

**IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY**

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

**BREACH OF CONDITIONS NOTICE**

**ISSUED BY: LONDON BOROUGH OF HAVERING COUNCIL**

**TO:**

Mr Frank Nash  
Magnolia House  
The Chase  
Upminster RM14 3YB

Mrs Josephine Nash  
Magnolia House  
The Chase  
Upminster RM14 3YB

The Owners / Occupiers  
Magnolia House  
The Chase  
Upminster RM14 3YB

Holly Meadows Limited  
(incorporated in Isle of Man)  
Grosvenor House  
66-67 Athol Street Douglas Isle of Man IM1 1JE

Landcourt Limited  
8th Floor  
167 Fleet Street  
London EC4A 2EA

Kevin Patrick O'Sullivan  
Purgess Lodge  
Chivers Road  
Stondon Massey Brentwood Essex CM15 0LL

Eileen O'Sullivan  
82 Hoe Lane  
Abridge  
Romford RM4 1AU

P O'Sullivan  
11 Cloudesley Square  
London N1 0HT

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**

The site is a rectangular plot located on the western side of The Chase, Upminster on the land known as Magnolia House shown edged in black in the attached plan. The Land Registry Title Number is BGL 102779. To the east of the property is open Green Belt Land. The property is within the land designated as part of the Metropolitan Green Belt and also part of the Cranham Conservation Area.

The site has gated access from The Chase, Upminster and comprises a detached dwellinghouse within a rectangular plot of land measuring approximately 96m deep by 30m wide.

## 3. **THE RELEVANT PLANNING PERMISSION**

The relevant planning permission to which this notice relates to permission granted under ref: P1401.11 for the demolition of the existing barn structure, removal of existing hard surfacing and the construction of three detached dwellings. This application was granted with conditions on 14<sup>th</sup> February 2012.

## 4. **THE BREACH OF CONDITIONS**

Failure to discharge condition 19 of planning permission ref: P1401.11.

### Condition 19

No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of soft landscaping for the open area of Green Belt which shall include 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:-

In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development, and that the development accords with the Development Control Policies Development Plan Document Policy DC61.

## 5. **Reason for Service of Notice:**

It is considered expedient and necessary to serve a Breach of Condition Notice to gain compliance with the relevant conditions of planning permission ref: P1401.11.

**6. THE FOLLOWING ACTIVITIES ARE TO CEASE TO SECURE COMPLIANCE WITH THE CONDITIONS**

**Within 28 days from the date of service of this notice:**

Submit a planning application to discharge Condition 19 of Planning permission ref: P1401.11

**7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect immediately it is served on you or you receive it by postal delivery.

Dated: 24<sup>th</sup> August 2018

  
.....  
**David Colwill**

**Position:** Team Leader Planning Enforcement and Appeals

**Authorised Officer**

On behalf of: The Mayor and Burgesses of the London Borough of Havering Town Hall  
Main Road Romford RM1 3BD

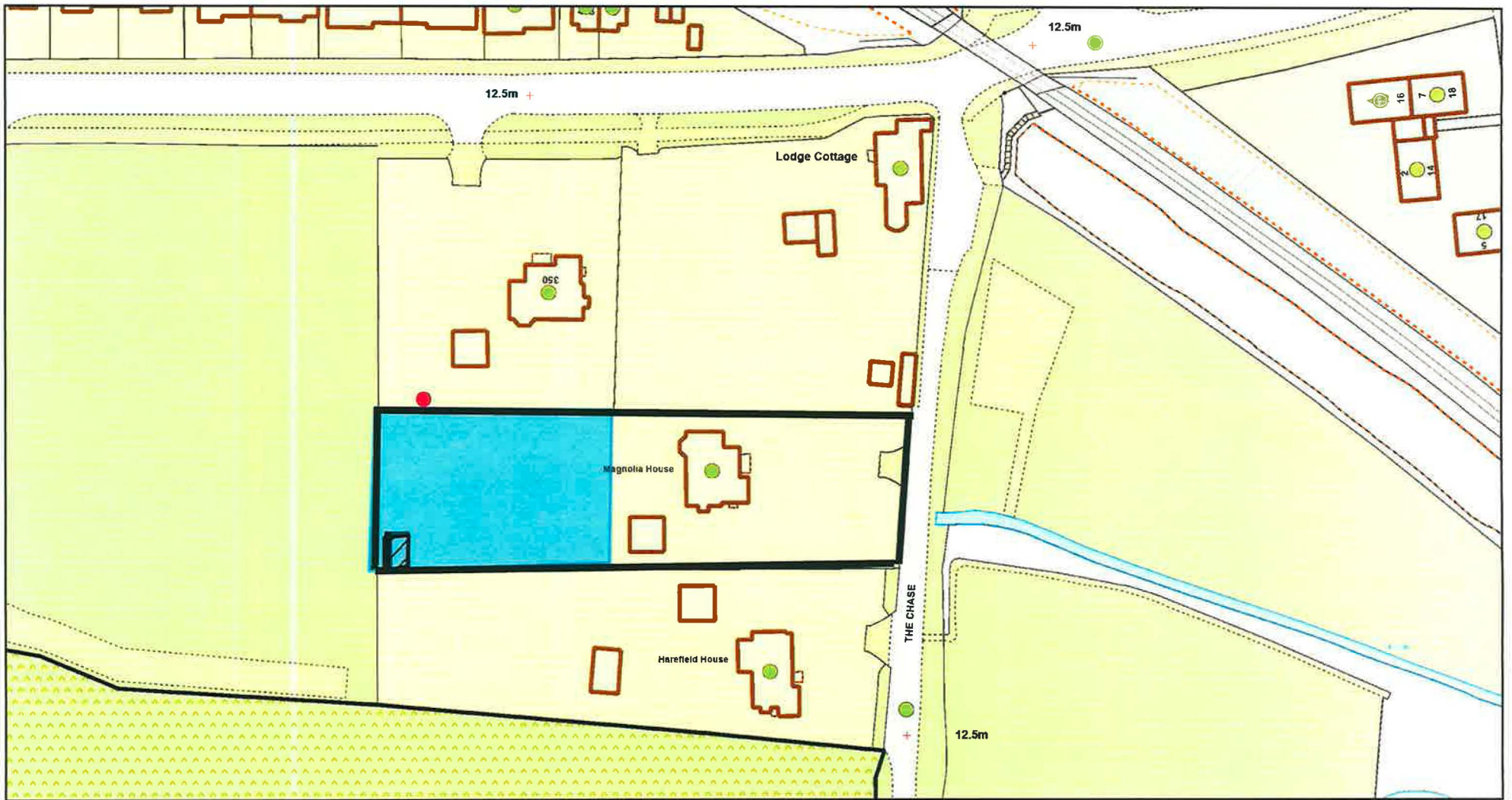
**WARNING**


**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 £1,000 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 the *Onkar Bhogal, Principal Planning Enforcement Officer, Mercury House, Mercury Gardens, Romford, RM1 3SL (01708 431587)*.

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**



<p><b>Magnolia House</b></p>	<p style="text-align: right;">N ↑</p>
<p>  </p>	<p> <b>Scale: 1:1000</b>  <b>Date: 06 August 2018</b>  <b>Size: A4</b> </p> 