

**RE: 175/177 MAWNEY ROAD, ROMFORD, RM7 8BX
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. Bashir Patel, 177 Mawney Road, Romford, RM7 8BX
 4. Zetun Patel, 177 Mawney Road, Romford, RM7 8BX
 5. Zetun Bashir Patel, 177 Mawney Road, Romford, RM7 8BX
 6. Halifax PLC, Trinity Road, Halifax, West Yorkshire, HX1 2RG

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 land at 175/177 Mawney Road, Romford, Essex, RM7 8BX shown edged black on the attached plan ("the Land").

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

Without Planning Permission, an unauthorised change of use from a residential dwelling house falling within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) to a mixed use of commercial and residential. The commercial use includes storage of vehicles and vehicle parts.

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last ten years.

The change of use is unauthorised and not acceptable in close proximity to residential properties.

The unauthorised change of use has lent a material commercial appearance to the property and the use of motor related activities causes material harm to residential amenity by reason of noise and disturbance. This is harmful to the residential character and to the streetscene and is contrary to the objectives of Policy ENVI of the Havering Unitary Development Plan.

The use is unacceptable in close proximity to residential properties.

An application for Planning Permission in relation to the change of use has been made previously and refused by the Council. This decision was appealed with it subsequently being dismissed by the Planning Inspectorate on 18 September 2003 for the following reasons:

'the storage of up to 20 vehicles on the site would inevitably lead to manoeuvres and movements within the site and at the frontage of the site that would be disturbing by way of noise to nearby residents. The shape and size of the proposed storage area would lead to vehicles being parked so that the majority would be blocked in and could not be removed without the movement of other vehicles parked on site Whenever such movements were undertaken there would be considerable disturbance from noise and activity. Consequently, the proposal would have a harmful impact on the amenities of surrounding properties and the area generally and it would be contrary to Policy ENV1 of the UDP.'

In addition to the above, the visual impact of 20 parked cars in the rear area of a dwelling that could be overlooked from surrounding dwellings would be alien to the outlook that could be expected in a residential area. That would be detrimental to nature and character of this residential part of Romford and the visual amenity of neighbours. That would be visually intrusive because of the incongruous nature of the proposed development in direct conflict with the objectives of Policy ENV1 of the UDP.'

5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease non-residential vehicle parking and storage of vehicles and vehicle parts.

Time for compliance: one month from the effective date of this notice.

- (ii) Remove all machinery, equipment, apparatus, vehicles and parts of vehicles brought on to the site

Time for compliance: one month from the effective date of this notice.

- (iii) Return the site to its original residential use


Time for compliance: one month from the effective date of this notice.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 13 March 2006, unless an appeal is made against it beforehand

Dated: 7 February 2006

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 the 13 March 2006. 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 13 March 2006 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 summary 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 13 March 2006. The enclosed booklet "Enforcement Appeals - A guide to Procedure" sets out your rights. Read it carefully. If you appeal you should use the enclosed appeal forms. Two copies are for you to send to the Secretary of State if you decide to appeal. The other is for you to keep as a

duplicate for your own records. You should also send the Secretary of State a copy of the Enforcement Notice.

GROUND OF APPEAL

The grounds of appeal are set out in Section 174 of the Town and Country Planning Act 1991 and are also set out on page 2-5 of the enclosed appeal forms.

PLANNING APPLICATION FEE

Should wish to appeal on ground (a) - that planning permission should be granted for the unauthorised use - then a fee of £265 is payable both to the Secretary of State and to the Council. 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 him a notice so requiring him, 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:


- TO:**
1. The Owner of the said land
 2. The Occupier of the said land
 3. Bashir Patel, 177 Mawney Road, Romford, RM7 8BX
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	Map Reference: TQ5089SW Date: 20/12/2005	Scale: 1:1250 
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177 Mawney Road, Romford, RM7 8BX

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

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