

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

**202 MARLBOROUGH ROAD (ALSO KNOWN AS 202 AND 202 B
MARLBOROUGH ROAD), ROMFORD, RM7 8AL**

ENF/34/22

ISSUED BY: LONDON BOROUGH OF HAVERING

TO:

1. Mr Besnick Lushi 202 Marlborough Road, Romford RM7 8AL
2. Mrs Shkendie Ahmataj 202 Marlborough Road, Romford RM7 8AL
3. The Owner, 202 Marlborough Road, Romford RM7 8AL
4. The Occupier, 202 Marlborough Road, Romford RM7 8AL
5. Bank Of Scotland PLC Birmingham Midshires Division Pendeford Business Park, Wobaston Road, Wolverhampton WV9 5HZ
6. Mr Besnik Lushi 202 Marlborough Road, Romford RM7 8AL
7. Mr Besnick Lushi via email
8. The Owner, 202B Marlborough Road, Romford RM7 8AL
9. The Occupier, 202B Marlborough Road, Romford RM7 8AL

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

202 MARLBOROUGH ROAD, ROMFORD, RM7 8AL (also known as 202 and 202 B Marlborough Road) as shown edged in black on the attached plan. The land is registered with HM Land Registry under reference NGL64928.

3. THE RELEVANT PLANNING PERMISSION

The relevant planning permission is P2312.21 approved on 13th September 2022 for Part-retrospective application for demolition of a bungalow and the erection of 2 X 3 - bedroom dwelling houses to include habitable roof spaces each with a rear dormer window 1 rear rooflight and three front rooflights with associated parking and amenity space.

4. THE BREACH OF CONDITIONS OF PLANNING PERMISSION P2312.21

Failure to comply with the following conditions:

- Condition 2: No building shall be occupied or use commenced until a detailed scheme of soft landscaping is submitted to and approved by the Local Planning Authority. All planting seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of five years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless otherwise agreed in writing by the Local Planning Authority.
- Condition 7: No building shall be occupied or use commenced until cycle storage is provided in accordance with details 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.
- Condition 8: 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.
- Condition 10: prior to the first occupation of development details shall be submitted to and agreed in writing by the Local Planning Authority for the installation of Ultra-low Nox boilers with Nox Emissions less than 40mg/kWh. Where any installations do not meet this emissions standard it should not be operated without the fitting of suitable NOX abatement equipment or technology as determined by a specialist to ensure comparable emissions. The installation of the boilers shall be carried out in accordance with the agreed details and shall thereafter be permanently retained. Following installation emissions certificates will need to be provided to the Local Planning Authority to verify boiler emissions.

No planning applications to discharge these conditions have been received yet the development is approaching completion and occupation.

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 conditions by taking the following steps:

- (1) Submit **valid application(s) and fee(s)** seeking to discharge the following conditions of permission P2312.21:
 1. Condition 2: No building shall be occupied or use commenced until a detailed scheme of soft landscaping is submitted to and approved by the Local Planning Authority. All planting seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of five years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless otherwise agreed in writing by the Local Planning Authority.
 2. Condition 7: No building shall be occupied or use commenced until cycle storage is provided in accordance with details 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.
 3. Condition 8: 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.
 4. Condition 10: prior to the first occupation of development details shall be submitted to and agreed in writing by the Local Planning Authority for the installation of Ultra-low Nox boilers with Nox Emissions less than 40mg/kWh. Where any installations do not meet this emissions standard it should not be operated without the fitting of suitable NOX abatement equipment or technology as determined by a specialist to ensure comparable emissions. The installation of the boilers shall be carried out in accordance with the agreed details and shall thereafter be permanently retained. Following installation emissions certificates will need to be provided to the Local Planning Authority to verify boiler emissions.

Time for compliance: 28 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: **21st July 2023**

Signed:



David Colwill
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

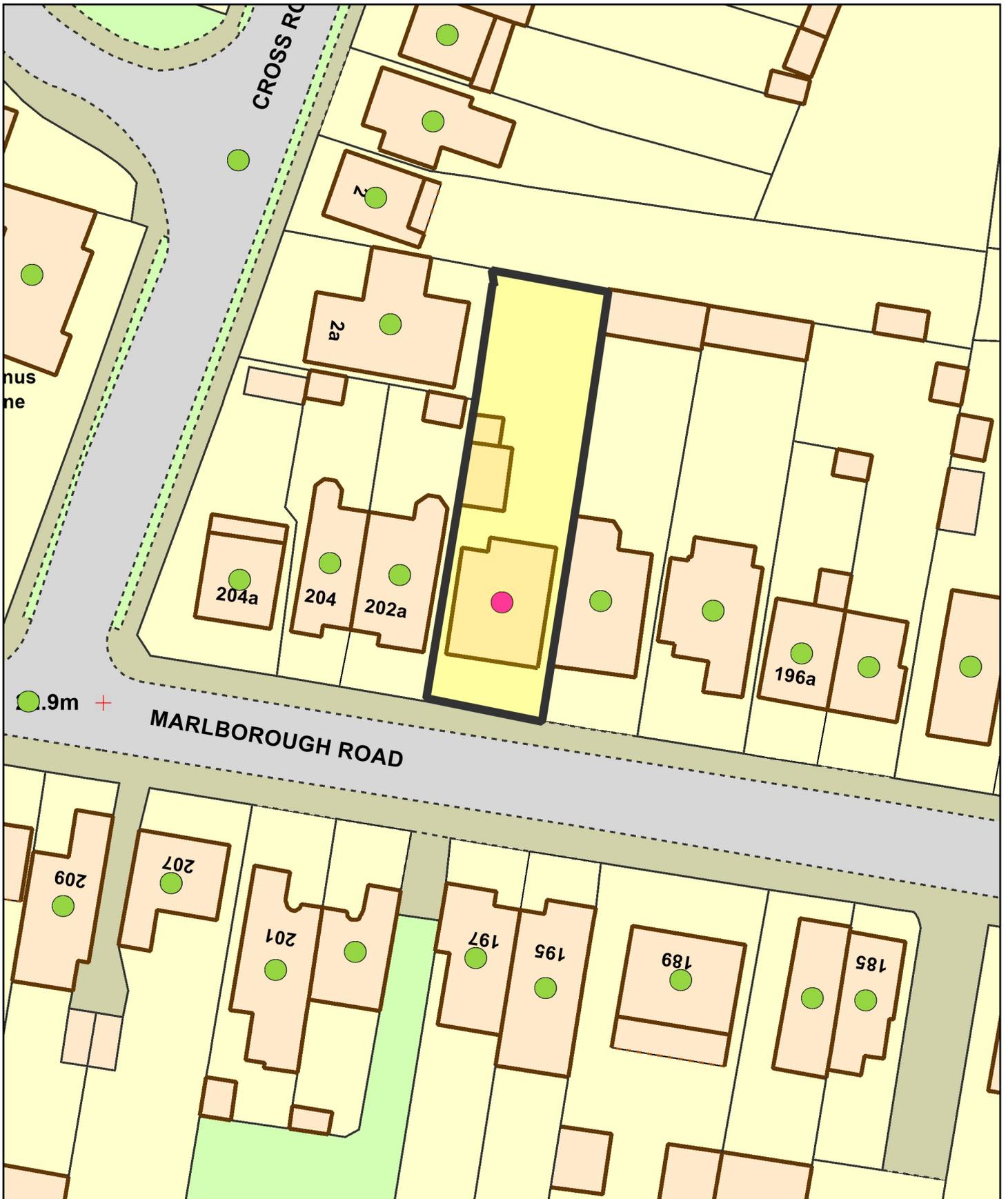
WARNING

THERE IS NO RIGHT OF APPEAL AGAINST THIS NOTICE

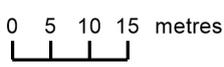
It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of immediate prosecution in the Magistrates Court for which the maximum penalty is £2,500 for a first offence and for any subsequent offence. If you are in any doubt about what this notice requires you to do, you should get in touch immediately with **Chris Stathers, Principal Planning Enforcement Officer, Town Hall, Main Road, Romford, RM1 3BD (01708 433619)**.

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



202 MARLBOROUGH ROAD, ROMFORD	ENF/34/22 
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  	Scale: 1:500 Date: 14 July 2023 
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