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Date: 13th October 2023

By email: dean@chigwellgroup.co.uk

www.havering.gov.uk

CC: Agent Mike@english-architectural.co.uk

Dear Sirs,

ALLEGED BREACH OF PLANNING CONTROL – CHANGE OF USE: 43A Bartlow Gardens, Romford

Property address of Enforcement Notice:	43 / 43A Bartlow Gardens, Romford RM5 3UA
Nature of Breach:	Without planning permission, the material change of use of the land from one dwelling into two dwellings, specifically, the unauthorised use of the outbuilding as a separate self-contained residential unit.
Council case reference:	ENF/343/19 – PLEASE USE THIS WITH ALL CORRESPONDENCE.

I refer to the enforcement Notice served on the 4th of July 2023 against the outbuilding to the rear as use for a fully self-contained dwelling and your subsequent appeal. I note that an application for a certificate of lawful use (existing) was refused under reference E0020.19 due to insufficient evidence to support four years continuous use, and documentation to evidence the use was not thereafter forthcoming. Accordingly, the enforcement notice was served.

I also note that the documentation submitted to the Planning Inspectorate with your appeal was not given to the Council which only received this on the 9th of October 2023. In reviewing this evidence which was not previously available, it appears only now at this late stage that on the balance of probabilities, four years continuous use may have been achieved shortly before the Notice was served.

Accordingly, the Council exercises its powers under Section 173A(1)(a) of the Town and Country Planning Act 1990 (as amended) (the 1990 Act) to withdraw the Notice, a copy of which is enclosed for ease of reference.

Please note that the Council's withdrawal of the attached notice does not affect the power of the Local Planning Authority to issue a further Enforcement Notice (Section 173A (4) of the 1990 Act).

If you wish to discuss the contents of this letter, please do not hesitate to contact me on the details given above.

Yours sincerely,

David Colwill
Team Leader, Planning Enforcement and Appeals - London Borough of Havering

CC: Land Charges Landsearches@havering.gov.uk
Enclosed: Copy of Enforcement Notice relating to 43A Bartlow Gardens, Romford