

REAR OF 61 AND 63 CROW LANE, ROMFORD RM7 0EP

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT REFERENCE: ENF/510/21

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 **REAR OF 61 AND 63 CROW LANE, ROMFORD RM7 0EP**, shown edged in black on the attached plan and is registered under Land Registry Title Numbers EGL57674 and NGL121341.

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

Without the benefit of planning permission, the material change of use of the land to use as two residential dwellings and operational development by the siting of a metal container in the rear garden.

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 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 material change of use of the land to the rear of the property into two self-contained dwellings by reason of its poor design and back garden location, is an intrusive and unneighbourly development and having an adverse impact on the amenities of the adjacent occupiers contrary to Policy 26 of the London Borough of Havering's Local Plan (2016 - 2031), the Residential Extensions and Alterations Supplementary Planning Document 2011, Policy G2 London's Green Belt and G3 Metropolitan open Land (London Plan 2021) and contrary to guidance within the NPPF 2021.
- (3) The material change of use of the land via the operational development of siting of the metal container to create two new dwellings due to its inadequate floor space is considered cramped and unsatisfactory for occupation as permanent

residential accommodation to the detriment of the current and future occupiers of the dwellings. The use is therefore contrary to Policies 9, 10 and 26 of the Local Plan (2016 – 2031), Policy 3.5 of the London Plan and Residential Extensions & Alterations SPD. Furthermore, the dwellings fail to demonstrate an acceptable living environment for current or future occupants, through shortfalls in prescribed standards, low quality private and communal areas, lack of vehicle, cycle and waste facilities and poor internal layout, factors that do not meet minimum space standards contrary to the Nationally Described Space Standard (2015) as it results in cramped and poor quality accommodation. The dwellings do not provide high quality amenity space which is also contrary to the aforementioned policies.

- (4) It is considered that the siting of the metal container is an inappropriate development and has a materially harmful and detrimental impact upon the character and amenity of the rear garden environments of the nearby properties and on the occupiers in terms of bulk and massing immediately adjacent to the boundaries, in particular to users of 61 and 63 Crow Lane. The development is therefore contrary to Local Plan 26 of the Local Plan (2016 – 2031), Policy 3.5 of the London Plan and Residential Extensions & Alterations SPD, the SPD3 and SPD 4 of the LDF, Policy 7.4 and 7.6 of the London Plan and is contrary to the guidance within the NPPF.
- (5) 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

1. Cease the use of the land in the rear gardens as two self-contained dwellings;

AND

2. Remove the container shown hatched in attached site plan and remove all fixtures and fittings which facilitated the use for two self-contained dwellings;

AND

3. Remove all rubble and debris accumulated when taking steps 1 and 2 (above).

6. TIME FOR COMPLIANCE

TWO MONTHS after the date when this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **30th May 2022**, unless an appeal is made against it beforehand

Dated: **29th April 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: Onkar Bhogal

Telephone Number: 01708 431587

Email: Onkar.bhogal@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 **30th May 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 **30th May 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 **30th May 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 **£924** 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.

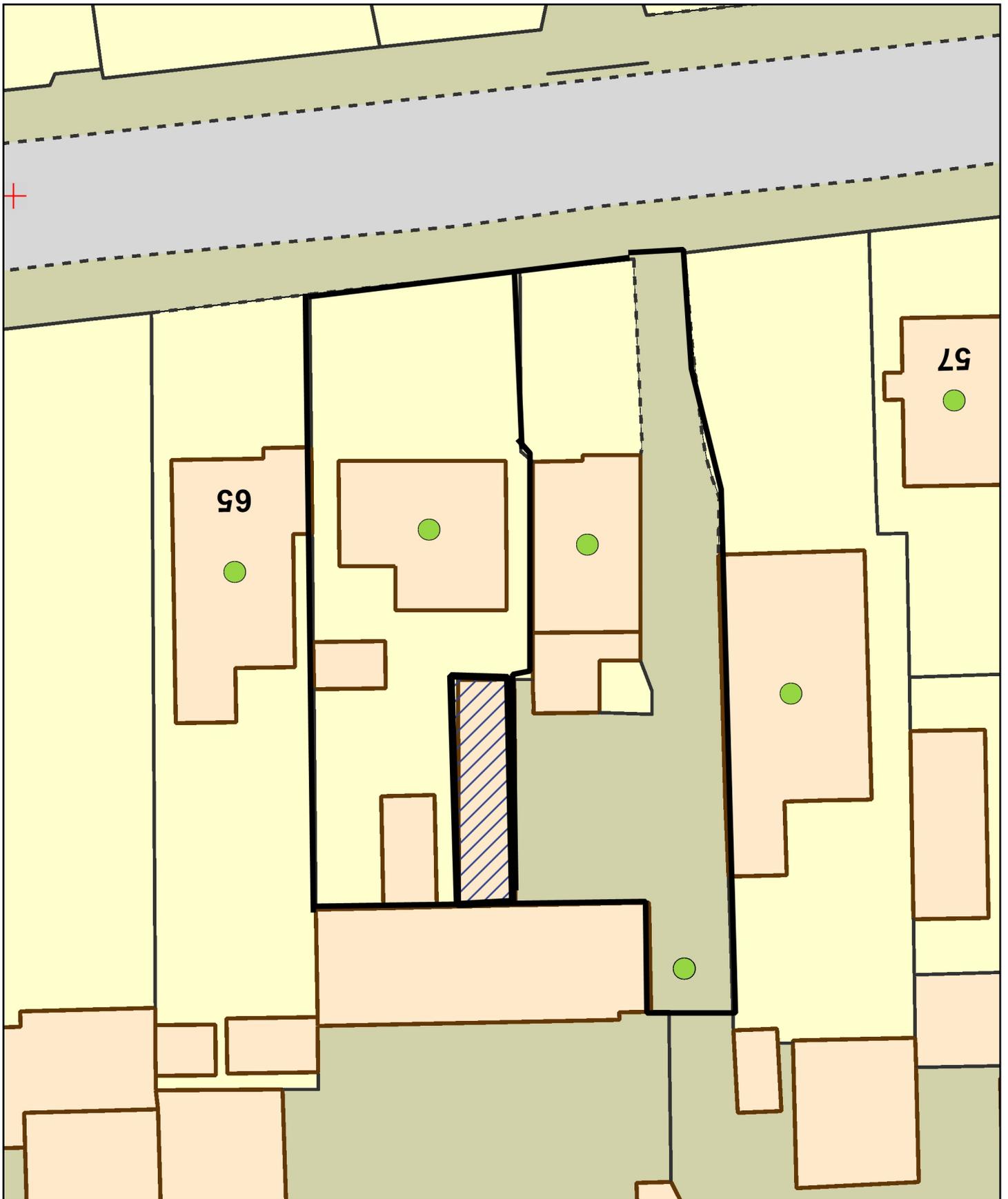
RECIPIENTS OF THE ENFORCEMENT NOTICE

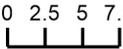
The names and addresses of all the persons on whom the Enforcement Notice has been served are:

1. Mr Anthony Kenneth Wakefield
300 Crow Lane, Romford RM7 OHJ
2. Mr Anthony Kenneth Wakefield
298 Crow Lane, Romford RM7 OHJ
3. Mr Anthony Kenneth Wakefield
61 Crow Lane, Romford RM7 OHJ

4. Mr Anthony Kenneth Wakefield
63 Crow Lane, Romford RM7 0HJ
5. NATIONAL WESTMINSTER BANK PLC
10 South Street, Romford, Essex RM1 1RQ
6. The Occupiers,
61 Crow Lane, Romford RM7 0HJ
7. The Occupiers,
63 Crow Lane, Romford RM7 0HJ

8. The Occupiers/ Owners
Unit 1, Residential Unit at the rear of
61 – 63 Crow Lane, Romford RM7 0HJ
9. The Occupiers/ Owners
Unit 2, Residential Unit at the rear of
61 – 63 Crow Lane, Romford RM7 0HJ



<p>61 - 63 Crow Lane</p>	<p style="text-align: right;">N ↑</p>
<p>    </p> <p>The National Land & Property Gazetteer NATIONAL STREET GAZETTEER Ordnance Survey Licensed Partner</p>	<p>Scale: 1:300 Date: 28 March 2022</p> <p style="text-align: right;">0 2.5 5 7.5 metres </p>
<p>  Havering LONDON BOROUGH </p> <p> London Borough of Havering Town Hall, Main Road Romford, RM1 3BD Tel: 01708 434343 </p>	<p>© Crown copyright and database rights 2022 Ordnance Survey 100024327</p>