

ENFORCEMENT NOTICE

RE: 1 SHOW HOUSE, MAIN ROAD, ROMFORD RM2 6NP

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

Council Reference: ENF/723/17

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 **1 SHOW HOUSE, MAIN ROAD, ROMFORD RM2 6NP** shown edged in black on the attached plan and is registered under Land Registry Title Numbers EGL 275866 and EGL 45037.

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

Without the benefit of planning permission:

The material change of use of the land within the curtilage of 1 Show House (shown hatched on the site plan), Main Road, Romford to the north and east of the dwellinghouse ‘for vehicle sale’ and the storage of motor vehicles.

4. **REASONS FOR ISSUING THIS NOTICE**

- 1) It appears to the Council that the above breaches of planning control have occurred within the last TEN years with regard to storage and parking and sale motor vehicles and that steps should be taken to remedy the breach by Section 173 4(a) or to remedy any amenity which has been caused by the breach.
- 2) It is considered that the material change of use of the land for the storage and parking and sale of motor vehicles within the land does not preserve the openness of the area and is therefore inappropriate. The use results in a visually intrusive feature and combined with increased noise, vehicle movements and comings and goings is an unacceptable use within a residential setting and an intrusive feature in the streetscene harmful to the appearance and character of the surrounding area, contrary to guidance within the NPPF, London Plan policies 7.4 and 7.6, Policies DC33, DC55 and

DC61of the Havering Core Strategy and Development Control Policies DPD, as well as Havering Council's Landscaping SPD 2011.

- 3) The Council does not consider that planning permission should be granted for the development because conditions attached to any consent cannot remedy the breach.

5. WHAT YOU ARE REQUIRED TO DO

By this Enforcement Notice you are required, within **ONE MONTH** of the date when this Notice takes effect to:

- i. Cease using the land shown hatched in black within the curtilage of 1 Show House, Main Road for the sales of motor vehicles; AND
- ii. Cease using the land shown hatched in black within the curtilage of 1 Show House, Main Road for commercial storage and parking of motor vehicles; AND
- iii. Remove all 'for sale motor vehicles' stored or parked within the land as shown hatched in black of 1 Show House, Main Road for; AND
- iv. Remove all debris accumulated as result of taking steps i, ii and iii above.

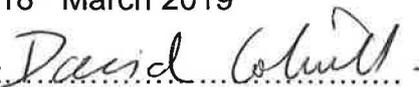
6. TIME FOR COMPLIANCE

ONE MONTH after the date when this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice will take effect on **18th April 2019**, unless an appeal is made against it beforehand.

Dated: 18th March 2019

Signed: 

Name: David Colwill

Team Leader, Planning Enforcement and Appeals

on behalf of London Borough of Havering

5th Floor, Mercury House, Mercury Gardens, Romford RM1 3SL

Nominated Officer: Onkar Bhogal

Telephone Number: 01708 431587

Email: Onkar.Bhogal@haverling.gov.uk

YOUR RIGHT OF 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 **18th April 2019**. Further details are given in the attached explanatory note.

WHAT HAPPENS IF YOU DO NOT APPEAL

If an appeal is not received against this Enforcement Notice, it will take effect on **18th April 2019** 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 this 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) is enclosed with this Notice.

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 before **18th April 2019**.

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 an appeal on ground (a) - that planning permission should be granted for the unauthorised development be sought- 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 your 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 you 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 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:

Mr Matthew Alabaster
1 Show House, Main Road, Romford, Essex RM2 6NP

The Owner/ Occupiers
1 Show House, Main Road, Romford, Essex RM2 6NP

Karen Paula Jopson
Jaymar Construction Limited
Crow Green Farm
Days Lane, Brentwood CM15 9SL

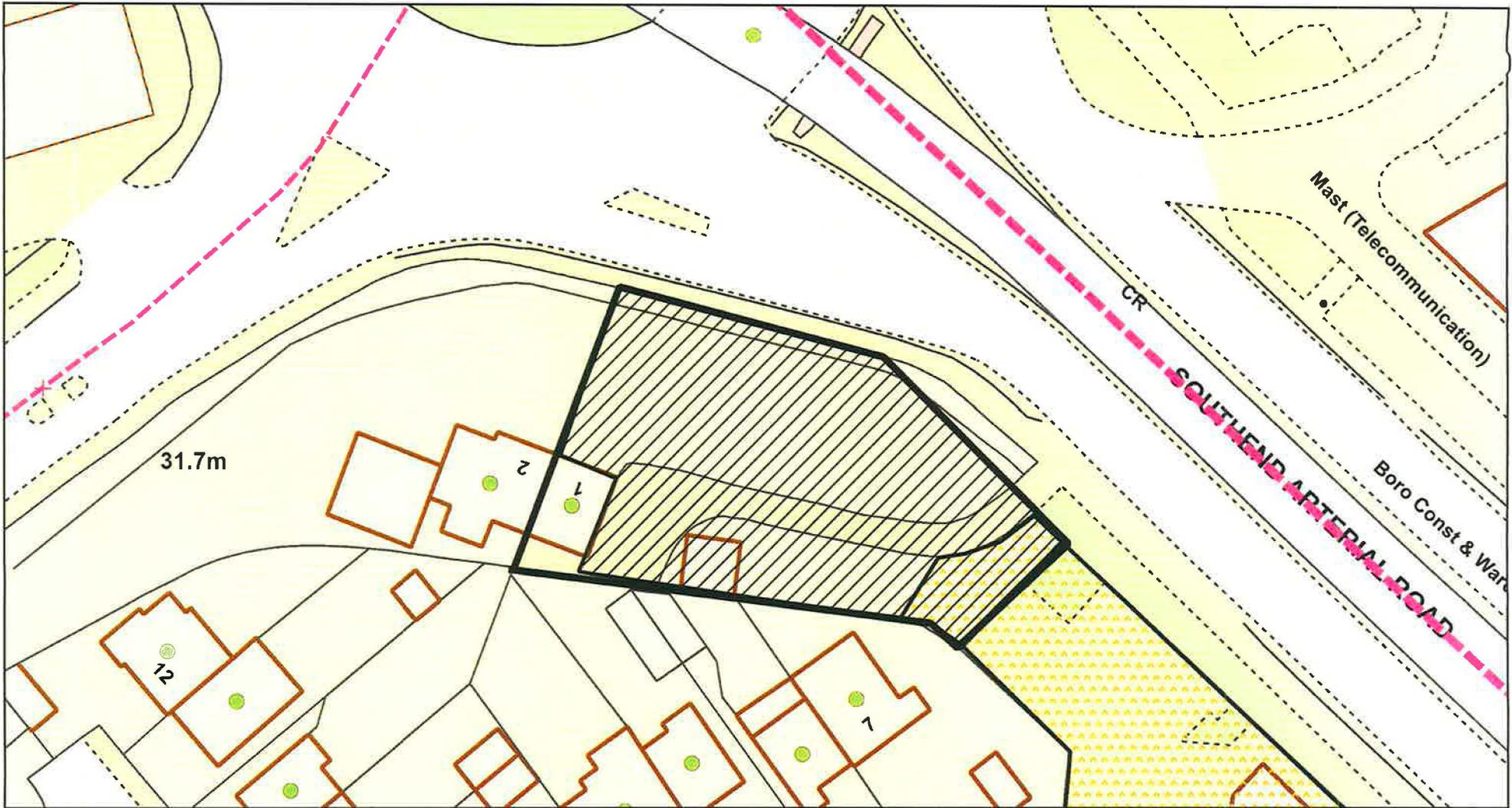
Jason Barry Jopson
Jaymar Construction Limited
Crow Green Farm
Days Lane, Brentwood CM15 9SL

The Directors
Jaymar Construction Limited
Kingfisher House
11 Hoffmans Way, Chelmsford Essex CM1 1GU

Mr Roy Lellow
132 Belgrave Avenue, Gidea Park, Romford RM2 6PU

Mr Roy Lellow
1 Show House, Main Road, Romford, Essex RM2 6NP

HSBC UK Bank PLC
(Co. Regn. No. 9928412)
Of Securities Processing Centre
P. O. Box 6304, Coventry CV3 9JY



1 Show House, Main Road, Romford N
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