

**RE: THE DWELLING HOUSE AT 87 HAVERING ROAD ROMFORD ESSEX RM1  
4RA**

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

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

**ENFORCEMENT NOTICE**

- TO:**
1. The Owner of the said land
  2. The Occupier of the said land
  3. Simon George 87 Havering Road Romford Essex RM1 4RA
  4. Simon George c/o One Estates 177 High Street South East Ham  
London E6 3PA
  5. The Company Secretary, Mortgage Express (Co. Regn. No. 2405490 ),  
Bingley Operations Centre, Main Street, Bingley, West Yorks BD16  
2LW
  6. The Company Secretary, Mortgage Express(Co. Regn. No. 2405490),  
Endeavour House , 1 Lyonsdown Road, New Barnet, Herts EN5 1HU.

**ISSUED BY:** London Borough of Havering

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 dwelling house at 87 Havering Road Romford Essex RM1 4RA shown edged in black on the attached plan ( hereinafter called " the land " ).

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

Without planning permission, the sub-division of a single dwelling house into two separate flats.

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last four years. The unauthorised development as flats materially prejudices the living conditions for adjoining residents, resulting from intensified noise and disturbance through the party wall. In the absence of any formal application for planning permission or evidence of noise mitigation, this is contrary to the objectives of the saved policy HSG7 of the Unitary Development Plan and DC61 of the Core Strategy and Development Control Policies Submission Development Plan Document. Similarly the absence of formal parking arrangements, commensurate with the intensified occupation of the building, is judged to be contrary to the objectives of Policies DC61, DC2, DC33, and Annex 5 of the Local Development Framework.

The Council do not consider that planning permission should be given, because planning conditions could not mitigate the adverse impact of the development..

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

- (i) Return the building to a single dwelling house

Time for compliance: 3 months from the effective date of this notice.

- (ii) Remove all materials ( including building materials ), equipment, Installations, and constructions ( including internal partitions ), brought onto the land in association with the unauthorised conversion

Time for compliance: 3months from the effective date of this notice

- (iii) Remove all rubble, machinery, apparatus, equipment brought onto the land in association with the unauthorised conversion and resulting from compliance with requirements (i) and (ii) above

Time for compliance: 3 months from the effective date of this notice.

**6. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 20<sup>th</sup> April 2009 unless an appeal is made against it beforehand

Dated: *6<sup>th</sup> March* 2009

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 by 20<sup>th</sup> April 2009. Further details are given on the information sheet from the Planning Inspectorate which accompanies this Notice. The enclosed booklet "Enforcement Appeals – A guide to procedure" also sets out your rights.

## **WHAT HAPPENS IF YOU DO NOT APPEAL**

If you do not appeal against this Enforcement Notice, it will take effect on 20<sup>th</sup> April 2009 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

### **STATUTORY PROVISIONS**

A copy of Sections 171A, 171B and 172 to 177 of the Town and Country Planning Act 1990 (as amended) is enclosed with this Notice.

### **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 20<sup>th</sup> April 2009.

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

### **GROUND OF APPEAL**

Under 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 or, 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 the 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 £335 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.

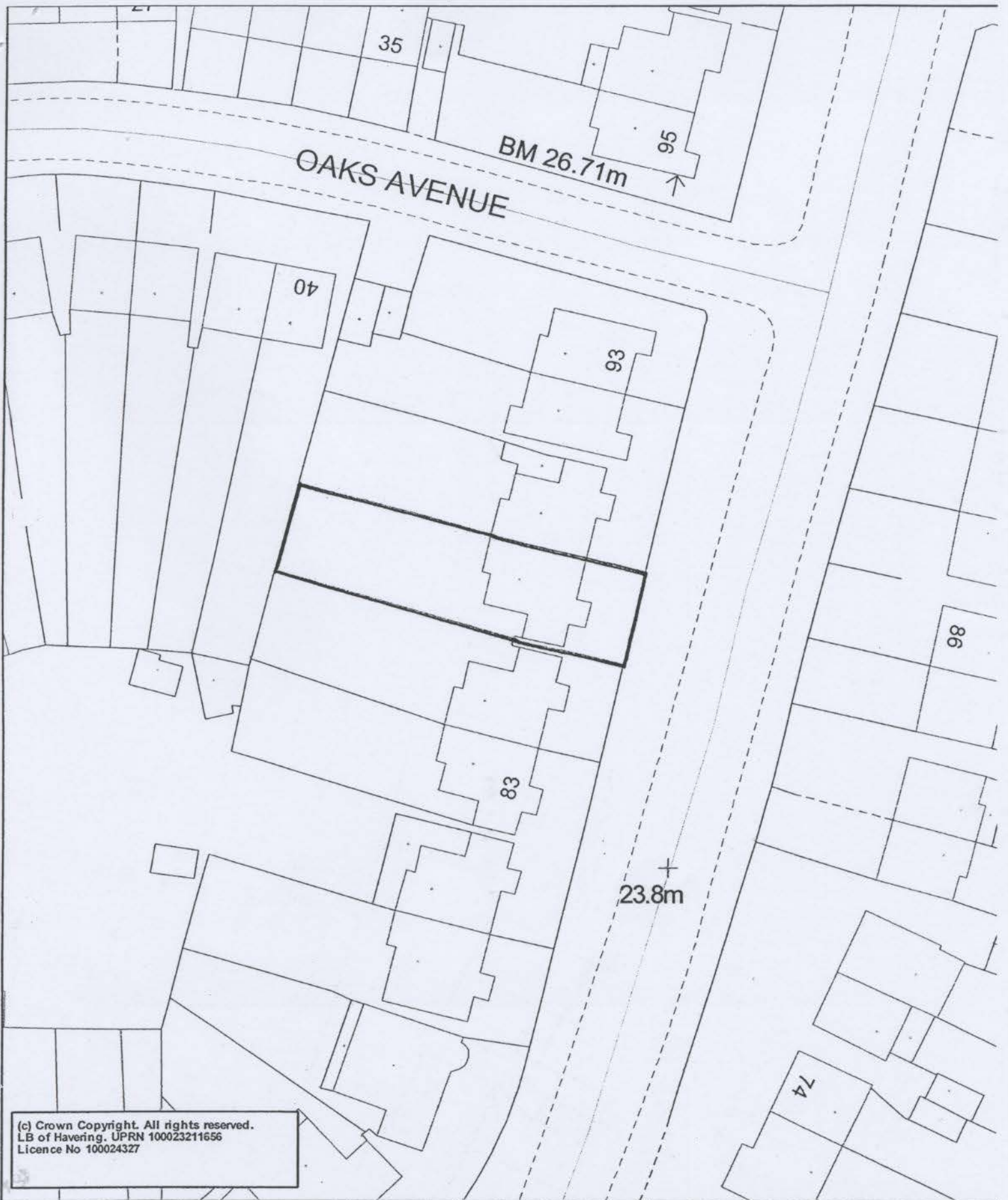
## **STATEMENT ON GROUNDS OF APPEAL**

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 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 of the said land
2. The Occupier of the said land
3. Simon George 87 Havering Road Romford Essex RM1 4RA
4. Simon George c/o One Estates 177 High Street South East Ham London E6 3PA
5. The Company Secretary, Mortgage Express (Co. Regn. No. 2405490), Bingley Operations Centre, Main Street, Bingley, West Yorks BD16 2LW.
6. The Company Secretary, Mortgage Express (Co. Regn. No. 2405490), Endeavour House, 1 Lyonsdown, Road, New Barnet, Herts EN5 1HU.



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 LB of Havering. UPRN 100023211656  
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Map Reference: TQ5090SE
Date: 18/08/2008
Scale: 1:500

 Scale  
 0 2 4 6 8 10 m  


**87 Havering Road, Romford**






 London Borough of Havering  
 Planning Department  
 Mercury House, Mercury Gardens  
 Romford, RM1 3SL  
 Tel: 01708 434343

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