

**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 – REF: ENF/492/16**

**ISSUED BY:                      HAVERING LONDON BOROUGH COUNCIL**

**TO:**

Christopher Paul Smith  
106 Whitchurch Road, Harold Hill, Essex RM3 9AD

Paula Caroline Smith  
106 Whitchurch Road, Harold Hill Essex RM3 9AD

The Owners  
106 Whitchurch Road, Harold Hill Essex RM3 9AD

The Occupiers  
106 Whitchurch Road, Harold Hill Essex RM3 9AD

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 described as 106 Whitchurch Road, Harold Hill, Essex RM3 9AD. The Land Registry Title Number is NGL75246.

3. **THE RELEVANT PLANNING PERMISSION**

The relevant planning permission to which this notice relates is for the grant of permission ref: P1652.20 for erection of rear dormer that was allowed on appeal by the Planning Inspectorate with conditions under ref: APP/B5480/C/19/3228910 on 27<sup>th</sup> October 2020.

4. **THE BREACH OF CONDITIONS**

The following condition has not been implemented:

Condition 1 of planning permission granted under application Q0279.20 of P1652.20.

Condition 1 States:

*i) Within 1 month of the date of this decision a scheme for the provision of an alternative colour finish to the dormer shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.*

The submitted details with respect to the samples for the alternative colour finish to the dormer window, the Local Planning Authority would support Anthracite Grey as an appropriate chosen colour finish and the suggested timetable for its implementation is acceptable and subject to other conditions being similarly acceptable, the development could commence, implemented and completed in accordance to the details and information provided. The condition is however only discharged in part at this stage as the development is required to be carried out in accordance with the agreed details.

Having completed the development then you are required to request written confirmation that a condition attached to the planning permission has been complied with.

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

**Notice Requirements:**

That a Breach of Condition Notice be issued and served to require that:

As the person responsible for the breach of condition specified in section 4 of this notice, you are required to comply with the stated conditions by taking the following steps:

1. Replace the boards on both sides and on the elevation facing the rear garden with Anthracite Grey as the colour finish; OR
2. Paint both sides and on the rear elevation facing the rear garden with Anthracite Grey as the colour finish.

**Time for compliance:**

**SIX WEEKS from the effective date of this notice, beginning with the day on which the notice is served on you.**

**6. WHEN THIS NOTICE TAKES EFFECT**

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

Dated: 13<sup>th</sup> May 2022



**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 and Appeals Officer, [Onkar.bhogal@havering.gov.uk](mailto: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**