

39 WOLSELEY ROAD, ROMFORD RM7 0BS

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT REFERENCE: ENF/191/19

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 **39 WOLSELEY ROAD, ROMFORD RM7 0BS** shown edged in black on the attached plan and is registered under Land Registry Title Number BGL147448.

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the material change of use of a single dwelling into two self-contained dwellings being a 2 bedroom flat and 1 bedroom flat.

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 injury to amenity which has been caused by the breach.
2. The internal layout of the dwellings is such that bedrooms would abut primary habitable rooms of the attached property which is harmful to the amenity of occupiers of that premises. The development is therefore contrary to Policies DC4 and DC61 of the LDF Core Strategy and Development Control Policies DPD, the Residential Design SPD and Policy 3.5 of The London Plan and the provisions of the National Planning Policy Framework.

3. The development has resulted in living conditions that do not create a suitably high quality living environment for future occupiers, in particular accommodation at first floor level which has failed to align with prescribed minimum internal spacing standards and does not demonstrate any form of amenity space. The constraints of the site in conjunction with the number of units proposed, internal arrangement and lack of provision of amenity space has contributed to an environment which is detrimental to the amenity of future occupants in direct contrast to the aims of London Plan Policy 3.5, Policy DC61 of the LDF Core Strategy and Development Control Policies DPD and the provisions of the National Planning Policy Framework.
4. The Council does not consider that planning permission should be granted for the development because planning permission has been refused under application P0070.20 and dismissed on appeal under reference APP/B5480/W/20/3253414.

5. **WHAT YOU ARE REQUIRED TO DO**

The Enforcement Notice requires **within THREE months** of the effective date of the Notice to:

1. Cease the use of the property as two self-contained dwellings;

AND

2. Permanently remove all demarcation/separation between the ground floor and the first floor which facilitate the use of the building as two separate dwellings;

AND

3. Permanently remove all kitchen units including cooker, hob and storage cabinets from the first floor;

AND

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

6. **TIME FOR COMPLIANCE**

THREE months of the effective date of this Notice

7. WHEN THIS NOTICE TAKES EFFECT

This Notice will take effect on **1st September 2021**, unless a valid appeal is made against it beforehand.

Dated: 2nd August 2021

Signed: 

Name: David Colwill
Team Leader, Planning Enforcement
on behalf of London Borough of Havering, 5th Floor, Mercury House, Mercury Gardens, Romford RM1 3SL

Nominated Officer to contact regarding this Notice:
Patricia Adesina, Senior Planning Enforcement Officer
Telephone Number: 01708 433959 / patricia.adesina@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 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 **1st 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 <http://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 Secretary of State on or before the **1st 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.

GROUNDINGS OF APPEAL

The grounds of appeal are set out in Section 174 of the Town and Country Planning Act 1990 (as amended) and an appeal may be made 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 **£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.

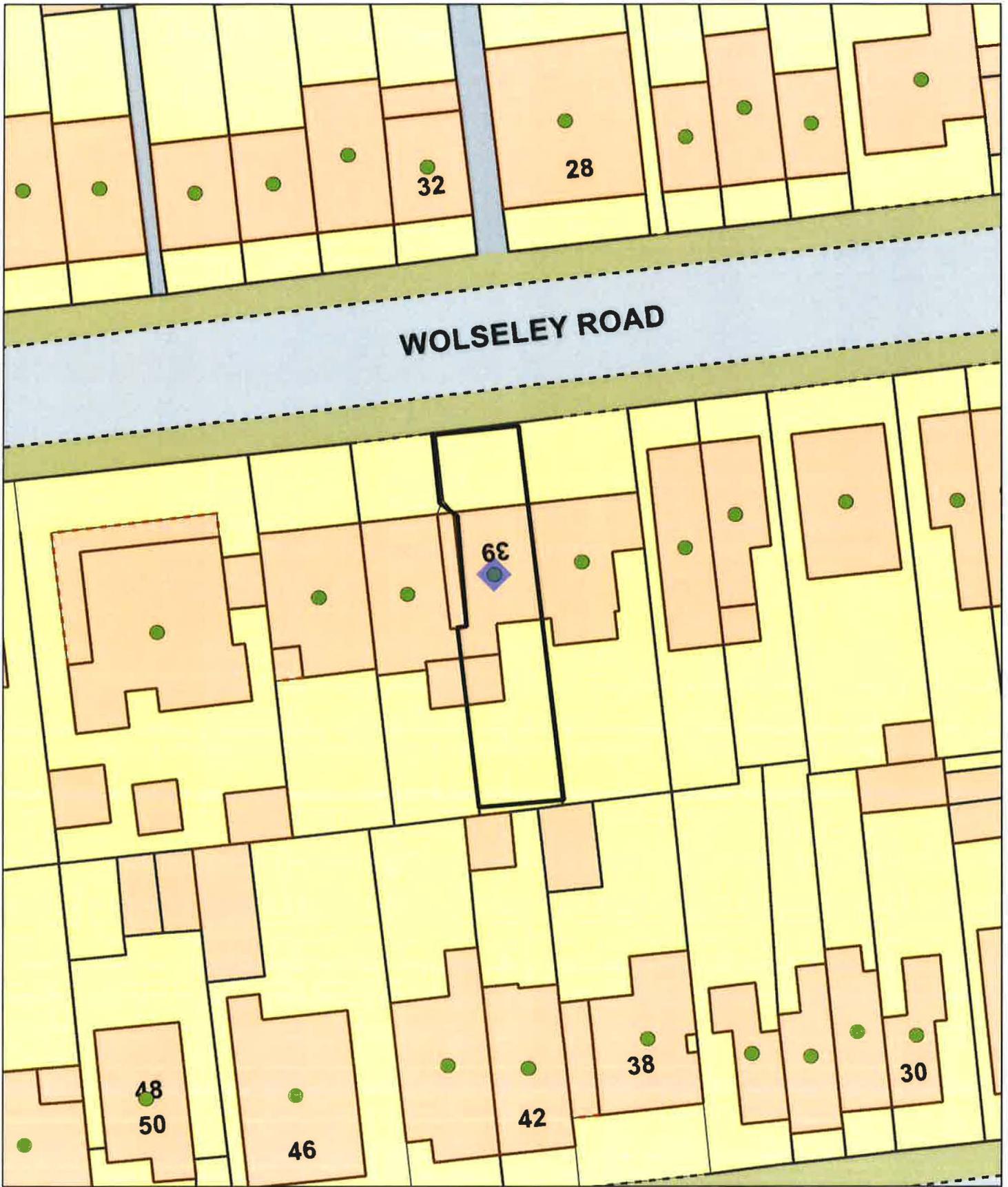
STATEMENT ON GROUNDINGS OF APPEAL

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.ZARA BOKHARI, Flat 101, Shipwright Court, Abbey Road, Barking IG11 7NU
- 2.Zara BOKHARI, 39 Wolseley Road, Romford RM7 0BS
- 3.The Owners, 39 WOLSELEY ROAD ROMFORD RM7 0BS
- 4.The Occupiers, 39 WOLSELEY ROAD ROMFORD RM7 0BS
- 5.The Owners, First Floor Flat 39 WOLSELEY ROAD ROMFORD RM7 0BS
- 6.The Occupiers, First Floor Flat 39 WOLSELEY ROAD ROMFORD RM7 0BS
- 7.THE MORTGAGE WORKS (UK) PLC, Nationwide House, Pipers Way, Swindon
SN38 1NW



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nlpg
 NATIONAL STREET MAPPING
 Ordnance Survey
 Licensed Partner

Scale: 1:250
 Date: 02 August 2021

Havering
 LONDON BOROUGH

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

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 Ordnance Survey 100024327

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

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.