

*Sandra, please remove EN from Local Land Charges Reg.*

c.c. Sandra Hattley, Local Land Charges Manager



**National Westminster Bank PLC**  
PO Box 502,  
42 High Street, Sheffield, S1 2YW

**Christine Dooley LLB, Solicitor**  
Assistant Chief Executive  
Legal and Democratic Services

**LEGAL SERVICES**

London Borough of Havering  
Town Hall  
Main Road  
Romford RM1 3BD  
DX: 138120 ROMFORD 4

*Thank you  
V. H.*  
2.05.06.

**Please ask for Vincent Healy**

**Telephone direct on (01708) 432467**

Fax: (01708) 432482  
Switchboard: (01708) 434343  
e-mail: vincent.healy@havering.gov.uk

**Date:** 2nd May 2006

**Our Ref:** VH/TP3182

**Your Ref:**

Dear Mr Lin,

**47 Collier Row Lane, Collier Row, Romford RM5 3BD**

The Council as Local Planning Authority in exercise of its powers under Section 173A of the Town and Country Planning Act 1990 (as amended), through its Regulatory Services Committee of 27<sup>th</sup> April 2006, determined to withdraw forthwith the enforcement notice dated 26<sup>th</sup> January 2006 affecting the above property.

All of those served with the notice will receive a similar letter to confirm the council's decision to withdraw the notice. Please note that the withdrawal does not prevent the Council from issuing further enforcement notices should any unauthorised use of the above premises commence or any other breach of planning control be evidenced.

The enforcement notice has been withdrawn from the Local Land Charges Register.

Yours sincerely,

**Vincent Healy**  
For and on behalf of C. Dooley  
Assistant Chief Executive  
Legal and Democratic Services



INVESTOR IN PEOPLE

c.c. Sandra Hattley, Local Land Charges Manager



**The Owner**  
**47 Collier Row Lane,**  
**Collier Row, Romford**  
**RM5 3BD**

**Christine Dooley LLB, Solicitor**  
**Assistant Chief Executive**  
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**Assistant Chief Executive**  
**Legal and Democratic Services**



INVESTOR IN PEOPLE

c.c. Sandra Hattley, Local Land Charges Manager



**The Occupier**  
**47 Collier Row Lane,**  
**Collier Row, Romford**  
**RM5 3BD**

**Christine Dooley LLB, Solicitor**  
**Assistant Chief Executive**  
**Legal and Democratic Services**

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**For and on behalf of C. Dooley**  
**Assistant Chief Executive**  
**Legal and Democratic Services**



INVESTOR IN PEOPLE

c.c. Sandra Hattley, Local Land Charges Manager



**Mr Ji Hua Lin**  
47 Collier Row Lane,  
Collier Row, Romford  
RM5 3BD

**Christine Dooley LLB, Solicitor**  
Assistant Chief Executive  
Legal and Democratic Services

**LEGAL SERVICES**

London Borough of Havering  
Town Hall  
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For and on behalf of C. Dooley  
Assistant Chief Executive  
Legal and Democratic Services



**Lexcel**  
REACTIVE MANAGEMENT STANDARD  
THE LAW SOCIETY



INVESTOR IN PEOPLE

**RE: 47 Collier Row Lane, Collier Row, Romford, RM5 3BD**

**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 property
  2. The Occupier of the said property
  3. Ji Hua Lin of 47 Collier Row Lane, Collier Row, Romford, RM5 3BD
  4. National Westminster Bank PLC of PO Box 502, 42 High Street, Sheffield, S1 2YW

**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 47 Collier Row Lane, Collier Row, Romford, RM5 3BD edged black on the attached plan (the "Land").

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

Without planning permission, the material change of use of the premises from a bakery use falling within Class A1 of the Town and Country Planning (Use Classes) Order 1987 (as amended) to a Chinese Restaurant falling within Class A3.

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.

An application for Planning Permission was made and subsequently refused by the Council on 18 August 2005. The reasons for refusal were that the proposal would cause noise and disturbance which would be unacceptably detrimental to the amenity of occupiers of adjacent properties contrary to Policy ENV1 of the Havering Unitary Development Plan. Furthermore the development would, by reason of the inadequate on site car parking provision, result in unacceptable overspill onto the adjoining roads

to the detriment of highway safety and residential amenity contrary to Policies TRN2 and TRN18 of the Havering Unitary Development Plan.

The decision to refuse Planning Permission was appealed. This appeal was dismissed by the Planning Inspectorate on 18 January 2006 for the following reasons:

*'the additional comings and goings associated with the proposed restaurant and takeaway and the consequent slamming of car doors, manoeuvring of vehicles and general level of activity would unacceptably affect the living conditions of residents in the vicinity, even if there was a restriction on opening hours to 22.00'*

*'the proposal would have an adverse effect on the living conditions of occupiers of adjacent residential properties with particular reference to noise and disturbance. Therefore the proposal is contrary to the objectives of Unitary Development Plan ENV1 in this respect'*

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

- (i) Cease the unauthorised use as a restaurant

Time for compliance: 1 month from the effective date of this notice.

- (ii) Return the property to its lawful Class A1 retail use.

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

- (iii) Remove all materials and equipment brought on to the land in connection with the unauthorised use as a restaurant and all rubble and materials arising from its reversion to a Class A1 retail use

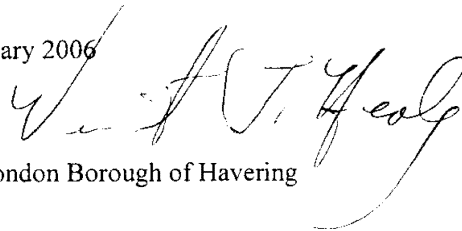
Time for compliance: 3 months from the effective date of this notice.

**6. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 2 March 2006, unless an appeal is made against it beforehand

Dated: 26 January 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 2 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 2 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 2 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 pages 2-5 of the enclosed appeal forms.

**PLANNING APPLICATION FEE**

Should you 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:

1. The Owner of the said property
2. The Occupier of the said property
3. Ji Hua Lin of 47 Collier Row Lane, Collier Row, Romford, RM5 3BD
4. National Westminster Bank PLC of PO Box 502, 42 High Street, Sheffield, S1 2YW





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 LB of Havering. UPRN 100023211656  
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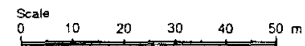
*47 Cornica Row Lane RMS 3BD*



Map Reference: TQ5090SW

Date: 26/09/2005

Scale: 1:1250



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

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 London Borough of Havering 100024327