

# **1 AND 1A WRITTLE WALK, RAINHAM RM13 7XB**

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

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

**ENFORCEMENT REFERENCE: ENF/668/19**

## **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 **1 AND 1A WRITTLE WALK, RAINHAM RM13 7XB**, shown edged in black on the attached plan and is registered under Land Registry Title Number is EGL386792.

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

Without planning permission, the material change of use of the ground, first and second floors into a self-contained dwelling.

### **4. REASONS FOR ISSUING THIS NOTICE**

(1) It appears to the Council that the above breaches of planning control in respect of the conversion of offices on ground, 1<sup>st</sup> and 2<sup>nd</sup> floors to a self-contained dwelling commenced less than four years ago 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 formation of the unauthorised self-contained unit has resulted in living conditions that do not create a suitably high quality living environment for future occupiers. The constraints of the site and approach has resulted in a significant failing in respect of internal spacing standards which, combined with the absence of suitable outdoor amenity space and limited light and outlook from primary living areas are to the detriment of the amenity of future occupiers. The arrangement of living accommodation would be substandard and these elements are conducive to a poor living environment. The development is contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD, the Residential Design SPD and Policy D6 of the London Plan (2021). There would also be conflict with paragraph

127 of the National Planning Policy Framework which seeks to ensure a high standard of amenity for future users of development.

(3) The unauthorised development fails to provide dedicated off-street parking or suitably evidence that car-free development does not result in overspill onto the surrounding roads to the detriment of neighbouring amenity through increased competition for limited off-street spaces and the functioning of the highway and free flow of traffic. The proposed development would be contrary to Policies DC33 and DC61 of the LDF Core Strategy and Development Control Policies DPD, as well as Policy T6 of the London Plan 2021.

(4) The Council does not consider that planning permission should be granted for the development because conditions attached to any consent cannot remedy the breach and because the development has already been refused permission under application reference P0130.21.

## 5. WHAT YOU ARE REQUIRED TO DO

1. Cease the use of the ground, first and second floors as a dwelling;

AND

2. Remove the bathroom and kitchen on the first floor including the removal of all cooking equipment including the hob, oven, sink, kitchen worktop and storage cupboards;

AND

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

## 6. TIME FOR COMPLIANCE

**FOUR MONTHS** after the date when this Notice takes effect.

## 7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **28<sup>th</sup> September 2021**, unless an appeal is made against it beforehand

Dated: **27<sup>th</sup> August 2021**

Signed:



David Colwill - Team Leader, Planning Enforcement and Appeals  
Authorised Officer on behalf of London Borough of Havering, Mercury House, Mercury Gardens, Romford, RM1 3SL

Nominated Officer to contact regarding this Notice: Onkar Bhogal  
Telephone Number: 01708 431587 Email: [Onkar.bhogal@havering.gov.uk](mailto: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 **28<sup>th</sup> September 2021**. 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 **28<sup>th</sup> September 2021** 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 **28<sup>th</sup> September 2021**.

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. Interface Properties Limited, 626 Romford Road, London E12 5AQ
2. Lloyds Bank PLC (Co. Reg. No. 2065, Dept. 6541 of Pendeford Securities Centre Pendeford Business Park, Wobaston Road, Wolverhampton WV9 5HZ
3. Aneeqa Malik, 626 Romford Road, London E12 5AQ
4. Asad Shamin Chaudhary (Director), 626 Romford Road, London E12 5AQ
5. Asad Shamin Chaudhary, 55 Ingledew Road, London SE18 1AP
6. The Owners, 1 Writtle Walk, Rainham RM13 7XB
7. The Occupiers, 1 Writtle Walk, Rainham RM13 7XB

8. Riad Denis Guerra, Ground floor Unit, 1 Writtle Walk, Rainham RM13 7XB
9. The Occupiers (Ground floor Unit), 1 Writtle Walk, Rainham RM13 7XB
10. Adewale Aina, First Floor Flat, 1A Writtle Walk, Rainham RM13 7XB
11. The Occupiers, First Floor Flat, 1A Writtle Walk, Rainham RM13 7XB
12. Interface Properties Limited, First Floor Flat, 1A Writtle Walk, Rainham RM13 7XB



1 AND 1A WRITTLE WALK RAINHAM

CST Room 3/13  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

Direct Line 0303-444 5000  
Email [enquiries@pins.gsi.gov.uk](mailto: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 notice of appeal by fax or letter. You should include:-

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