

Land on the east side of 3 Wolseley Road, Romford RM7 0BP

IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

BREACH OF CONDITION NOTICE – ENF/79/19

ISSUED BY: LONDON BOROUGH OF HAVERING COUNCIL

TO:

1. REISS CLIVE KINGSLEY of 229 Brentwood Road, Herongate, Brentwood CM13 3PL
2. The Owner / Occupier Land on the east side of 3 Wolseley Road, Romford RM7 0BP
3. The Owner / Occupier 3 Wolseley Road, Romford RM7 0BP
4. The Owner / Occupier, 1 Wolseley Road, Romford RM7 0BP
5. TOORAK CAPITAL FUNDING LIMITED LIABILITY COMPANY, care of Howard Kennedy LLP, 1 London Bridge, London SE1 9BG.

1. THIS IS A FORMAL NOTICE which is issued by the Council, under section 187A of the above Act because they consider that conditions imposed on a grant of planning permission, relating to the land described below have not been complied with. It considers that you should be required to comply with the conditions specified in this notice.

2. THE LAND AFFECTED BY THE NOTICE

1. The land and premises known as Land on the east side of 3 Wolseley Road, Romford RM7 0BP, shown edged in black on the attached plan.

3. THE RELEVANT PLANNING PERMISSION

The relevant planning permission to which this notice relates to is permission P0957.19, revised design following approval of P1194.18, proposed room in roof, raise ridge line to form a 4 bedroom detached house.

4. THE BREACH OF CONDITIONS

The following conditions have not been complied with:

Non-compliance with Condition 3 (Gas Protection measures), Condition 8 (Obscure glazing) and Condition 9 (Obscure and fixed glazing) of planning permission ref: P0957.19 granted on 25th November 2019

Condition 3 (Gas protection measures):

The dwelling hereby permitted shall be demolished to ground level and all materials resulting from the demolition shall be removed within 6 months of the date of failure to meet any one of the requirements set out in (i) to (iv) below:

- i. within 2 months of the date of this decision, details shall be submitted for the written approval of the Local Planning Authority setting out suitable gas protection measures that have been employed on site including, but not necessarily limited to, the installation of a suitable gas resistant membrane. The gas protection measures shall be carried out in strict accordance with the agreed details. Upon completion of installation, a 'Verification Report' must be submitted demonstrating that the works have been carried out.
- ii. if within 11 months of the date of this decision the local planning authority refuse to approve the scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.
- iii. if an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State.

Reason: Insufficient information has been submitted to ensure that the occupants of the development and property are not subject to any risks from soil gas and/or vapour in accordance with LDF Core Strategy and Development Control Policies DPD Policy DC53.

Condition 8 (Obscure glazing):

The proposed first floor landing window on the western flank of the dwelling and the first floor en-suite window on the rear elevation of the dwelling as shown on Drawing No. 01/03/19/B shall be permanently glazed with obscure glass not less than level 4 on the standard scale of obscurity and shall thereafter be maintained.

Reason: In the interests of privacy, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.5.

Condition 9 (Obscure and fixed glazing):

The proposed first floor bathroom window on the eastern flank of the dwelling as shown on Drawing No. 01/03/19/B shall be permanently glazed with obscure glass

not less than level 4 on the standard scale of obscurity and shall thereafter be maintained and permanently fixed shut.

Reason: In the interests of privacy, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61

5. WHAT YOU ARE REQUIRED TO DO

As the person responsible for the breaches of conditions specified in paragraph 4 of this notice, you are required to secure compliance with the stated conditions by taking the following steps:

Within 35 days from the date of service of this notice:

1. Remove and replace the windows on the eastern flank of the dwelling to windows which are permanently fixed shut and glazed with obscure glass not less than level 4 on the standard scale of obscurity.

And

2. Submit to the London Borough of Havering a valid application, plans and fee to discharge conditions 3 (**Gas protection measures**) of P0957.19.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect immediately it is served on you in person or on the day you receive it by postal delivery.

Dated: 8th January 2021



David Colwill

Position: Planning Enforcement Team Leader

Authorised Officer

On behalf of: The Mayor and Burgesses of the London Borough of Havering,
Mercury House, Mercury Gardens, Romford RM1 3SL

WARNING

THERE IS NO RIGHT OF APPEAL AGAINST THIS NOTICE

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of immediate prosecution in the Magistrates Court for which the maximum penalty is £2,500 for a first offence and for any subsequent offence.

If you are in any doubt about what this notice requires you to do, you should get in touch immediately with Patricia Adesina Senior Planning Enforcement Officer, on patricia.adesina@haverling.gov.uk or 01708 433959.

If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review. A lawyer will advise you on what this procedure involves.



Land on the east side of 3 Wolsley

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Scale: 1:800
 Date: 08 January 2021

London Borough of Havering
 Town Hall, Main Road
 Romford, RM1 3BD
 Tel: 01708 434343

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