

**RE: LAND R/O 19 MILDMAY ROAD, ROMFORD, RM7 7DA.
IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

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

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 at **LAND R/O 19 MILDMAY ROAD, ROMFORD, RM7 7DA.**, shown edged in black on the attached plan.

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

Without planning permission, the material change of use of a domestic outbuilding into a self-contained residential unit (Class C3) and construction of a wooden pergola.

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 amenity or injury which has been caused by the breach.
2. The unauthorised developments result in unacceptably cramped layout and poor quality of amenity space provision which is materially harmful to the amenity of present and future occupiers contrary to the NPPF, London Plan Policy 3.5 Quality and Design of Housing Developments, Policies DC4 and DC61 of Havering Core Strategy and Development Control Policies DPD.
3. The unauthorised developments would result in a development which is materially out of character with the open, spacious rear garden environment and would result in material harm to neighbouring residential amenity to the detriment of the character of the locality and contrary to the policies DC4 and DC61 of Havering Core Strategy and Development Control Policies DPD.
4. The unauthorised developments would, by reason of inadequate on site car parking provision and likely exiting of the site in a reverse gear, result in unacceptable vehicle manoeuvres and overspill of car parking provision

onto the adjoining roads to the detriment of highway safety and residential amenity, contrary to policies DC4 and DC32 of Havering Core Strategy and Development Control Policies DPD.

5. The Council does not consider that planning permission should be granted because planning conditions would not overcome these problems.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease using the outbuilding as a self-contained residential unit and remove the wooden pergola;

And

- (ii) Return the internal layout to the layout that existed prior to the unauthorised residential conversion as shown on the attached plan ref: PLAN 1;

And

- (iii) All materials and debris associated with steps (i) & (ii) above, shall be totally removed from the site.

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

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **27th November 2018**, unless an appeal is made against it beforehand

Dated: **23rd October 2018**

Signed:



DAVID COLWILL

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 before the **27th November 2018**. 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 **27th November 2018** 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 **27th November 2018**.

If you intend to appeal against this Notice you should follow the instructions given on the information sheet from the Planning Inspectorate which accompanies this Notice.

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 wish to appeal on ground (a) - that planning permission should be granted for the unauthorised development - then a fee of **£462.00** is payable both to the Secretary of State and to the Council, making the total fees payable **£924.00** 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, 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 19 Mildmay Road, Romford, RM7 7DA.
2. The Occupier. 19 Mildmay Road, Romford, RM7 7DA.
3. The Owner 19a Mildmay Road, Romford, RM7 7DA.
4. The Occupier. 19a Mildmay Road, Romford, RM7 7DA.
5. The Owner. The outbuilding 19b Mildmay Road, Romford, RM7 7DA.
6. The Occupier. The outbuilding 19b Mildmay Road, Romford, RM7 7DA.
7. VICTORIA ANNE HOLLINGTON, Pryors Farm, Patch Park, Ongar Road, Abridge, Romford, RM4 1AA.
8. MORTGAGE EXPRESS (Co Regn No 2405490)
PO Box 12, Skipton, North Yorkshire, BD23 2HL.

For Information only served on:

ROBERT HENRY HOLLINGTON, Pryors Farm, Patch Park,
Ongar Road, Abridge, Romford, RM4 1AA.

Holmes & Hills LLP (by email).

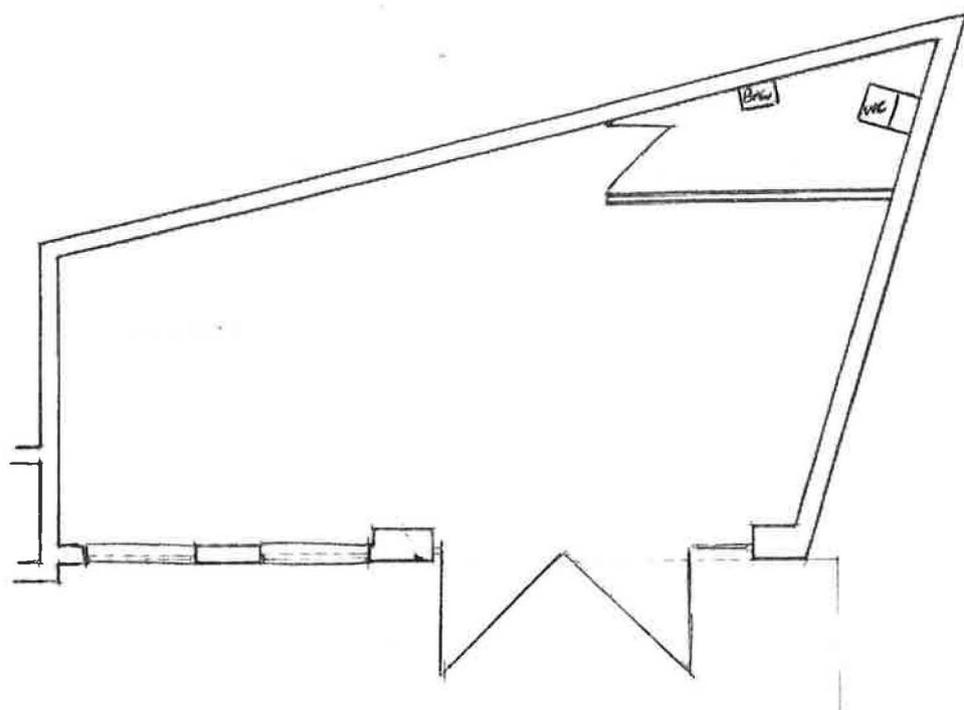


Land R/O 19 Mildmay Road, Romford, RM7 7DA.	ENF/51/17
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	Scale: 1:1000 Date: 19 October 2018
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OUTBUILDING TO REAR OF 19 MILDMAY ROAD, ROMFORD. SCALE 1:50
ELECTRIC FLOOR PLAN 1:50 OCTOBER 2012

PLAN 1

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

Direct Line 0303-444 5000
Email enquiries@pins.gsi.gov.uk

THIS IS IMPORTANT

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

- on-line at the Appeals Casework Portal (<https://acp.planninginspectorate.gov.uk/>); 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.