE - ENF/538/18

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 have been breaches 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 Explanatory Notes at the end of this Notice and the Enclosures referred to therein contain important additional information.

2. **THE LAND AFFECTED**

The land known as 8 & 10 North Street, Romford, RM1 1BH shown edged in black on the attached plan and is registered under Land Registry Title Number EGL99460 and EGL99461

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

Without the benefit of planning permission, the change of use and subdivision of existing accommodation to form 4x1 bedroom and 1x2 bedroom self-contained flats.

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 injury to amenity which has been caused by the breach.

(2) The proposed development, in particular, the accommodation within the roof would fail to demonstrate an acceptable internal arrangement giving rise to a poor quality living environment, and as such would not demonstrate a suitably high quality living environment for future occupiers, with the arrangement shown symptomatic of a cramped overdevelopment of the site which would be detrimental to the amenity of future occupiers

through a combination of internal layout and poor outlook. The proposal is therefore contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD, the Residential Design SPD and Policy 3.5 of the London Plan.

- (3) The proposed development would, by reason of the proliferation of rooflights absent of any consideration of the restraint and order of the host buildings architecture would represent unsympathetic, visually intrusive development which would not preserve or enhance the special character of this part of the Conservation Area contrary to Policy DC68 of the LDF and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- (4) The Council does not consider that planning permission should be granted for the development and the development has already been tested twice under applications and refused both times. Accordingly conditions attached to any consent cannot remedy the breach.

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

The Enforcement Notice requires within **SIX MONTHS** of the date when this Notice takes effect to:

1. Cease the use of the property as 4 x 1 bedroom and 1 x 2 bedroom self-contained flats; AND
2. Revert the floors above ground floor of the properties back to the singular self-contained flat which existed prior to carrying out the subdivision into multiple flats; AND.
3. Remove all cooking facilities including kitchen equipment and all bathrooms, washing facilities and toilets except for those required for the previous singular lawful flat; AND
4. Remove all utility meters from the flats on the upper floors and from the loft and ensure all supplies are connected via a single supply only a single remaining flat; AND
5. Remove all rubble, debris accumulated when taking Steps 1, 2, 3 and 4 above.

6. **TIME FOR COMPLIANCE**

SIX MONTHS after the date when this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice will take effect on 30th June 2020, unless an appeal is made against it beforehand.

Dated: 19th May 2020

Signed: 

Name: David Colwill
Team Leader, Planning Enforcement
on behalf of London Borough of Havering
5th Floor, Mercury House, Mercury Gardens, Romford RM1 3SL

Nominated Officer: George Atta-Adutwum Telephone Number: 01708 42157
Email: George.Atta-Adutwum@haverling.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 June 2020**. 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 June 2020** 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) can be found on the Government's legislative website at <https://www.legislation.gov.uk/>

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 **19th June 2020**. 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.

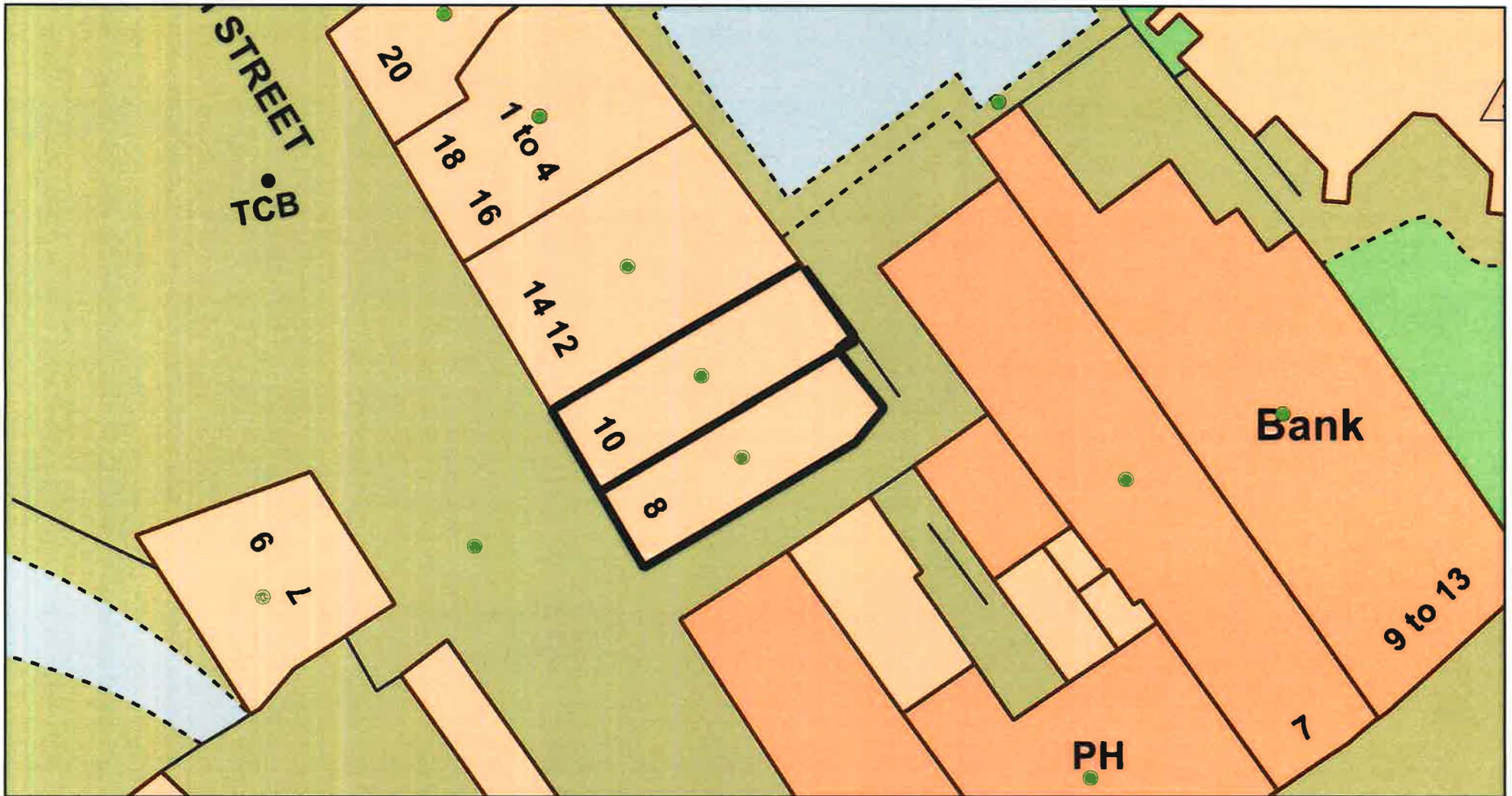
STATEMENT ON GROUNDS OF APPEAL

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. Muhammed Haseeb Hanif, 8 North Street, Romford, RM1 1BH
2. Mohammad Adil Hanif, 8 North Street, Romford, RM1 1BH
3. The Occupier, 8 North Street, Romford, RM1 1BH
4. The Owner, 8 North Street, Romford, RM1 1BH
5. The Occupier, 8A North Street, Romford RM1 1BH
6. The Owner, 8A North Street, Romford RM1 1BH
7. The Occupier, 8B North Street, Romford RM1 1BH
8. The Owner, 8B North Street, Romford RM1 1BH
9. The Occupier, 10A North Street, Romford, RM1 1BH
10. The Owner 10A North Street, Romford RM1 1BH
11. The Occupier, 10B North Street, Romford RM1 1BH
12. The Owner, 10B North Street, Romford RM1 1BH
13. The Occupier, 10C North Street, Romford RM1 1BH
14. The Owner, 10C North Street, Romford RM1 1BH
15. Kazi Mohammad Shah, 34A London Road, Romford, Essex. RM7 9RB
16. Muhammed Haseeb Hanif, 10 North Street, Romford, RM1 1BH
17. Mohammad Adil Hanif, 10 North Street, Romford, RM1 1BH
18. The Owner, 10 North Street, Romford, RM1 1BH
19. The Occupier, 10 North Street, Romford, RM1 1BH
20. MUHAMMAD HASEEB HANIF, Care of Golfrate Property Management Limited, The Tower, 15th Floor, 125 High street, Colliers Wood, London SW19 2JR.
21. MOHAMMAD ADIL HANIF, Care of Golfrate Property Management Limited, The Tower, 15th Floor, 125 High street, Colliers Wood, London SW19 2JR



8 & 10 North Street, Romford, RM1 1BH	N ↑
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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

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.