

RE: 65 CHASE CROSS ROAD, COLLIER ROW, ROMFORD

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT NOTICE

- TO:**
1. The Owner of the Land
 2. The Occupier of the Land
 3. Mr Bill Mitton, 65 Chase Cross Road, Collier Row, Romford
 4. Ruth Audrey Humphreys, Garden Flat, 27 Cambridge Park, Wanstead, London E11 2PU.
 5. Storm Windows and Doors Limited, 65 Chase Cross Road, Collier Row, Romford
 6. Mrs G Mitton, 65 Chase Cross Road, Collier Row, Romford

ISSUED BY: London Borough of Havering

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 at the ground floor of 65 Chase Cross Road, Collier Row, Romford, hereinafter referred to as "the Land" shown hatched black on the attached plan.

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

Without the benefit of planning permission (1) unauthorised construction of a rear extension, (2) the stationing of a storage container, (3) the erection of wooden uprights and their metal frames.

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. The unauthorised operational development is not suitable for this residential area. It disturbs the neighbours through noise, traffic movement and car parking and is unsightly in such an area. The Council do not consider that planning permission should be given, because planning conditions could not overcome these problems.

In making its decision to issue this Notice the Council considered that the unauthorised operational development is contrary to the following policy of the Havering Unitary Development Plan: policy ENV1.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Remove from the Land the storage container.

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

- (ii) Demolish the single storey rear extension and remove from the Land all concrete, rubble, bricks and all other materials associated with such demolition.

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

- (iii) Remove from the Land the wooden uprights and their metal frames along the edge of the forecourt of the Land.

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

- (iv) Remove from the Land all waste materials, equipment and all other associated apparatus brought onto the Land for the purpose of the unauthorised operational development.

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

6. **WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 26 October 2004, unless an appeal is made against it beforehand

Dated: *21st September* 2004

Signed:

Simon H. Peckley
Authorised Officer

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

YOUR RIGHT OF APPEAL

You can appeal against this Enforcement Notice to the Secretary of State by the 26 October 2004. 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 26 October 2004 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) 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 26 October 2004. The enclosed booklet "Enforcement Appeals - A guide to Procedure" sets out your rights. Read it carefully. If you appeal you should use the enclosed appeal forms. Two copies are for you to send to the Secretary of State if you decide to appeal. The other is for you to keep as a duplicate for your own records. You should also send the Secretary of State a copy of the Enforcement Notice.

GROUND OF APPEAL

The grounds of appeal are set out in Section 174 of the Town and Country Planning Act 1991 and are also set out in the enclosed appeal forms.

PLANNING APPLICATION FEE

Should wish to appeal on ground (a) - that planning permission should be granted for the unauthorised development - then a fee of £220 is payable both to the Secretary of State and to the Council. If the fees are not paid then that ground of appeal will not be valid.

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 Land
2. The Occupier of the Land
3. Mr Bill Mitton, 65 Chase Cross Road, Collier row, Romford

4. Ruth Audrey Humphreys, Garden Flat, 27 Cambridge Park, Wanstead, London E11 2PU.
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DATE: 19/01/2004



MAP REFERENCE: TQ5091SW

Drawing No.

SCALE: 1:1250

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2. **THE LAND AFFECTED**

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

(1) Without planning permission a change of use from retail to a mixed commercial use, consisting of manufacture and storage of UPVC double glazed products. (2) The display of signage advertising the commercial use on the front of the building on the Land, which constitutes a material change of use contrary to section 55(5) of the Town and Country Planning Act 1990.

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last ten years. The unauthorised use is not suitable for this residential area. It disturbs the neighbours through noise, traffic movement and car parking and is

unsightly in such an area. The Council do not consider that planning permission should be given, because planning conditions could not overcome these problems.

In making its decision to issue this Notice the Council considered that the unauthorised use is contrary to the following policy of the Havering Unitary Development Plan: policy ENV1.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease using the Land for mixed commercial use of manufacturing and storage of UPVC double glazed products and revert premises to Class A1 retail use.

Time for compliance: 2 months from the effective date of this Notice.

- (ii) Remove from the front of the building on the Land the signage advertising the commercial use.

Time for compliance: 2 months from the effective date of the Notice.

6. WHEN THIS NOTICE TAKES EFFECT

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Dated: *21st September* 2004

Signed: 
Authorised Officer

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

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