

SERVED 20/9/11

RE: 319 Rush Green Road, Romford RM7 0NJ

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT NOTICE

SCANNED

- TO:
1. The Owner of the said land and property. ✓
 2. The Occupier of the said land and property. ✓
 3. The Occupier of Flat A 319 Rush Green Road, Romford RM7 0NJ. ✓
 4. The Occupier of Flat B 319 Rush Green Road, Romford RM7 0NJ. ✓
 5. Ibrahim Adam of 319 Rush Green Road, Romford RM7 0NJ.
 6. Salma Khattan Chand of 319 Rush Green Road, Romford RM7 0NJ.
 7. Ibrahim Adam of 236 Green Lanes, Ilford, Essex IG1 1XG.
 8. Miss T Adam of 236 Green Lanes, Ilford, Essex IG1 1XG.
 9. Ibrahim Adam of 37 Green Lane, Ilford, Essex IG1 1XG.
 10. Miss T Adam of 37 Green Lane, Ilford, Essex IG1 1XG.
 11. The Company Secretary, Urban Abodes Limited of 37 Green Lane, Ilford, Essex IG1 1XG.
 12. Mr Adam of 7 Queens Road, Fulwood, Preston, Lancashire PR2 3EA.
 13. Miss Adam of 7 Queens Road, Fulwood, Preston, Lancashire PR2 3EA.
 14. Ms Salma Chand of 23 Goodshaw Avenue, Blackburn, Lancashire BB1 8PF.
 15. Bank of Scotland PLC of Halifax Division, 1 Lovell Park Road, Leeds LS1 1NS.
 16. Birmingham Midshires of Retail Legal, Lovell Park Road, Leeds LS1 1NS.

ISSUED BY: London Borough of Havering

1. **THIS IS A FORMAL NOTICE** which is issued by the London Borough of Havering ("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. The Council considers 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 and property known as 319 Rush Green Road, Romford RM7 0NJ shown edged in bold black on the attached plan ("the Property").

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the unauthorised change of use of the Property from a single residential dwelling house into two self-contained flats.

4. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the above breach of planning control has occurred within the last four years.

No planning application has been made for the change of use of the Property from a single residential dwelling house into two self-contained flats. The conversion does not constitute permitted development under the General Permitted Development Order 1995 (as amended).

The unauthorised change of use has a materially harmful impact on occupiers of adjoining properties by reason of:

- a. increases in noise levels giving rise to disturbance;
- b. inadequate parking layout giving rise to parking congestion in the area.

The unauthorised change of use has a materially harmful impact on the occupiers of the Property. The effect of the conversion is to significantly reduce the private amenity space available for the occupiers, resulting in a poor living environment.

The conversion of the Property is contrary to policies CP1, DC2, CP17, DC2, DC3, DC11, DC33, DC36, DC61 and DC63 of the Council's Local Development Framework Core Strategy and Development Control Policies Development Plan.

The Council does not consider that planning permission should be given, because planning conditions could not overcome these problems.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the use of the Property as two self contained flats.

Time for compliance: 3 months from the effective date of this notice.

- (ii) Reinstate the use of the Property as a single residential dwelling house.

Time for compliance: 3 months from the effective date of this notice.

- (iii) Remove all those fixtures and fittings that facilitate the unauthorised use of the Property, including the removal of:
- a. all those internal partitions, walls and doors installed that enable the Property to be used as two self contained flats;
 - b. the entrance door installed in the communal hallway of the Property that leads to the first floor flat;
 - c. all those fixtures and fittings in the first floor kitchen that facilitate the use of the first floor as a self contained flat.

Time for compliance: 3 months from the effective date of this notice.

- (iv) Remove all materials, machinery, apparatus, equipment and installations used in connection with or resulting from the reinstatement of the Property into a single dwelling house.

Time for compliance: 3 months from the effective date of this notice.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 24 October 2011, unless an appeal is made against it beforehand

Dated: 19 September 2011

Signed:



Authorised Officer
on behalf of London Borough of
Havering
Town Hall
Main Road, Romford RM1 3BD

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YOUR RIGHT OF APPEAL

You can appeal against this Enforcement Notice to the Secretary of State by 24 October 2011. Further details are given in the attached explanatory note.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Enforcement Notice, it will take effect on 24 October 2011 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.

1020hrs Tuesday 20/9/11 the following
copies of Attached Notice served at
319 Rush Green Road as follows.

- ① - ③ (as over) on Pamela MIHAI,
Resident of Upstairs flat.
- ② (as over) on Marianna BAQICA
Resident of Downstairs flat.

✓ B Long

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EXPLANATORY NOTES

STATUTORY PROVISIONS

A summary of Sections 171A, 171B and 172 to 177 of the Town and Country Planning Act 1990 (as amended) is enclosed with this Notice.

YOUR RIGHT OF APPEAL

You can appeal against this Notice, but 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 before 24 October 2011.

If you intend to appeal against this Notice you should follow the instructions given on the information sheet from the Planning Inspectorate which accompanies this Notice.

GROUND OF APPEAL

The grounds of appeal are set out in Section 174 of the Town and Country Planning Act 1990 (as amended) you may appeal 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 you wish to appeal on Ground (a) - that planning permission should be granted for the unauthorised development - then a fee of £335.00 is payable both to the Secretary of State and to the Council making the total fees payable £670.00. If the fees are not paid then that ground of appeal will not be valid.

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STATEMENT ON GROUNDS OF APPEAL

You must submit 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 him, a statement in writing specifying the grounds on which you are appealing against the enforcement notice and stating briefly the facts on which you propose to rely in support of each of those grounds.

RECIPIENTS OF THE ENFORCEMENT NOTICE

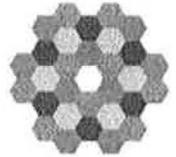
The names and addresses of all the persons on whom the Enforcement Notice has been served are:

1. The Owner of the said land and property.
2. The Occupier of the said land and property.
3. The Occupier of Flat A 319 Rush Green Road, Romford RM7 0NJ.
4. The Occupier of Flat B 319 Rush Green Road, Romford RM7 0NJ.
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Land Registry
Official copy of
title plan

Title number **EGL451008**
Ordnance Survey map reference **TQ5087SW**
Scale **1:1250**
Administrative area **HAVERING**



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