

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

8 NELMES ROAD, HORNCHURCH RM11 3JA

ENF/478/21

ISSUED BY: LONDON BOROUGH OF HAVERING

TO:

1. The Owner(s), 8 Nelmcs Road, Hornchurch RM11 3JA
2. The Occupier(s), 8 Nelmcs Road, Hornchurch RM11 3JA
3. The Company Secretary / Director(s), Avenir Management Ltd, 8 Nelmcs Road, Hornchurch RM11 3JA
4. The Company Secretary / Director(s), Avenir Management Ltd, 100 Bedreddin Demirel Street, Lefkosa, Cyprus
5. Cahit Celebi (Director), Avenir Management Ltd, No:23 Floor 1 Kolordu Street, Afroditi Apartment, Girne, Northern Cyprus
6. Umit Demirtug (Director), Avenir Management Ltd, No:23 Floor 1 Kolordu Street, Afroditi Apartment, Girne, Northern Cyprus

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

8 NELMES ROAD, HORNCHURCH RM11 3JA, as shown edged in black on the attached plan. The land is registered with HM Land Registry under reference EGL42310.

3. THE RELEVANT PLANNING PERMISSION

The relevant planning permission to which this Notice relates is P0120.25 described as "Retrospective application for the retention and alteration of existing Air-Conditioning units, with acoustic screening.", which was granted planning permission on the 28th of March 2025.

4. THE BREACH OF CONDITIONS

Failure to comply with the following conditions of P0120.25:

Condition 1: 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 2: The scheme to control noise and vibration, as detailed in the noise report provided by Clover Acoustics (dated 6th November 2024) submitted with this application shall be implemented, as a minimum, before the hereby permitted a/c units are operated.

The units thereafter shall be retained and maintained in accordance with such details, and should comply with the following requirement at all times:

The Rating Level (Lar, Tr) of the hereby permitted plant or machinery shall be at least 5dB below the prevailing background noise level (LA90, T). The measurement position, assessment and definitions shall be made according to BS4142:2014 + A1:2019 "Methods for rating and assessing industrial and commercial sound.

The equipment shall be maintained thereafter to the satisfaction of the Local Planning Authority, and the operation of the a/c units hereby permitted must cease during any period that this condition is not complied with.

Reason: To protect the amenity of noise sensitive premises from noise from mechanical plant.

Condition 3: The acoustic screening and location of the air conditioning units shall be fully in place, as per the approved plans and the noise report, within 28 days of the date of this permission and thereafter retained permanently whilst the air conditioning units are in place.

Reason: To protect the amenity of noise sensitive premises from noise from mechanical plant.

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) Comply with Condition 1 of planning permission P0120.25 by moving two of the units further to the rear in accordance with approved drawing 3831.10c from application P0120.25 and shown attached as Appendix 1 to this notice.
- (2) Cease the use / operation of any of the air conditioning units until the following has been carried out:

Comply with Condition 2 and Condition 3 of planning permission P0120.25 by installing the acoustic screening and roof to all of the air conditioning units in accordance with the details previously submitted and approved by drawing 3831.10c from application P0120.25 and shown attached as Appendix 1 to this Notice. The base construction of the screening shall be made up of 22mm marine plywood with no gaps.

Time for compliance: 8 weeks 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: **13th August 2026**

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

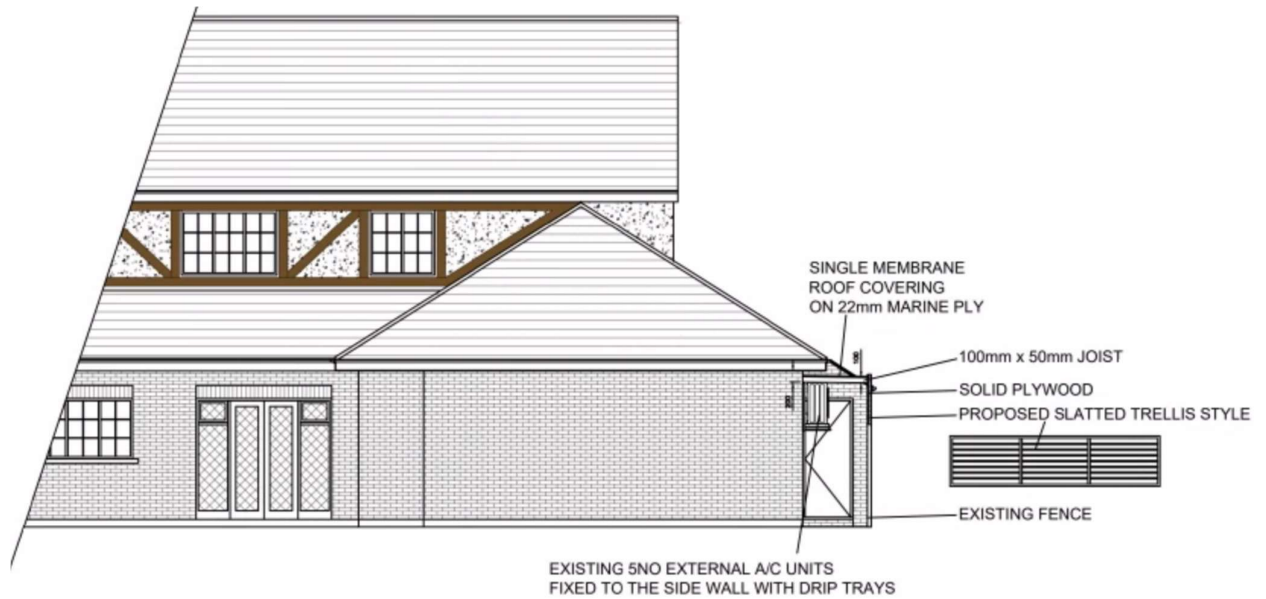
THERE IS NO RIGHT OF APPEAL AGAINST THIS NOTICE

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 **David Colwill, Team Leader Planning Enforcement, Town Hall, Main Road, Romford, RM1 3BD (01708 432647)**.

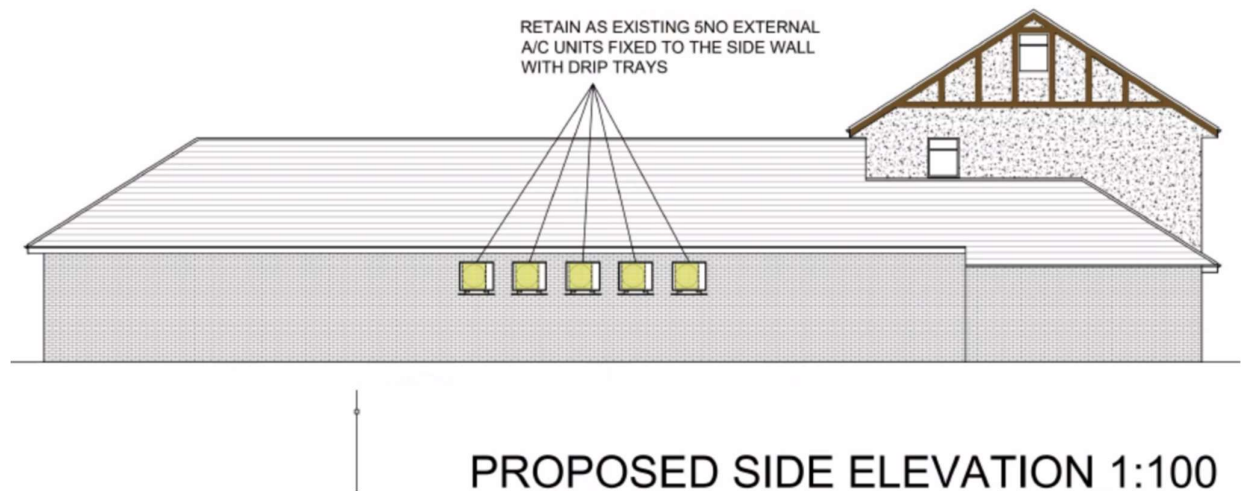
If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review.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

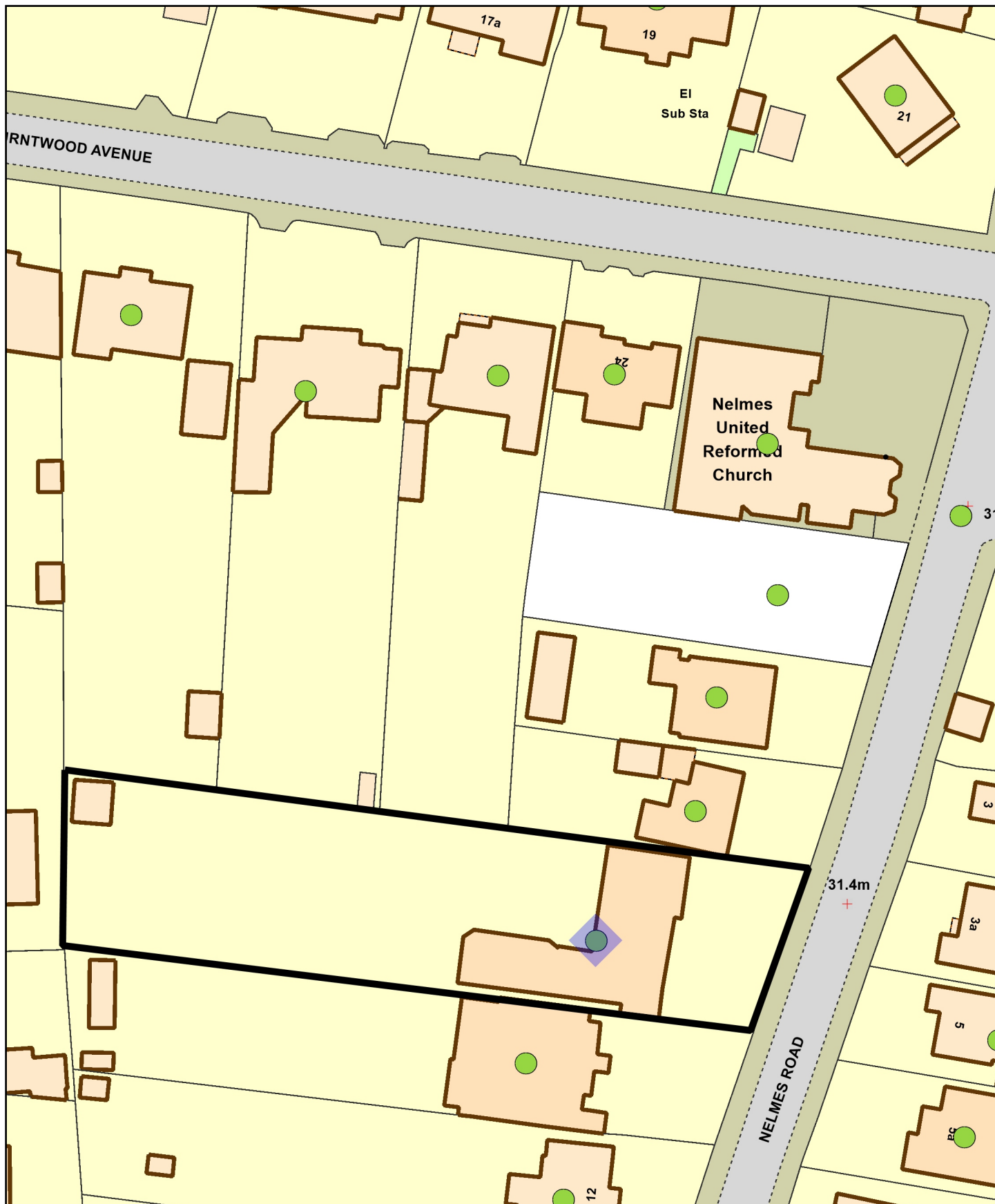
DO NOT LEAVE YOUR RESPONSE TO THE LAST MINUTE

APPENDIX 1: Approved Drawing 3831.10c to be Complied with



PROPOSED EXTRACT REAR ELEVATION 1:100





8 Nelmes Road, Hornchurch RM11 3JA - OS Plan to Enforcement Notice



Scale: 1:750
Date: 21 July 2023

0 2.5 5 7.5 metres



Havering
LONDON BOROUGH

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

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