

110 LOWER BEDFORDS ROAD, ROMFORD, RM1 4DQ

IMPORTANT- THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT NOTICE

ISSUED BY: London Borough of Havering (herein after referred to as 'the Council')

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 **110 Lower Bedfords Road, Romford, RM1 4DQ**, as shown edged in black on the attached plan.

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

Without first gaining planning permission, the placement of two steel haulage containers and the construction of over-height side and front boundary fences, walls and gates.

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 placing of steel containers, the construction of side and front boundary fences, walls and gates in question were substantially completed less than four years ago. The site lies in the Green Belt. The containers, high boundary fences, walls and gates appear as overbearing features creating a sense of enclosure and causing a harmful loss to the openness of the Green Belt. It is contrary to development plan policies and harmful to the visual amenities of the area. The Council does not consider that planning permission should be given, because planning conditions could not overcome these problems.

In making its decision to issue this Notice the Council considered that the unauthorised development is contrary to the following policies of the Local Development Framework: Policies DC45 (Green Belt), DC61 (Urban Design) and CP14 (Core Policy- Green Belt). The 2019 NPPF Section 13 paragraphs 133 to 147 apply whilst The London Plan Policies 7.4 (Local Character), 7.5 (Public Realm) and 7.6 (Architecture) also apply.

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

The enforcement requires within one month from the effective date of this notice to:

- (i) Remove the two metal haulage containers

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

AND within 2 months from the effective date of this notice to:

- (ii) Lower all side boundary fences and walls to a height no greater than 2 metres; and
- (iii) Lower the front boundary walls, including all wrought iron fittings, and all front boundary gates to a height no greater than 1 metre; and
- (iv) Remove all equipment and machinery brought onto the land and all waste materials in compliance with requirements (i) to (iii) above

6. **TIME FOR COMPLIANCE**

ONE MONTH after the date when this Notice takes effect for Step (i) and **TWO MONTHS** for Steps (ii), (iii) and (iv).

7. **WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 2nd May 2019, unless an appeal is made against it beforehand

Dated: 3rd April 2019

Signed: *David Colwill*

DAVID COLWILL Authorised Officer

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

Nominated Officer: Steve Lomas
Telephone Number: 01708 432 805
Email: steve.lomas@havering.gov.uk

THE RIGHT TO APPEAL

Those with a legal or equitable interest in the land or who is a relevant occupier can appeal against this Enforcement Notice to the Secretary of State by 2nd May 2019. Further details are given in the explanatory note.

WHAT HAPPENS IF AN APPEAL IS NOT RECEIVED

If an appeal is not received against this Enforcement Notice, it will take effect on 2nd May 2019 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.

THE RIGHT TO APPEAL

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 2nd May 2019. .

If an appeal against this Notice is intended the instructions given on the information sheet from the Planning Inspectorate which accompanies this Notice should be followed.

GROUND OF APPEAL

The grounds of appeal are set out in Section 174 of the Town and Country Planning Act 1990 (as amended) and an appeal may be made on one or more of the following grounds:-

- (a) that, in respect of any breach of planning control which may be constituted by the matters stated in the Notice, planning permission ought to be granted, as the case may be, the condition or limitation concerned ought to be discharged;
- (b) that those matters have not occurred;
- (c) that those matters (if they occurred) do not constitute a breach of planning control;
- (d) that, at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters;
- (e) that copies of the Enforcement Notice were not served as required by section 172;

- (f) that steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach;
- (g) that any period specified in the notice in accordance with section 173(9) falls short of what should reasonably be allowed.

Not all these grounds may be relevant to you.

PLANNING APPLICATION FEE

Should an appeal on ground (a)- that planning permission should be granted for the unauthorised development be sought - then a fee of £412 is payable to the Council when the appeal is lodged. If this fee is not paid, the planning merits of the appeal will not be considered by the Planning Inspector.

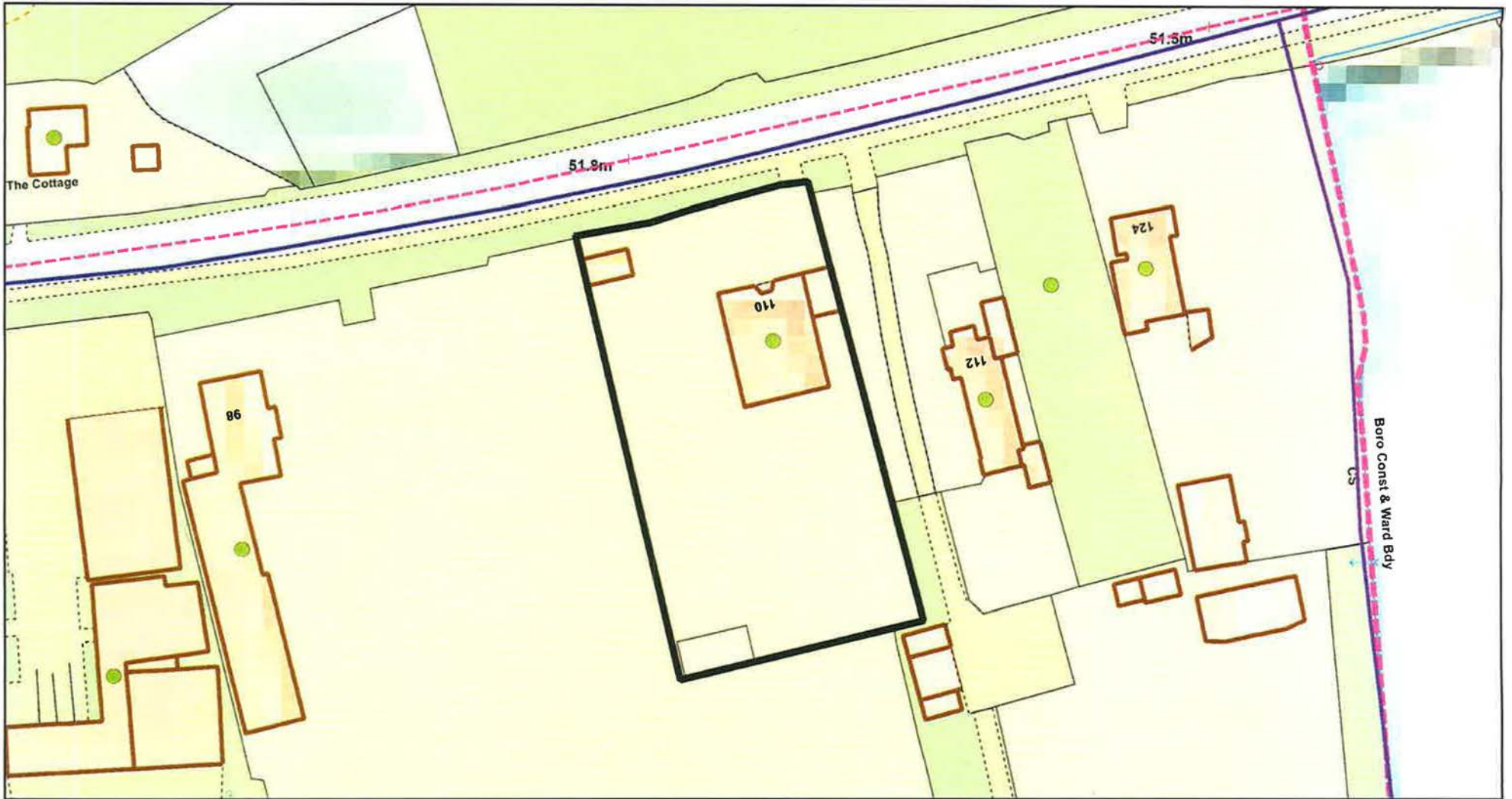
STATEMENT ON GROUNDS OF APPEAL

It must be submitted 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, a statement in writing specifying the grounds on which the appeal against the Enforcement Notice is being made and stating briefly the facts on which it is proposed 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, 110 Lower Bedfords Road, Romford RM1 4DQ
2. The Occupier, 110 Lower Bedfords Road, Romford RM1 4DQ
3. Shaheen Akhtar
110 Lower Bedfords Road
Romford RM1 4DQ
4. Shaheen Akhtar
56 Elmcroft Avenue
Wanstead. London. E11 2BL
5. Mohammed Razak
110 Lower Bedfords Road
Romford RM1 4DQ
6. Sakib Ali Talib
110 Lower Bedfords Road
Romford RM1 4DQ
7. Jazib Talib
110 Lower Bedfords Road
Romford RM1 4DQ



110 Lower Bedfords Road. Collier Row. RM1 4DQ.



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Scale: 1:750

Date: 01 April 2019

Size: A4



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LONDON BOROUGH

London Borough of Havering
 Town Hall, Main Road, Romford, RM1 380
 Tel: 01706 434343

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 Ordnance Survey 100024327

CST Room 3/13
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Direct Line 0303-444 5000
Email enquiries@pins.gsi.gov.uk

THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can do it: -

- on-line at the Appeals Casework Portal <https://acp.planninginspectorate.gov.uk/> or
- sending us enforcement appeal forms, which can be obtained by contacting us on the details above.

You MUST make sure that we receive your appeal before the effective date on the enforcement notice.

Please read the appeal guidance documents at <https://www.gov.uk/appeal-enforcement-notice/how-to-appeal>

In exceptional circumstances you may give notice of appeal by fax or letter. You should include: -

- the name of the local planning authority;
- the site address;
- the effective date of the enforcement notice.

We MUST receive this BEFORE the effective date on the enforcement notice. This should **immediately** be followed by your completed appeal forms.