

**RE: LAND LOCATED TO THE EAST OF 7-11 ALAN GARDENS,
ROMFORD, RM7 0HD**

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

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 located to the east of 7-11 Alan Gardens, Romford, RM7 0HD, as shown OUTLINED IN BLACK on the attached plan.

3. **THE BREACH OF PLANNING CONTROL ALLEGED**

- (i). Without planning permission, the change of use of the land OUTLINED IN BLACK in the attached plan to residential curtilage.
- (ii). Without planning permission, the erection of a building marked 1 (sited in the approximate location as indicated on the attached plan), and its use as a self-contained residential unit.
- (iii). Without planning permission, the erection of a building marked 2 on the attached plan (sited in the approximate location as indicated on the attached plan), and its use as ancillary facilities for the building marked 1 on the attached plan.

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the land OUTLINED IN BLACK on the attached plan has changed use to residential curtilage “within the last TEN years”. A breach of planning control has occurred and that steps should be taken to remedy the breach by Section 173 4(a) or to remedy any amenity or injury which has been caused by the breach.

The use of the land OUTLINED IN BLACK as residential curtilage would create a poorly designed outside amenity space for the occupants of 11 Alan Gardens, and have a negative impact on the character of the rear garden areas of 11 Alan Gardens and the surrounding properties. The change of use would, therefore, be contrary to Policies CP2, CP17, DC33, DC61 and DC63 of the Core Strategy and Development Control Policies DPD, policies 7.6 and 7.4 of the London Plan, and the guidance in the NPPF.

It appears to the Council that the buildings marked '1' and '2' on the attached plan have been erected on site, and have changed use to a separate residential unit "within the last FOUR years". A breach of planning control has occurred and that steps should be taken to remedy the breach by Section 173 4(a) or to remedy any amenity or injury which has been caused by the breach.

The buildings marked '1' and '2' in their current forms, facilitate an unlawful use, and create a sub-standard unit of residential accommodation in terms of its limited size and poor surrounding environment. The development has the potential to cause harm to any residents or occupants of the buildings, through a reduction in perceived privacy and a lack of cycle provision within the site. The development is therefore contrary to the NPPF, London Plan policy 3.5, 7.4 and 7.6, and policies CP2, CP17, DC3, DC4, DC61 and DC63 of the Havering Core Strategy, and the Residential Design SPD.

The Council does not consider that planning permission should be granted for the developments because conditions attached to any consent would not overcome these problems.

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

- (i). Cease the use of the land OUTLINED IN BLACK on the attached plan as residential curtilage.
- (ii). Demolish the buildings marked '1' and '2' on the attached plan to ground level.
- (iii). Remove all debris and materials resulting from compliance with steps (i) and (ii).

Time for compliance with steps (i), (ii) and (iii) above: 3 months from the effective date of this notice.

6. **WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on **16th June 2017**, unless an appeal is made against it beforehand.

Dated: 5th May 2017

Signed:



Authorised Officer

on behalf of London Borough of Havering
Town Hall
Main Road
Romford RM1 3BD

YOUR RIGHT OF APPEAL

You can appeal against this Enforcement Notice to the Secretary of State before the **16th June 2017**. Further details are given in the attached explanatory note.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Enforcement Notice, it will take effect on **16th June 2017** 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

YOUR RIGHT OF APPEAL

You can appeal against this Notice, but 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 before **16th June 2017**.

If you intend to appeal against this Notice you should follow the instructions given on the information sheet from the Planning Inspectorate which accompanies this Notice.

GROUND OF APPEAL

The grounds of appeal are set out in Section 174 of the Town and Country Planning Act 1990 (as amended) you may appeal 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 **£385.00** is payable both to the Secretary of State and to the Council, making the total fees payable **£770** If the fees are not paid then that ground of appeal will not be valid.

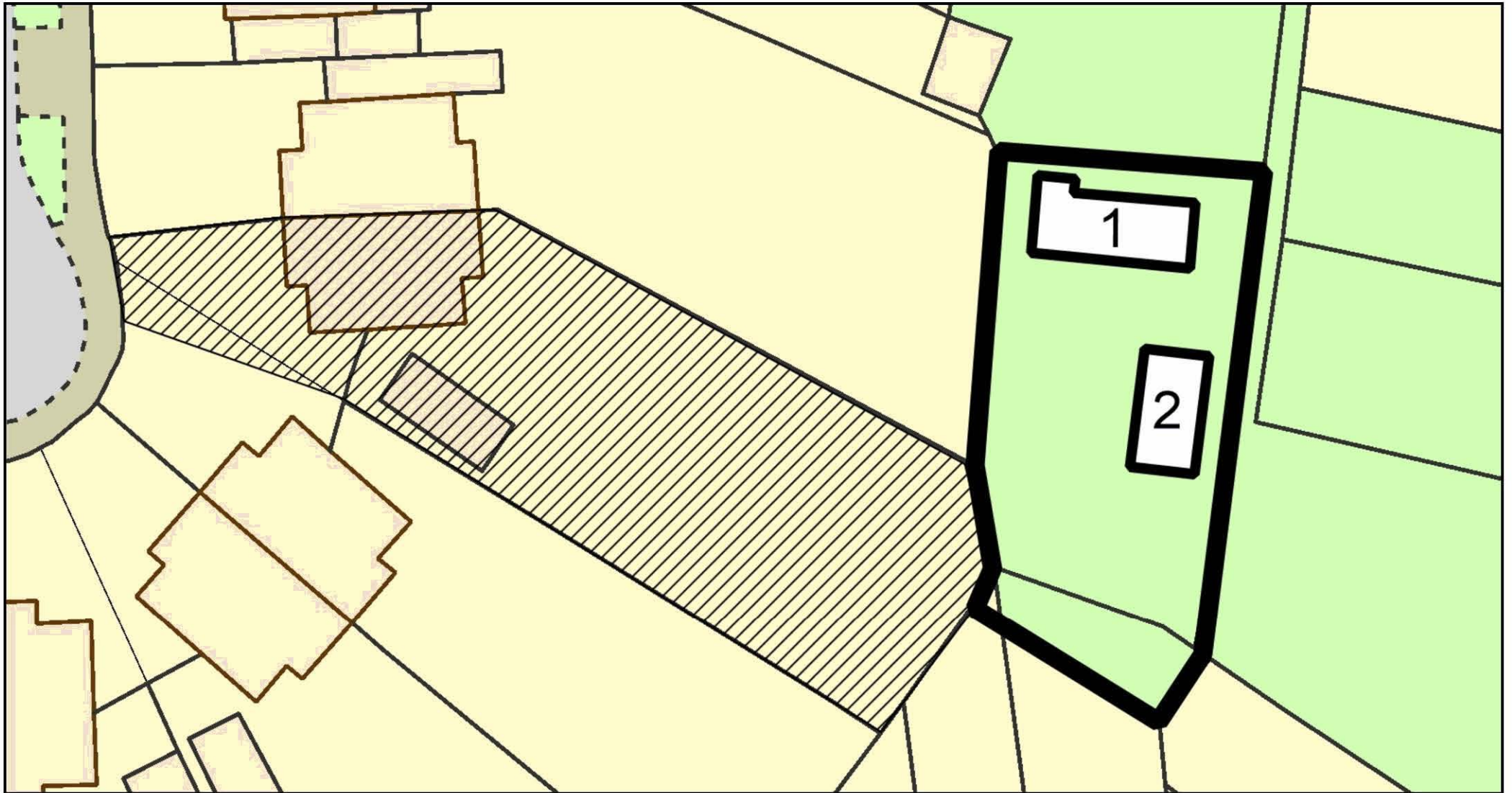
STATEMENT ON GROUNDS OF APPEAL

You must submit to the Secretary of State, either when giving notice of appeal or within 14 days from the date on which the Secretary of State sends you a notice so requiring, a statement in writing specifying the grounds on which you are appealing against the Enforcement Notice 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) The Owner / Occupier; 11 Alan Gardens, Romford, RM7 0HD
- 2) Dumitru Breaban; 11 Alan Gardens, Romford, RM7 0HD
- 3) Cosmin Grigorita; 11 Alan Gardens, Romford, RM7 0HD
- 4) Mihai Iulita; 11 Alan Gardens, Romford, RM7 0HD
- 5) Bank Of Scotland PLC; Halifax Division, 1 Lovell Park Road, Leeds, LS1 1NS
- 6) Bank Of Scotland PLC; The Mound, Edinburgh, EH1 1YZ



11 Alan Gardens, Romford, RM7 0HD



Scale: 1:250
Date: 04 January 2017
Size: A4



London Borough of Havering
Town Hall, Main Road, Romford, RM1 3BD
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