

RE: 28 Southern Way, Romford, Essex RM7 9AP

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. Wahidullah Merziakhall of 28 Southern Way, Romford, Essex RM7 9PA.
 4. Platform Funding Limited of Exchange Tower, 2 Harbour Exchange Square, London E14 9FR.

ISSUED BY: London Borough of Havering

1. **THIS IS A FORMAL NOTICE** which is issued by the London Borough of Havering ("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. The Council considers 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 and property known as 28 Southern Way, Romford, Essex RM7 9PA shown edged in black on the attached plan ("the Property").

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

Without planning permission, the unauthorised change of use of the Property from a single dwelling to two self-contained 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 conversion of the Property into two self contained flats gives rise to noise and disturbance and is detrimental to the amenity of the area. The conversion of the Property does not provide sufficient off street parking and will give rise to parking congestion in the area.

The unauthorised conversion is contrary to policies DC4, DC33 and DC61 of the Local Development Framework (Development Plan Documents).

The conversion does not constitute permitted development under the General Permitted Development Order 1995 (as amended).

The Council does not consider that planning permission should be given, because planning conditions could not overcome these problems.

The Council has previously refused two applications on 2 February 2005 and 8 December 2005 for planning permission to convert the Property into two self contained flats.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the use of the Property as two self contained flats.

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

- (ii) Reinstate the use of the Property as a single dwelling house.

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

- (iii) Remove all materials, machinery, apparatus, equipment and installations used in connection with or resulting from the reinstatement of the Property into a single dwelling house.

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

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 22 December 2008, unless an appeal is made against it beforehand

Dated: 13/11/2008

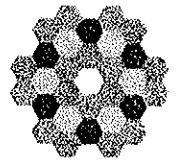
Signed:



Authorised Officer
on behalf of London Borough of
Havering
Town Hall
Main Road, Romford RM1 3BD

Land Registry
Official copy of
title plan

Title number EGL424183
Ordnance Survey map reference TQ4988SW
Scale 1:1250
Administrative area HAVERING



© Crown Copyright. Produced by Land Registry. Reproduction in whole or in part is prohibited without the prior written permission of Ordnance Survey. Licence Number 100026316.



YOUR RIGHT OF APPEAL

You can appeal against this Enforcement Notice to the Secretary of State by 22 December 2008. 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 22 December 2008 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 22 December 2008. 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 the enclosed appeal forms.

PLANNING APPLICATION FEE

Should you wish to appeal on ground (a) - that planning permission should be granted for the unauthorised development - then a fee of £335.00 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. Wahidullah Merziakhall of 28 Southern Way, Romford, Essex RM7 9PA.

4. Platform Funding Limited of Exchange Tower, 2 Harbour Exchange Square, London E14 9FR.