

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/387/19

ISSUED BY: HAVERING LONDON BOROUGH COUNCIL

TO:

1. Ian George Nicoll, Wellington House, Shardelow Avenue, Chelmsford CM1 6BG
2. Ian George Nicoll, Broadfields, Old Tilbury Road, East Horndon, Brentwood, Essex CM13 3LS
3. The Lodge Care Home, Lodge Lane, Romford RM5 2ES
4. The Owners, The Lodge Care Home, Lodge Lane, Romford RM5 2ES
5. The Occupiers, The Lodge Care Home, Lodge Lane, Romford RM5 2ES
6. PROMONTORIA (RAM 2) LIMITED care of 1 Grant's Row, Lower Mount Street, Dublin 2, Ireland
7. Patricia Constance Nicoll care of Coffin Mew LLP, 1000 Lakeside, Western Road, North Harbour, Portsmouth PO6 3EN
8. Patricia Constance Nicoll by email patricianicholl63@gmail.com

Copy to: The Mayor and Burgesses of The London Borough of Havering, Legal Services, Town Hall, Main Road, Romford RM1 3BD

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

The land and premises known as The Lodge Care Home, Lodge Lane, Romford RM5 2ES, shown edged in black on the attached plan. Land registry records show that it is registered under title numbers EGL347775 and EGL435431.

3. THE RELEVANT PLANNING PERMISSION

The relevant planning permission to which this notice relates is the permission granted by the Council on the 8th July 2020 for retrospective application for the retention of 12 No. bed spaces and a communal area within the roofspace, and the retention of two x 2 inset windows in place of 4 Velux roof windows. Including the submission of details in respect of parking provision, Landscaping, and external works. Council reference P1331.19.

4. THE BREACH OF CONDITIONS

Non-compliance with Condition 2 (Car parking and landscaping) of planning permission P1331.19 granted on 8th July 2020 illustrated below is not being complied with.

Condition 2 states:

Unless within 3 months of the date of this decision a scheme for the surfacing of the additional car parking area shown on the approved plan and landscaping for the site, is submitted in writing to the local planning authority for approval, and unless the approved surfacing scheme is implemented within 3 months of the local planning authority's approval and the landscaping within the planting season following approval, the use of the use of additional accommodation hereby approved shall cease until such time a scheme is approved and implemented.

The materials for the surfacing of the car park shall be either permeable or allow for SUDS.

Once implemented the additional car parking area shall be made permanently available for parking, unless otherwise agreed in writing by the local planning authority.

Any trees or plants in accordance with the approved landscaping scheme, which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or deceased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure a satisfactory external appearance and ensure adequate provision for parking.

5. THE FOLLOWING ACTIVITIES ARE TO BE CARRIED OUT TO SECURE COMPLIANCE WITH THE CONDITIONS

Within 28 days from the date of this notice, submit a valid planning application and fee with sufficient information to agree the requirements of condition 2 of P1331.19 illustrated above.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect **immediately** it is served on you or you receive it by postal delivery.

Dated: 27th August 2021



David Colwill

Position: Team Leader Planning Enforcement and Appeals

Authorised Officer

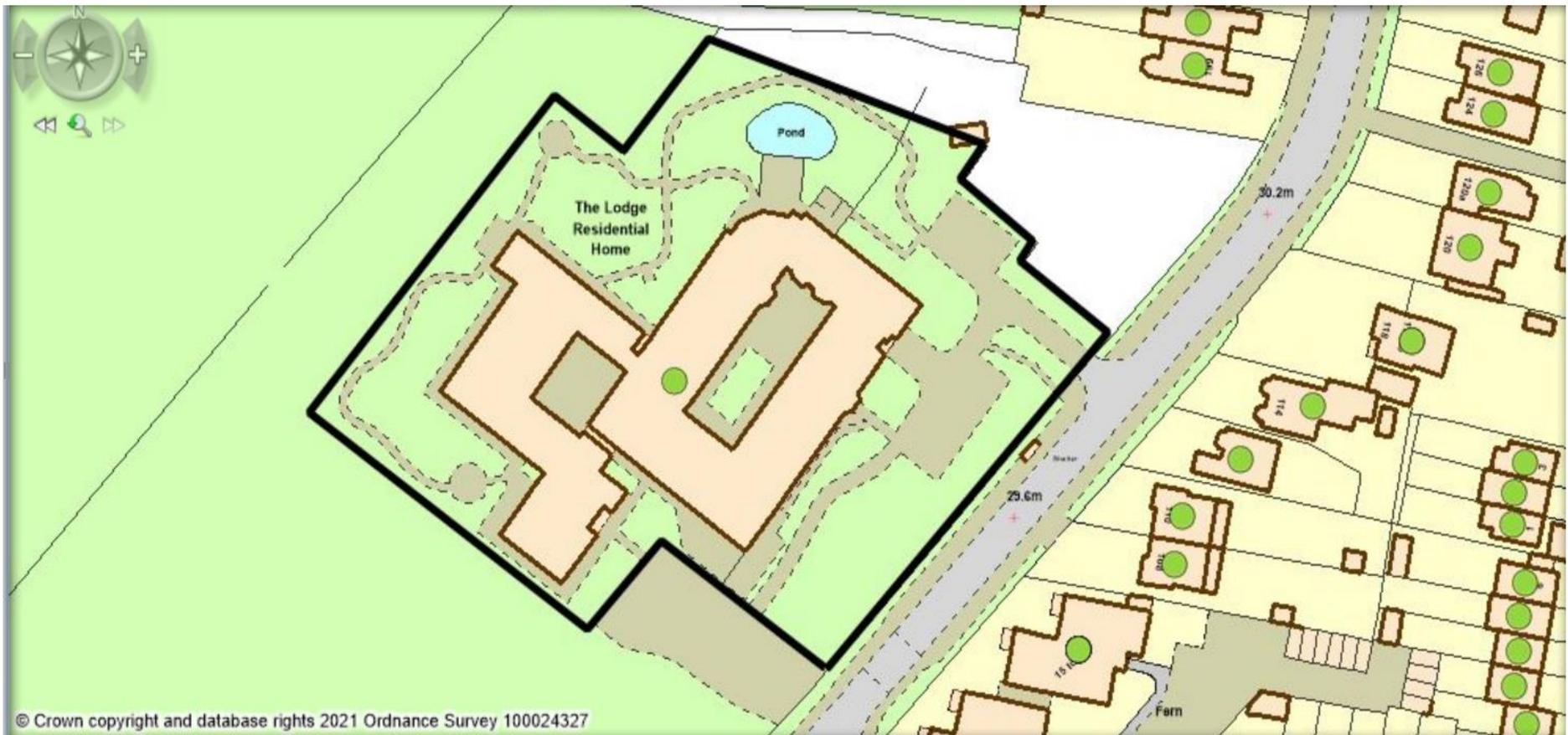
On behalf of: The Mayor and Burgesses of the London Borough of Havering Town Hall
Main Road Romford RM1 3BD

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 Onkar Bhogal, Principal Planning Enforcement Officer, Onkar.bhogal@havering.gov.uk (01708 431587). 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.

DO NOT LEAVE YOUR RESPONSE TO THE LAST MINUTE



LODGE CARE HOME, LODGE LANE, ROMFORD RM5 2ES

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.