

**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. Swainland Builders Limited - Elden House, North Road, Havering-Atte-Bower, Romford, RM14 1QX
  4. Mr Tom Swainland - Elden House, North Road, Havering-Atte-Bower, Romford, RM14 1QX
  5. Mr Russell Gardiner - 40 Norbury Gardens, Chadwell Heath, Essex, RM6 5TR

**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 property and parking area known as 217a North Street, Romford, RM1 4QA 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 use falling within Class B2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) to a vehicle showroom, sales and repairs.

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.

On 12 August 2005 the Council refused an application for retrospective planning permission due to lack of suitable access and parking arrangements, significant and unacceptable traffic congestion and manoeuvring difficulties.

The subsequent appeal against refusal was dismissed by the Planning Inspectorate on 8 December 2006 who concluded that:

*'the proposal would result in unacceptable traffic congestion and manoeuvring difficulties that would adversely affect the occupiers of neighbouring premises and be detrimental to the safety of persons using the access road and yard....'*

The unauthorised use is contrary to the following policies of the Havering Unitary Development Plan: ENV1, TRN2 and TRN18.

## 5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease using the Land as a vehicle show room for sales and repairs.

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

- (ii) Remove from the Land all materials, equipment and rubble associated with the unauthorised use

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

- (iii) Return the Land to its former use falling within Class B2

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

## 6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 18 April 2007, unless an appeal is made against it beforehand

Dated: 14 March 2007

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 18 April 2007. 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 18 April 2007 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 18 April 2007. 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 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:

- TO:**
1. The Owner of the said property
  2. The Occupier of the said property

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4. Mr Tom Swainland - Elden House, North Road, Havering-Atte-Bower, Romford, RM14 1QX
5. Mr Russell Gardiner - 40 Norbury Gardens, Chadwell Heath, Essex, RM6 5TR

Served on site 14:30 on 14-3-09  
a. John

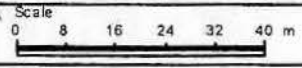




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 LB of Havering, UPRN 100023211656  
 Licence No 100024327

Map Reference: TQ5089NE  
 Date: 06/02/2007

Scale: 1:1250



**217a North Street Romford**




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

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