

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

138-140 STATION LANE, HORNCHURCH RM12 6LU

ENF/355/22

ISSUED BY: LONDON BOROUGH OF HAVERING

TO:

1. A&M Partnership Limited, Sterling House, Fulbourne Road, London E17 4EE
2. A&M Partnership Limited, 138-140 Station Lane, Hornchurch RM12 6LU
3. The Owner(s), 138-140 Station Lane, Hornchurch RM12 6LU
4. The Occupier(s), 138-140 Station Lane, Hornchurch RM12 6LU
5. Andrius Andriukaitis as director of A&M Partnership Limited, Sterling House, Fulbourne Road, London E17 4EE
6. Andrius Andriukaitis as director of A&M Partnership Limited, 138-140 Station Lane, Hornchurch RM12 6LU
7. Mantas Serpenskas as director of A&M Partnership Limited, Sterling House, Fulbourne Road, London E17 4EE
8. Mantas Serpenskas as director of A&M Partnership Limited, 138-140 Station Lane, Hornchurch RM12 6LU
9. 2A Suttons Gardens Limited Sterling House, Fulbourne Road, London E17 4EE
10. 2A Suttons Gardens Limited, Land on the west side of 138 & 140 Station Lane, Hornchurch RM12 6JU
11. Andrius Andriukaitis as director of 2A Suttons Gardens Limited, Sterling House, Fulbourne Road, London E17 4EE
12. Andrius Andriukaitis as director of 2A Suttons Gardens Limited, Land on the west side of 138 and 140 Station Lane, Hornchurch RM12 6JU
13. Mantas Serpenskas as director of 2A Suttons Gardens Limited, Sterling House, Fulbourne Road, London E17 4EE
14. Mantas Serpenskas as director of 2A Suttons Gardens Limited, Land on the west side of 138 and 140 Station Lane, Hornchurch RM12 6JU
15. The Occupiers, 1 Equinox Apartments 138-140 Station Lane, Hornchurch RM12 6LU

16. The Occupiers, 2 Equinox Apartments 138-140 Station Lane, Hornchurch RM12 6LU
17. The Occupiers, 3 Equinox Apartments 138-140 Station Lane, Hornchurch RM12 6LU
18. The Occupiers, 4 Equinox Apartments 138-140 Station Lane, Hornchurch RM12 6LU
19. The Occupiers, 5 Equinox Apartments 138-140 Station Lane, Hornchurch RM12 6LU
20. The Occupiers, 6 Equinox Apartments 138-140 Station Lane, Hornchurch RM12 6LU
21. The Occupiers 2A Suttons Gardens, Hornchurch RM12 6JU
22. Andrius Andriukaitis Unit 6 Concorde House, Caxton Street North, London E16 1JL
23. Andrius Andriukaitis 138-140 Station Lane, Hornchurch RM12 6LU
24. One Savings Bank PLC, Reliance House, Sun Pier, Chatham, Kent, ME4 4ET
25. Combined Countries Properties Limited, Coldunell House, Dawes Court, Esher, Surrey, KT10 9QD

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

138-140 STATION LANE, HORNCHURCH RM12 6LU (also known as 1-6 Equinox Apartments), as shown edged in black on the attached plan.

3. THE RELEVANT PLANNING PERMISSION

The relevant planning permission to which this Notice relates is P1211.21 for Change of Use of ground floor from Use Class E(e) (Doctors Surgery) to Use Class C3 (Dwellings), single storey rear extension and conversion of roof space to habitable use to include front and rear dormers to facilitate the creation of 4 x 1-bed and 2 x 2-bed self-contained flats, with associated parking and amenity space, involving demolition of existing extensions and detached garage with external alterations, roof lights and boundary treatment", which was granted planning permission on 26th November 2021.

4. THE BREACH OF CONDITIONS AS TO PLANNING PERMISSION P1211.21 DATED 26TH NOVEMBER 2021

1. Failure to comply with the following conditions:

Condition 2: Prior to above ground works, a written specification of external walls and roof materials to be used in the construction of the building(s) shall be submitted to and approved

in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of a written specification prior to above ground works will ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy 26 of the Havering Local Plan.

Condition 3: The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

Reason: For the avoidance of doubt and to ensure that the development is carried out as approved.

Condition 4: Before the building(s) hereby permitted is first occupied, the area set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.

Reason: To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety, and that the development accords with Policy 24 of the Havering Local Plan.

Condition 5: No above ground works shall take place in relation to any of the development hereby approved until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include details of landscaping in between the patio areas for the ground floor flats and between the patios and the communal garden to be maintained at a minimum height of 1.6 metres, indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. 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 5 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.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the hard and soft landscaping proposed. Submission of a scheme prior to above ground works will ensure that the development accords with Policies 7 and 27 of the Havering Local Plan.

Condition 6: Prior to any above ground works details of all proposed gates, walls, fences and boundary treatment shall be submitted to, and approved in writing by, the Local Planning Authority. The boundary development and gates shall then be carried out in accordance with the approved details before the development is first occupied and retained permanently thereafter to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of any boundary treatment. Submission of this detail prior to above ground works will protect the visual amenities of the development, prevent undue overlooking of adjoining property and ensure that the development accords with Policies 7 and 26 of the Havering Local Plan.

Condition 10: 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 Policy 35 of the Havering Local Plan.

Condition 11: 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.

Condition 13: No building shall be occupied or use commenced until external lighting is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The lighting shall be provided and operated in strict accordance with the approved scheme.

Reason: Insufficient information has been supplied with the application to judge the impact arising from any external lighting required in connection with the building or use. 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 residential amenity and ensure that the development accords with Policy 7 of the Havering Local Plan.

Condition 15: No part of the development hereby approved shall be occupied until access to the highway has been completed in accordance with the details that have been previously submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of ensuring good design and ensuring public safety and to comply with Policies 7 and 23 of the Havering Local Plan

Condition 16: Before any development is commenced, a scheme for protecting the proposed dwellings from noise from Station Lane shall be submitted to and approved by the Local Planning Authority. Any works which form part of the scheme shall be completed before any of the permitted dwellings is occupied.

Reason: Insufficient information has been supplied with the application to judge the impact of noise upon the proposed development. Submission of an assessment prior to commencement will protect future residents against the impact of noise in accordance with Policies 7 and 34 of the Havering Local Plan.

2. Failure to provide the information required to satisfy the following condition:

Condition 14:

a) If during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved:

b) Following completion of the remediation works as mentioned in a) above, a 'Verification Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

Reason: To ensure that any previously unidentified contamination found at the site is investigated and satisfactorily addressed in order to protect those engaged in construction

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 a valid application and fee to discharge the remaining requirements of each of the following conditions of permission P1211.21:

2. Prior to above ground works, a written specification of external walls and roof materials to be used in the construction of the building(s) shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

4. Before the building(s) hereby permitted is first occupied, the area set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.

5. No above ground works shall take place in relation to any of the development hereby approved until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include details of landscaping in between the patio areas for the ground floor flats and between the patios and the communal garden to be maintained at a minimum height of 1.6 metres, indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. 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 5 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.

6. Prior to any above ground works details of all proposed gates, walls, fences and boundary treatment shall be submitted to, and approved in writing by, the Local Planning Authority. The boundary development and gates shall then be carried out in accordance with the approved details before the development is first occupied and retained permanently thereafter to the satisfaction of the Local Planning Authority.

10. 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.

11. 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:-

13. No building shall be occupied or use commenced until external lighting is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The lighting shall be provided and operated in strict accordance with the approved scheme.

15. No part of the development hereby approved shall be occupied until access to the highway has been completed in accordance with the details that have been previously submitted to and approved in writing by the Local Planning Authority.

16. Before any development is commenced, a scheme for protecting the proposed dwellings from noise from Station Lane shall be submitted to and approved by the Local Planning Authority. Any works which form part of the scheme shall be completed before any of the permitted dwellings is occupied.

(2) Submit a planning application to modify the approved plans as to the condition below to reflect the "as built" front elevation:

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

(3) Submit the required information to show how the condition below has been dealt with

14. a) If during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved:

b) Following completion of the remediation works as mentioned in a) above, a 'Verification Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

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: **17th October 2025**

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

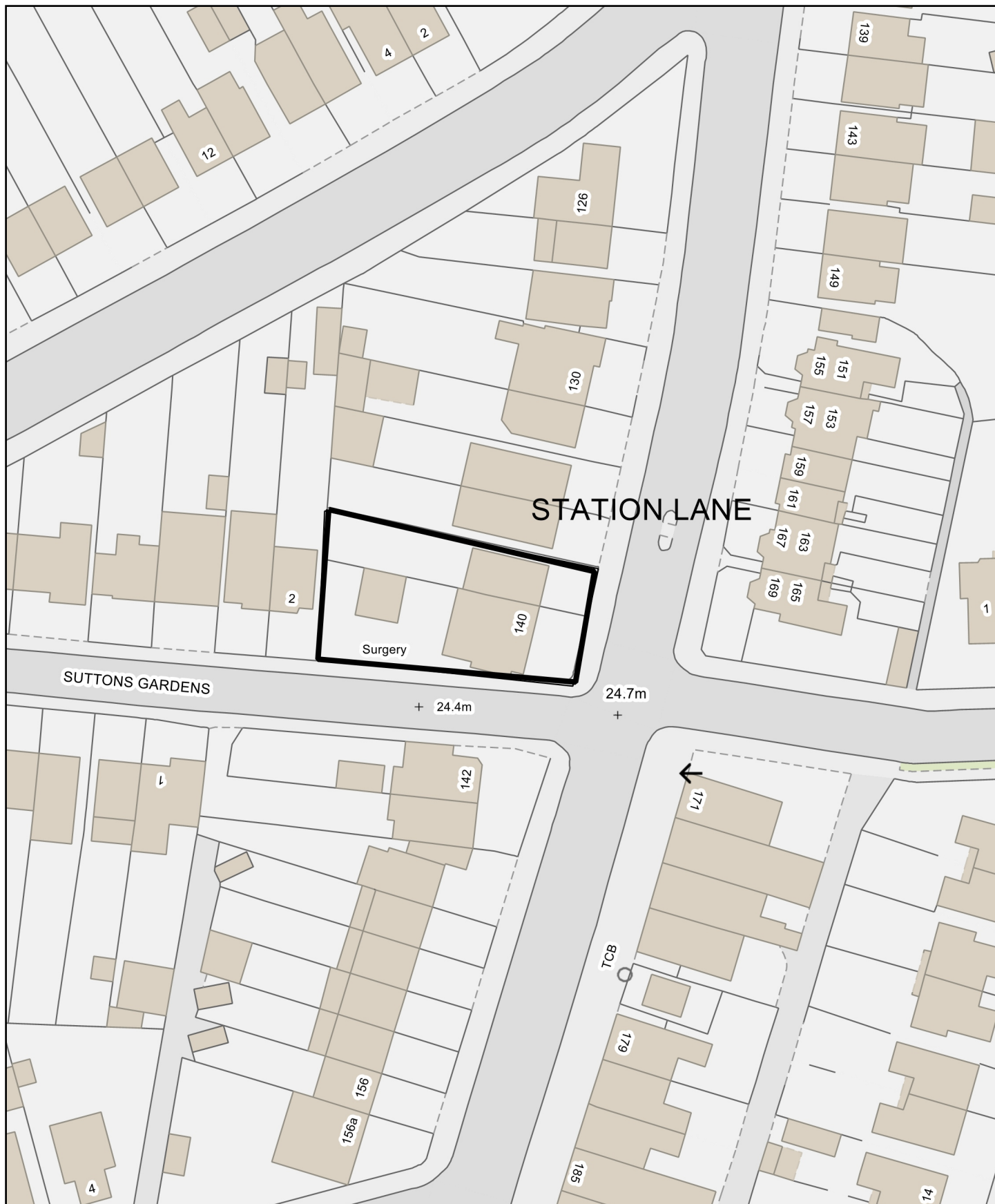
WARNING

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 an **unlimited fine** 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



138-140 STATION LANE, HORNCHURCH
ENF/355/22

TQ5398786429



Scale: 1:700

Date: 16 October 2025

0 5 10 15 metres



Havering
LONDON BOROUGH

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

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