

CRANHAM GOLF COURSE, ST MARYS LANE, UPMINSTER, RM14 3NU

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT REFERENCE: ENF/234/18

ENFORCEMENT NOTICE

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 has been a breach 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.

- 2. THE LAND AFFECTED**

The land known as **CRANHAM GOLF COURSE, ST MARYS LANE, UPMINSTER, RM14 3NU**, shown edged in black on the attached plan and specifically **CRANHAM GOLF COURSE CLUB HOUSE** marked with a black dot and is registered under Land Registry Title Number EGL9964.

- 3. THE BREACH OF PLANNING CONTROL ALLEGED**

Without planning permission, the material change of use of the first floor loft space to three self-contained units of residential accommodation.

- 4. REASONS FOR ISSUING THIS NOTICE**

(1) It appears to the Council that the above breach of planning control has occurred within the last four years and that steps should be taken to remedy the breach by Section 173 4(a) or to remedy any injury to amenity which has been caused by the breach.

(2) The unauthorised development by reason of inadequately sized flats, confined head rooms, two of the dwelling being single aspect and failing to provide adaptable homes, is conducive to a poor quality of living environment that would not provide a satisfactory standard of accommodation for the existing and the future occupiers of the site, further more by reason of internal layout there is significant degree of fire hazard with potential risk of fatality in case of fire. In these respects the proposal would be contrary to Policy 7 (Residential design and amenity), and Policy 9 (conversion and subdivision) of the adopted Local Plan (2016-2031) adopted 2021 and policy H10 (Housing size mix) of the London Plan 2021.

- (3) The unauthorised development by reason of noise and disturbance caused by customers entering and leaving the premises, vehicles parking and manoeuvring, particularly during the evening hours of operation, be unacceptably detrimental to the amenities of the existing and future occupiers of the flats contrary to Policy 34 of the Local Plan (2016-2031) adopted 2021.
- (4) The unauthorised development located in an area with poor accessibility to public transport where there are no convenience shopping or serving for the existing and future occupiers and in particular the surrounding road are not suitable for long distance walking or cycling, the residents would be highly reliant on private motor car for the daily activities associated with a domestic use and hence the proposal would be against the advice given in National Planning Policy Framework 2021 which requires all development to be sustainable and contrary to policy 23 of the Local Plan (2016-2031) adopted 2021.
- (5) The Council does not consider that planning permission should be granted because conditions attached to any consent would not overcome these problems and because planning permission has already been refused under application P1955.21.

5. WHAT YOU ARE REQUIRED TO DO

1. Cease the use of the first floor loft space as three self-contained units of residential accommodation, within the area marked with a black line on the attached plan LBH 1;
AND
2. Remove all the kitchens and cooking facilities and all bathrooms and bathroom facilities from the first floor loft space, within the area marked with a black line on the attached plan LBH 1;
AND
3. Remove all partitions, non-load bearing walls and doors from the first floor loft space within the area marked with a black line on the attached plan LBH 1;
AND
4. Remove all electricity metres/fuse boxes from the first floor loft space except for one which serves the whole area marked with a black line on the attached plan LBH 1;
AND
5. Remove all window, patio doors and juliet balconies, roof lights and lantern roof light from the first floor walls and roof elevations of the original extension to the clubhouse, marked with black crosses on plan LBH 2. The resulting openings shall be bricked up, clad in timber or tiled in materials to match, in colour, texture, size and design that of the host building;
AND
6. All materials, wiring, plaster board, framing, doors, windows, roof lights, lantern roof light, kitchens, bathrooms and debris associated with steps 1, 2, 3, 4 & 5 above, shall be totally removed from the site.

6. TIME FOR COMPLIANCE

6 MONTHS after the date when this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **25th February 2022**, unless an appeal is made against it beforehand

Dated: **21st January 2022**

Signed: 

DAVID COLWILL

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

Nominated Officer to contact regarding this Notice: **Phillip Jones**

Telephone Number: **01708 431439**

Email: phillip.jones@havering.gov.uk

THE RIGHT TO 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 Planning Inspectorate acting on behalf of the Secretary of State before **25th February 2022**. Further details are given in the attached explanatory note.

WHAT HAPPENS IF AN APPEAL IS NOT RECEIVED

If an appeal is not received against this Enforcement Notice, it will take effect on **25th February 2022** 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.

EXPLANATORY NOTES

STATUTORY PROVISIONS

A summary of Sections 171A, 171B and 172 to 177 of the Town and Country Planning Act 1990 (as amended) can be viewed online at <https://www.legislation.gov.uk>

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 Planning Inspectorate before **25th February 2022**.

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) 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 or use, then a fee of **£2772** is payable to the Council when the appeal is lodged. If this fee is not paid, the planning merits of the appeal will not be considered by the Planning Inspector.

STATEMENT ON GROUNDS OF APPEAL

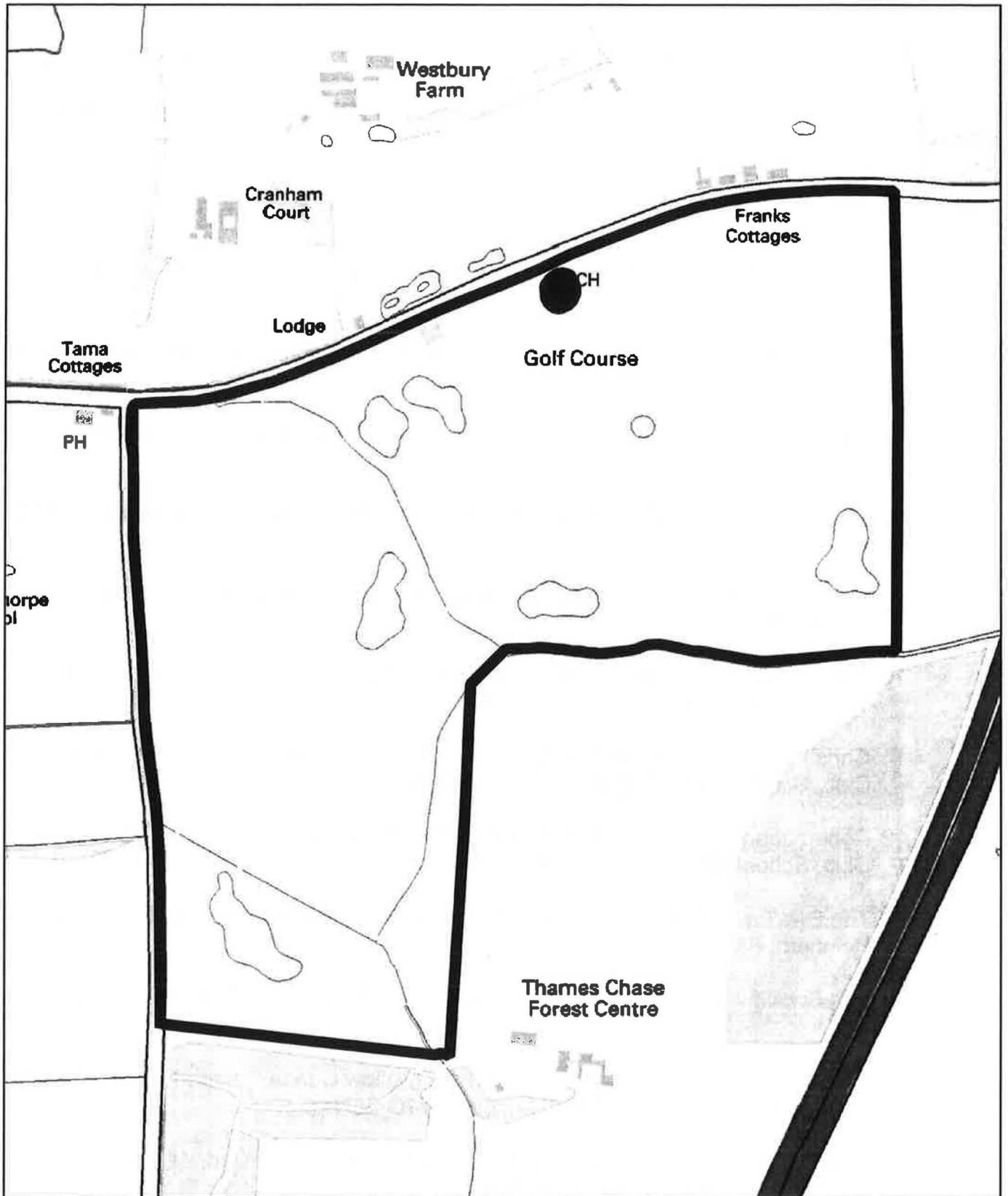
The grounds of appeal must be submitted to the Planning Inspectorate, either when giving notice of the appeal or within 14 days from the date on which the Planning Inspectorate sends you a notice so requiring, a statement in writing specifying the grounds on which the appeal against the Enforcement Notice is being made and stating briefly the facts 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(s), Cranham Golf Course, St Marys Lane, Upminster, RM14 3NU.

2. The Occupier(s), Cranham Golf Course, St Marys Lane, Upminster, RM14 3NU.
3. The Owner(s), Flat 1, Cranham Golf Course, St Marys Lane, Upminster, RM14 3NU.
4. The Occupier(s), Flat 1, Cranham Golf Course, St Marys Lane, Upminster, RM14 3NU.
5. The Owner(s), Flat 2, Cranham Golf Course, St Marys Lane, Upminster, RM14 3NU.
6. The Occupier(s), Flat 2, Cranham Golf Course, St Marys Lane, Upminster, RM14 3NU.
7. The Occupier(s), Flat 3, Cranham Golf Course, St Marys Lane, Upminster, RM14 3NU.
8. The Occupier(s), Flat 3, Cranham Golf Course, St Marys Lane, Upminster, RM14 3NU.
9. Cranham Golf Course Limited, St Marys Lane, Cranham, Upminster, Essex, RM14 3PB.
10. Barrett John Cameron, Director Cranham Golf Course Limited, Widows Farm, Toot Hill Road, Ongar, Essex, CM5 9QR.
11. Christine Joan Cameron, Director Cranham Golf Course Limited, Toot Hill Golf Club, School Road, Ongar, Essex, CM5 9PU.
12. Robert John Cameron, Director Cranham Golf Course Limited, Toot Hill Golf Club, School Road, Ongar, Essex, CM5 9PU.
13. The Swallow Coach Company Limited, First Floor, Rainham House, Manor Way, Rainham, RM13 8RH.
14. The Swallow Coach Company Limited, 1 Silver Birch Mews, Upminster, RM14 1BF.
15. Kevin Ivan Webb, Company Director The Swallow Coach Company Limited, Allan House, 10 John Princes Street, London, W1G 0AH.
16. Mark Newton, Liquidator The Swallow Coach Company Limited, Allen House, 10 John Princes Street, London, W1G 0AH.
17. Lloyd Edward Hinton, Liquidator The Swallow Coach Company Limited, Allan House, 10 John Street, London, W1G 0AH.
18. Jaxon's Eating House, Cranham Golf Course, St Marys Lane Upminster, Essex, RM14 3NU.



Cranham Golf Course, St Marys Lane, Upminster, RM14 3NU.

ENF/234/18

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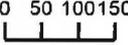




Scale: 1:5000

Date: 19 January 2022

0 50 100 150 metres

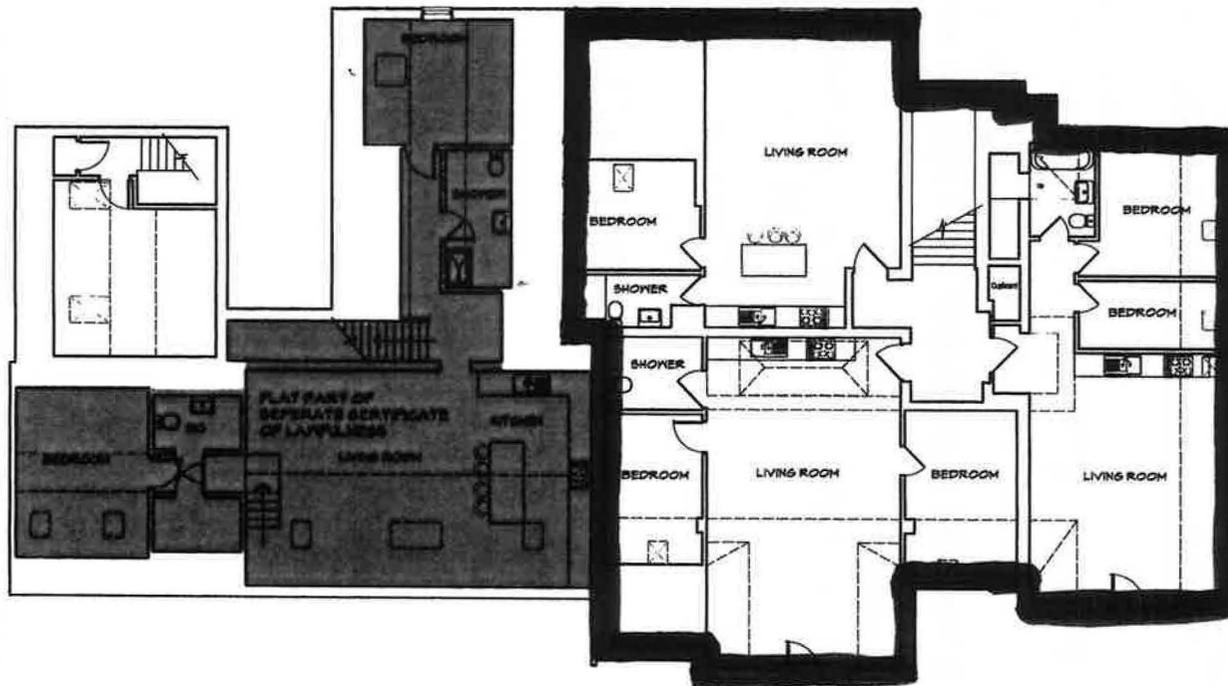




London Borough of Havering
 Town Hall, Main Road
 Romford, RM1 3BD
 Tel: 01708 434343

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 Ordnance Survey 100024327

LBH 1



FIRST FLOOR PLAN

1:100 Scale bar
0m 1 2 3 4 5m

Rev.	Date	By	Description

ABDS Ltd
architectural consultants

Wiltshire
1st Floor
15 St. Catherine's St.
Shaftesbury
Dorset
SP4 5JH

Bournemouth
18 Marsh
Green
Comwell
TR12 6UW

Tel: 0142 244287
Email: info@abds-consultants.co.uk

PROJECT
**GRANHAM GOLF COURSE
ST MARY'S LANE
UPMINSTER**

RETENTION OF EXISTING 1ST FLOOR PLATS
PLANS & ELEVATIONS AS
CONSTRUCTED

SCALE: 1:100 @A1	DATE: 29.09.2021
DRAWN BY: ADG	CAD Ref: xxxxxxxxxx

DWG No: C/SM/21/004 -

Enforcement appeal: information sheet for local planning authorities

Customer Support Team
Temple Quay House
2 The Square
Temple Quay
Bristol BS1
6PN

Direct Line: 0303 444 5000

Email: enquiries@planninginspectorate.gov.uk

1. THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can do it:-

- online at the [Appeals Casework Portal](#); 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 written notice of appeal by letter or email. You should include the name and contact details of the appellant(s) and either attach a copy of the Enforcement notice that you wish to appeal or state the following:

- the name of the local planning authority;
- the site address; and
- 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.