

**172-174 COLLIER ROW
LANE, AND AT THE REAR OF 172-174 COLLIER ROW LANE AND AT THE
REAR OF HILLFOOT ROAD, ROMFORD RM5 3EZ
IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

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

ENFORCEMENT REFERENCE: ENF/546/21

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 **LAND AT 172-174 COLLIER ROW LANE, AND AT THE REAR OF 172-174 COLLIER ROW LANE AND AT THE REAR OF HILLFOOT ROAD, ROMFORD RM5 3EZ** shown edged in black on the attached plan and as registered under Land Registry Titles: BGL146165, BGL146215, P33927, EX 1438 and EGL349225 (hereinafter called “the Land”)

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the material change of use of the land to use for a mixed use of a retail shop or retail unit within Class E of the Town and Country Planning (Use Classes) Order 1987 as amended, dwellings within Class C3 of the same Order and land used for vehicle storage within Class B8 of the same Order.

4. REASONS FOR ISSUING THIS NOTICE

1. It appears to the Council that the above breach of planning control has 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 use and associated areas of hardstanding in particular the areas immediately to the rear of 87, 89 and 91 Hillfoot Road present as an encroachment well beyond existing commercial character and in the absence of evidence to the contrary present as a variance with obvious character of

the area and one that degrades the quality of the area neither preserving or enhancing local character. The development is contrary to the supporting justification of the Havering Local Plan 2016-2031 Policy 10 which requires consideration of character and also Policies 26 and 27 of the same plan, the London Plan and the objectives of Paragraph 130 of the NPPF which amongst other things requires development to add to the overall quality of the area.

3. The development fails to demonstrate satisfactorily that the use of the site and access to and from it practical for future users of the site to manoeuvre and to enter/exit in forward gear without detriment to other users of the shared space nor that any associated intensification results in detrimental to users of the shared space and is thereby contrary to Havering Local Plan 2016-2031 policies 23 and 24.
4. The use of the site for B8 uses in the absence of technical detail to confirm otherwise is harmful to neighbouring amenity through associated noise and disturbance and therefore conflicts with policies 13, 26 and 24 of the Havering Local Plan 2016-2031 in addition to the National Planning Policy Framework which at Paragraph 130(f) requires that development provide a high standard of amenity for existing and future users and the objectives of the London Plan.
5. The hardstanding fails to make adequate provision for the quality of water catchment ground water or surface water with limited opportunities to provide high quality landscaping at odds with the Havering local plan 2013-2031 Policies 27 and 32 which seek to avoid flood risk to people and property and to take full account of the landscape character of the site and its wider setting.
6. The Council does not consider that planning permission should be granted because planning conditions attached to any consent would not overcome these problems and because planning permission has already been refused under reference P0415.22 on the 9th May 2022.

5. WHAT YOU ARE REQUIRED TO DO

1. Cease the use of the land for the mixed use of a retail shop or retail unit dwellings and use within Class B8 of the Town and Country Planning (Use Classes) Order 1987 by ceasing all use within Class B8 of the Town and Country Planning (Use Classes) Order 1987 as amended including the storage of motor vehicles on the land;

AND

2. Remove all motor vehicles forming part of the unlawful use from the land;

AND

3. Remove all the hardstanding laid on the land as part of the use of the land for B8 purposes as set out above;

AND

4. Remove all debris resulting from step 3 from the land.

6. TIME FOR COMPLIANCE

THREE MONTHS after the date when this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **1st September 2022** unless an appeal is made against it beforehand

Dated: **28th July 2022**

Signed: 

George Atta-Adutwum

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

Nominated Officer to contact regarding this Notice:

Chris Stathers, Principal Planning Enforcement Officer

Telephone Number: **01708 433619**

Email: chris.stathers@haverling.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 **1st September 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 **1st September 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 **1st September 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.

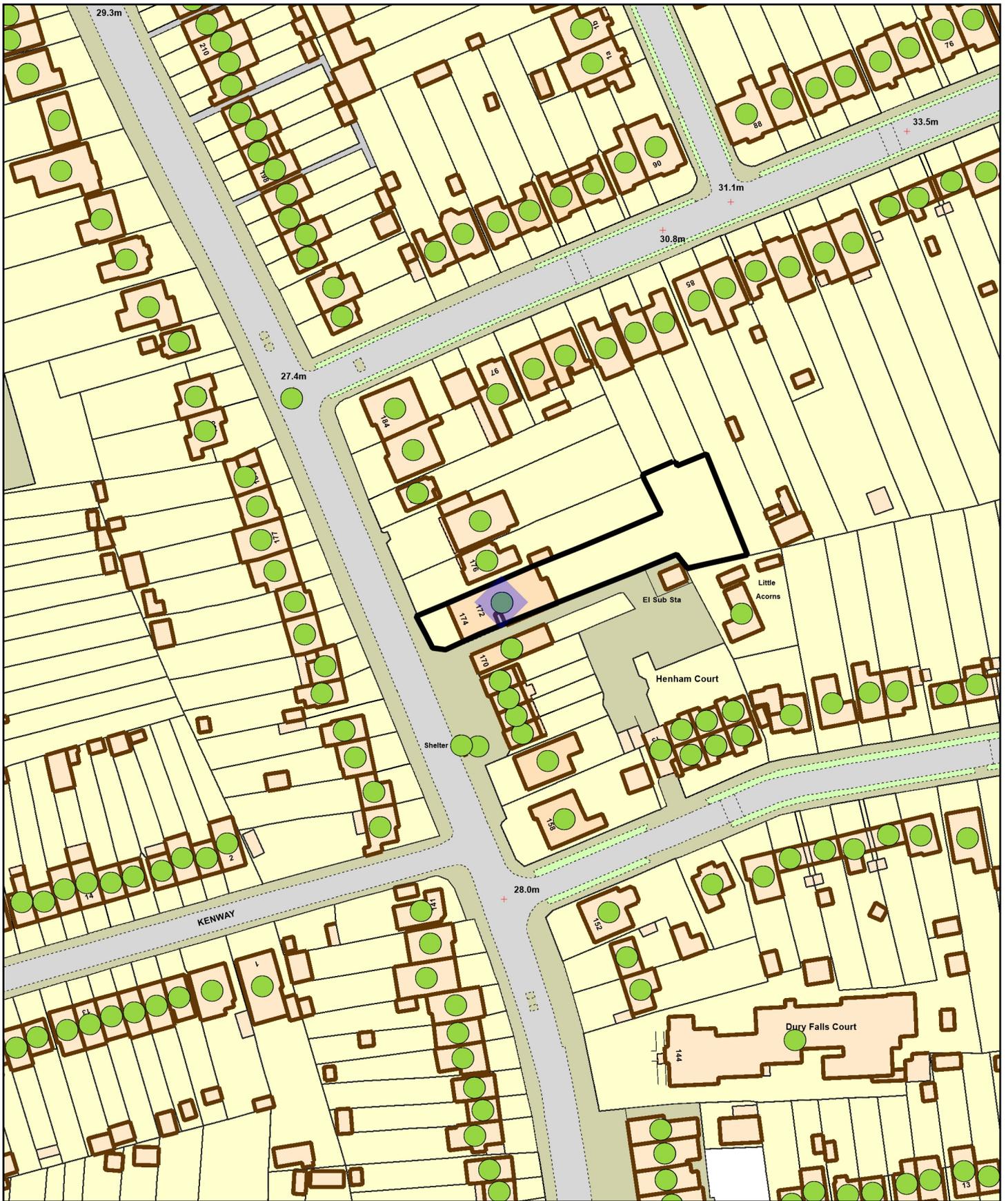
RECIPIENTS OF THE ENFORCEMENT NOTICE

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

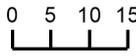
1. RSK Properties (London) Limited of 962 Eastern Avenue Newbury Park, Ilford, Essex, IG2 7JD
2. Ashfaq Hussain of 962 Eastern Avenue Newbury Park, Ilford, Essex, IG2 7JD as Director of RSK Properties (London) Limited
3. Shabbir Hussain of 962 Eastern Avenue, Newbury Park, Ilford, Essex IG2 7JD as Director of RSK Properties (London) Limited
4. The Secretary RSK Properties (London) Limited of 962 Eastern Avenue Newbury Park, Ilford, Essex, IG2 7JD
- 5 RSK Properties (London) Limited of 172-174 Collier Row Lane, Romford, RM5 3EZ
- 6 Ashfaq Hussain of 172-174 Collier Row Lane, Romford, RM5 3EZ as Director of RSK Properties (London) Limited
- 7 Shabbir Hussain of 172-174 Collier Row Lane, Romford, RM5 3EZ as Director of RSK Properties (London) Limited
8. The Secretary RSK Properties (London) Limited of 172-174 Collier Row Lane, Romford, RM5 3EZ
9. The Owner, Land at the rear of 172-174 Collier Row Lane, Romford, RM5 3EZ
10. The Occupier Land at the rear of 172-174, Collier Row Lane, Romford, RM5 3EZ
11. Mr Goher Mateen of 196 Posters Avenue, Dagenham, RM8 2AN trading as Crown Auto Hub
12. Mr Goher Mateen of land rear of 172/174 Collier Row Lane, Romford, RM8 2AN trading as Crown Auto Hub
13. National Westminster Bank Plc of Credit Documentation Department,

8th Floor, 1 Hardman Boulevard, Manchester M3 3AQ

14. National Westminster Bank Public Limited Company of 250 Bishopsgate, London, England, EC2M 4AA
15. Mr Goher Mateen via email
16. Mr. Christopher Gould, 172-174 Collier Row Lane, Romford RM5 3EZ
17. Ms Natasha Gould, 172-174 Collier Row Lane, Romford, RM5 3EZ
- 18 Mr Sunil Kumar, 172-174 Collier Row Lane, Romford, RM5 3EZ
- 19 Mr Faqir Singh, 172-174 Collier Row Lane, Romford, RM5 3EZ
- 20 The Owner,172-174 Collier Row Lane, Romford, RM5 3EZ
21. The Occupier, 172-174 Collier Row Lane, Romford, RM5 3EZ
22. William Geoffrey Bartram of 87 Hillfoot Road, Romford, RM5 3LS
23. Judith Pamela Bartram of 87 Hillfoot Road, Romford, RM5 3LS
24. The Owner of 87 Hillfoot Road, Romford, RM5 3LS
25. The Occupier of 87 Hillfoot Road, Romford, RM5 3LS
26. James Cyril Heron of 89 Hillfoot Road, Romford, RM5 3LS
27. Doris June Heron of 89 Hillfoot Road, Romford, RM5 3LS
28. The Owner of 89 Hillfoot Road, Romford, RM5 3LS
29. The Occupier of 89 Hillfoot Road, Romford, RM5 3LS
30. William Geoffrey Bartram via email
31. Judith Pamela Bartram via email
32. James Cyril Heron via email
33. Doris June Heron via email



	
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   <p style="font-size: small;">The National Land & Property Gazetteer NATIONAL STREET GAZETTEER Licensed Partner</p>	<p>Scale: 1:1250</p> <p>Date: 22 June 2022</p>	<p>0 5 10 15 metres</p> 
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	<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>
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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.