

**IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY**

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

**BREACH OF CONDITION NOTICE - ENF/178/20**

**ISSUED BY: LONDON BOROUGH OF HAVERING COUNCIL**

**TO:**

- (1) The Owners; 1-24 Judith Anne Court, Westbury Terrace, Upminster, RM14 3ND
- (2) The Occupiers; 1-24 Judith Anne Court, Westbury Terrace, Upminster, RM14 3ND
- (3) Ricci Andre Amato; 17 Judith Ann Court, Westbury Terrace, Upminster RM14 3ND
- (4) HSBC UK Bank PLC (Co. Regn. No. 9928412) of Mortgage Service Centre, P.O. Box 6308, Coventry CV3 9LB.
- (5) HSBC UK Bank PLC; 1 Centenary Square, Birmingham, United Kingdom, B1 1HQ
- (6) Bandsite Properties Limited; 29 Herbert Road, Hornchurch RM11 3LH
- (7) Hugh Andrew Stewart Thomas; 49 Meadow Way, Upminster, RM14 3AB
- (8) Dawn Florence Thomas; 49 Meadow Way, Upminster, RM14 3AB
- (9) Bandsite Properties Limited; 13 Brook Road, Brook Road Industrial Estate, Rayleigh, Essex, SS6 7XL
- (10) Paul Alfred Austin; The Old Rectory, Rectory Road, Wrabness, Essex, CO11 2TX
- (11) Martin Gibbon; 52 Maldon Road, Goldhanger, Maldon, Essex, United Kingdom, CM9 8BG
- (12) A9 Architects; 255 London Road, Hadleigh, Benfleet, Essex. SS7 2BN
- (13) A9 Architects; issued via e-mail.

**1. THIS IS A FORMAL NOTICE** which is issued by the Council, under section 187A of the above Act because they consider that conditions imposed on a grant of planning permission, relating to the land described below have not been complied with. It considers that you should be required to comply with the conditions specified in this notice.

**2. THE LAND AFFECTED BY THE NOTICE**

Judith Anne Court, Westbury Terrace, Upminster, RM14 3ND as shown edged in black on the attached plan. The land is registered with HM Land Registry under references EGL142545, EGL375538, EGL375544, and EGL406479.

### **3. THE RELEVANT PLANNING PERMISSION**

The relevant planning permission to which this notice relates to is P0309.18 which was granted for "Erection of roof extensions to both blocks to provide 6no. new two-bedroom apartments."

### **4. THE BREACH OF CONDITIONS**

The following conditions have not been complied with:

- 7 *No building shall be occupied or use commenced until refuse and recycling facilities are provided in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling facilities shall be permanently retained thereafter.*

*Reason:-*

*Insufficient information has been supplied with the application to judge how refuse and recycling will be managed on site. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect the amenity of occupiers of the development and also the locality generally and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.*

- 8 *No building shall be occupied or use commenced until cycle storage is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be permanently retained thereafter.*

*Reason:-*

*Insufficient information has been supplied with the application to demonstrate what facilities will be available for cycle parking. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use is in the interests of providing a wide range of facilities for non-motor car residents and sustainability.*

### **5. THE FOLLOWING ACTIVITIES ARE TO BE CARRIED OUT TO SECURE COMPLIANCE WITH THE CONDITIONS**

As the person responsible for the breach of condition specified in section 4 of this notice, you are required to comply with the stated condition by taking the following steps:

- (1) Build out the waste and refuse facilities area, as set out in drawing "780 01 – Rev B" dated 20<sup>th</sup> April 2020, as approved in application Q0081.20.

AND

- (2) Build out the cycle storage facilities, as set out in drawing "780 01 – Rev B" dated 20<sup>th</sup> April 2020, as approved in application Q0081.20.

AND

- (3) Remove from site all waste materials, rubble and debris from the site as a result of taking steps (1) AND (2) above;

**Time for compliance:** 35 days from the effective date of this notice, beginning with the day on which the notice is served on you.

## 6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect **immediately** it is served on you or you receive it by postal delivery.

Dated: **23<sup>rd</sup> December 2021**

Signed:   
.....  
**David Colwill**

Position: Team Leader, Planning Enforcement

### **Authorised Officer**

On behalf of: The Mayor and Burgesses of the London Borough of Havering, Town Hall, Main Road, Romford, RM1 3BD

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## **WARNING**

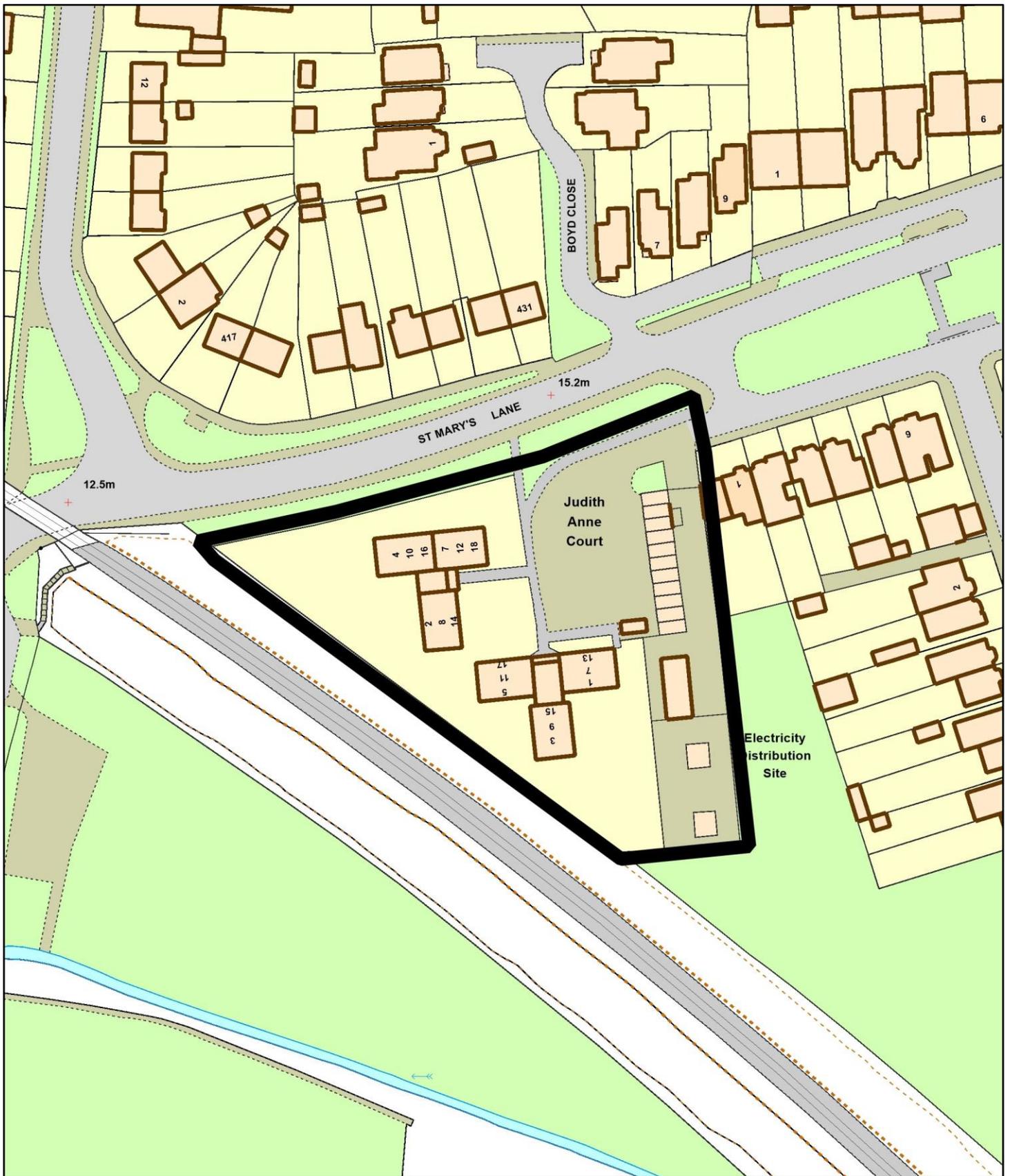
### **THERE IS NO RIGHT OF APPEAL AGAINST THIS NOTICE**

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of immediate prosecution in the Magistrates Court for which the maximum penalty is £2,500 for a first offence and for any subsequent offence. If you are in any doubt about what this notice requires you to do, you should get in touch immediately with **Samuel Cadman, Planning Enforcement Officer, Town Hall, Main Road, Romford, RM1 3BD (01708 433 758)**.

If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review. A lawyer will advise you on what this procedure involves.

**DO NOT LEAVE YOUR RESPONSE TO THE LAST MINUTE**

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**Judith Anne Court, Westbury Terrace, Upminster, RM14 3ND**  
**ENF/178/20**

**Scale: 1:1000**

**Date: 21 December 2021**

0 5 10 15 metres



London Borough of Havering  
 Town Hall, Main Road  
 Romford, RM1 3BD  
 Tel: 01708 434343



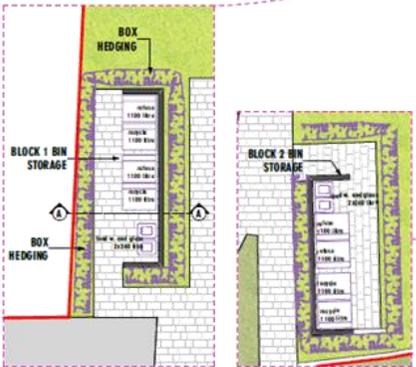
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 Ordnance Survey  
 100024327



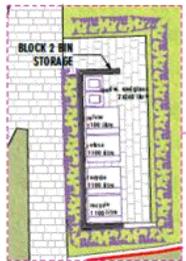
BLOCK 1 BIN STORAGE - 3D PERSPECTIVE



BLOCK 1 BIN STORAGE - 3D EYE LEVEL VIEW



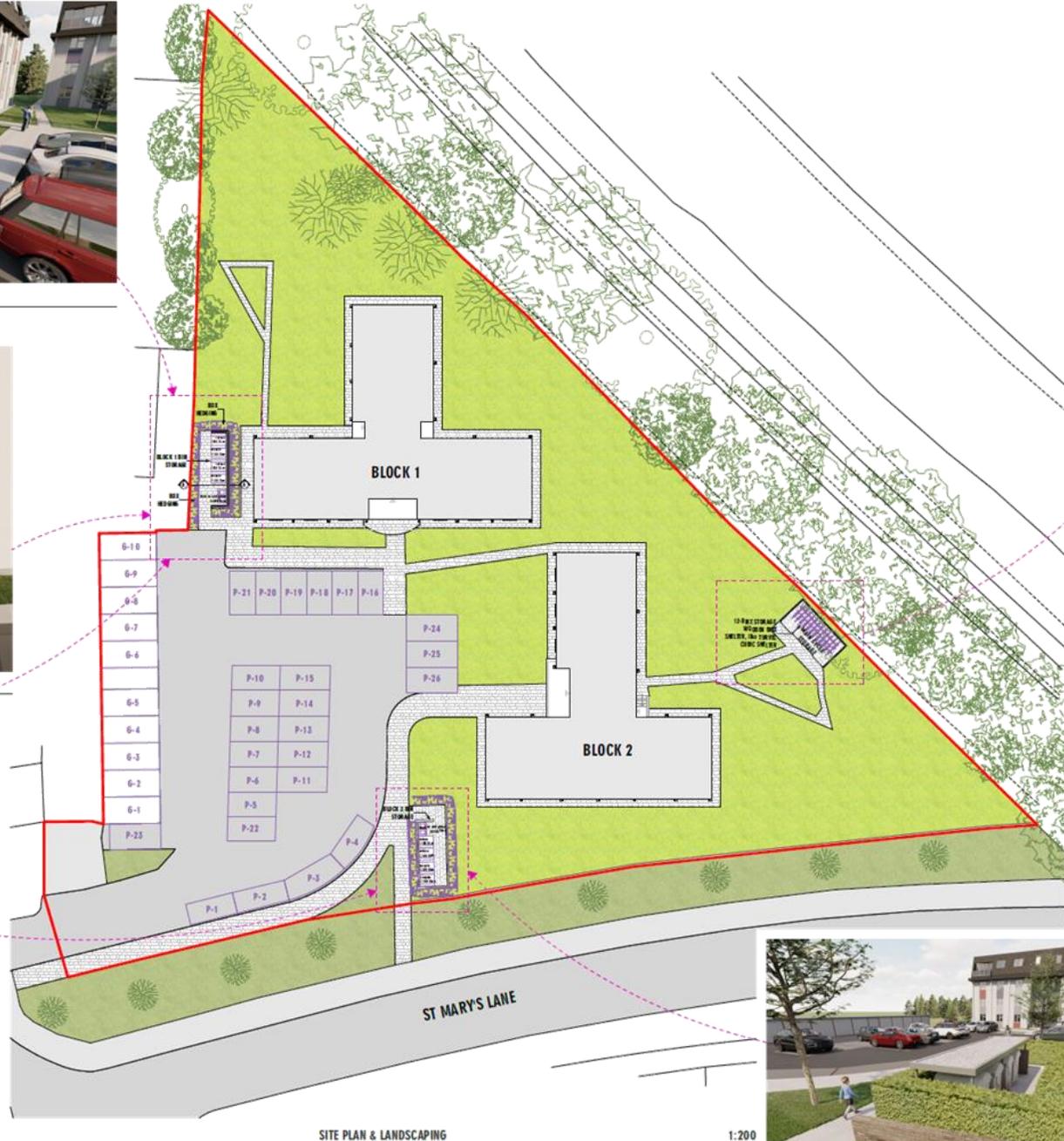
BLOCK 1 - BIN STORAGE 1:100



BLOCK 2 - STORAGE AREA 1:100

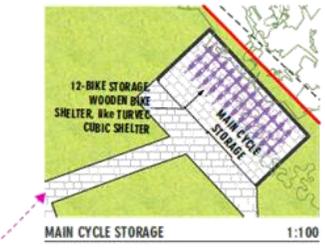


BLOCK 1 BIN STORE SECTION A 1:50



SITE PLAN & LANDSCAPING

1:200



MAIN CYCLE STORAGE 1:100



REFERENCE IMAGE. Source: TURVEC.COM



BLOCK 2 BIN STORAGE - 3D PERSPECTIVE

**A9 ARCHITECTS**  
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 www.a9architects.com  
 info@a9architects.com

**PRELIMINARY**

DATE: 10/01/2024  
 DRAWN: [Name]  
 CHECKED: [Name]  
 TITLE: [Title]  
 SCALE: 1:200 (AS SHOWN)  
 SHEET NO: 100 OF 101