

178 CROW LANE, ROMFORD, ESSEX RM7 0ES

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT REFERENCE: ENF/389/18

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 **178 CROW LANE, ROMFORD, ESSEX RM7 0ES**, shown edged in black on the attached plan and is registered under Land Registry Title Number NGL 21478

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

Without the benefit of planning permission, the material change of use of part of the car parking area to the front of Copsey’s premises, 178 Crow Lane, Romford, RM7 0ES shown hatched in black in the attached site plan to use for cooking of food and sale of food and drinks for take away and eating on site.

4. **REASONS FOR ISSUING THIS NOTICE**

1. It appears to the Council that the above breach of planning control has occurred “within the last TEN years” and that steps should be taken to remedy the breach by Section 173 4(a) or to remedy any amenity or injury which has been caused by the breach.
2. Given the nature of the cooking and sale of food and drinks in the car parking area and its use, including its siting in relation to neighbouring noise-sensitive properties and the nature of the operations that would occur outdoors along Crow Lane, it is considered that there would be significant adverse impacts on the amenity of neighbouring properties through noise and other disturbance and loss of car parking within the premises. It is therefore considered that the proposal would be contrary to Policies DC33, DC55 and DC61 of the LDF and paragraphs 134, 143, 144 and 145 of NPPF 2019 and London Plan Policies 6.13, 7.14, 7.15 and 7.16.

The Council does not consider that planning permission should be granted because conditions attached to any consent would not overcome these problems.

5. WHAT YOU ARE REQUIRED TO DO

The Enforcement Notice requires, within **ONE month** from the effective date to:

1. Cease the use of the land as edged in black on the site plan for cooking and sale of food and drinks;

AND

2. Remove the unit used for cooking and sale of food and drinks from the land;

AND

3. Remove any signage, furniture used in connection with unauthorised use and remove any rubbish accumulated as a result of taking steps 1 and 2 above.

6. TIME FOR COMPLIANCE

ONE MONTH after the date when this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **17th May 2019**, unless an appeal is made against it beforehand

Dated: 12th April 2019

Signed:.....*David Colwill*.....

David Colwill
Team Leader, Planning Enforcement and Appeals
on behalf of London Borough of Havering
5th Floor, Mercury House, Mercury Gardens, Romford RM1 3SL

Nominated Officer: Onkar Bhogal
Email: Onkar.Bhogal@haverling.gov.uk

Telephone Number: 01708 431587

THE RIGHT TO APPEAL

Those with a legal or equitable interest in the land of who is a relevant occupier can appeal against this Enforcement Notice to the Secretary of State before the **17th May 2019**. Further details are given in the attached explanatory note.

WHAT HAPPENS IF AN APPEAL IS NOT RECEIVED

If an appeal is not against this Enforcement Notice, it will take effect on **17th 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 **17th 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.

GROUNDS 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 **£924** 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

The grounds of appeal 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 to be 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:

The Directors,
Geo Copsey and Co. Limited
(Co. Regn. No. 66416)
144 Collier Row Lane, Romford, Essex RM5 3DU

The Directors,
Geo Copsey and Co. Limited
(Co. Regn. No. 66416)
178 Crow Lane, Romford, Essex RM7 0ES

The Owners / Occupiers
Geo Copsey and Co. Limited
(Co. Regn. No. 66416)
178 Crow Lane, Romford, Essex RM7 0ES

The Owners / Occupiers
Sylvia's Food Hut c/o
Geo Copsey and Co. Limited
(Co. Regn. No. 66416)
178 Crow Lane, Romford, Essex RM7 0ES

Geo Copsey and Co. Limited
Riverside House
1-5 Como Street
Romford, Essex RM7 7DN

Hazel Lilian Tebbutt
Riverside House
1-5 Como Street
Romford, Essex RM7 7DN

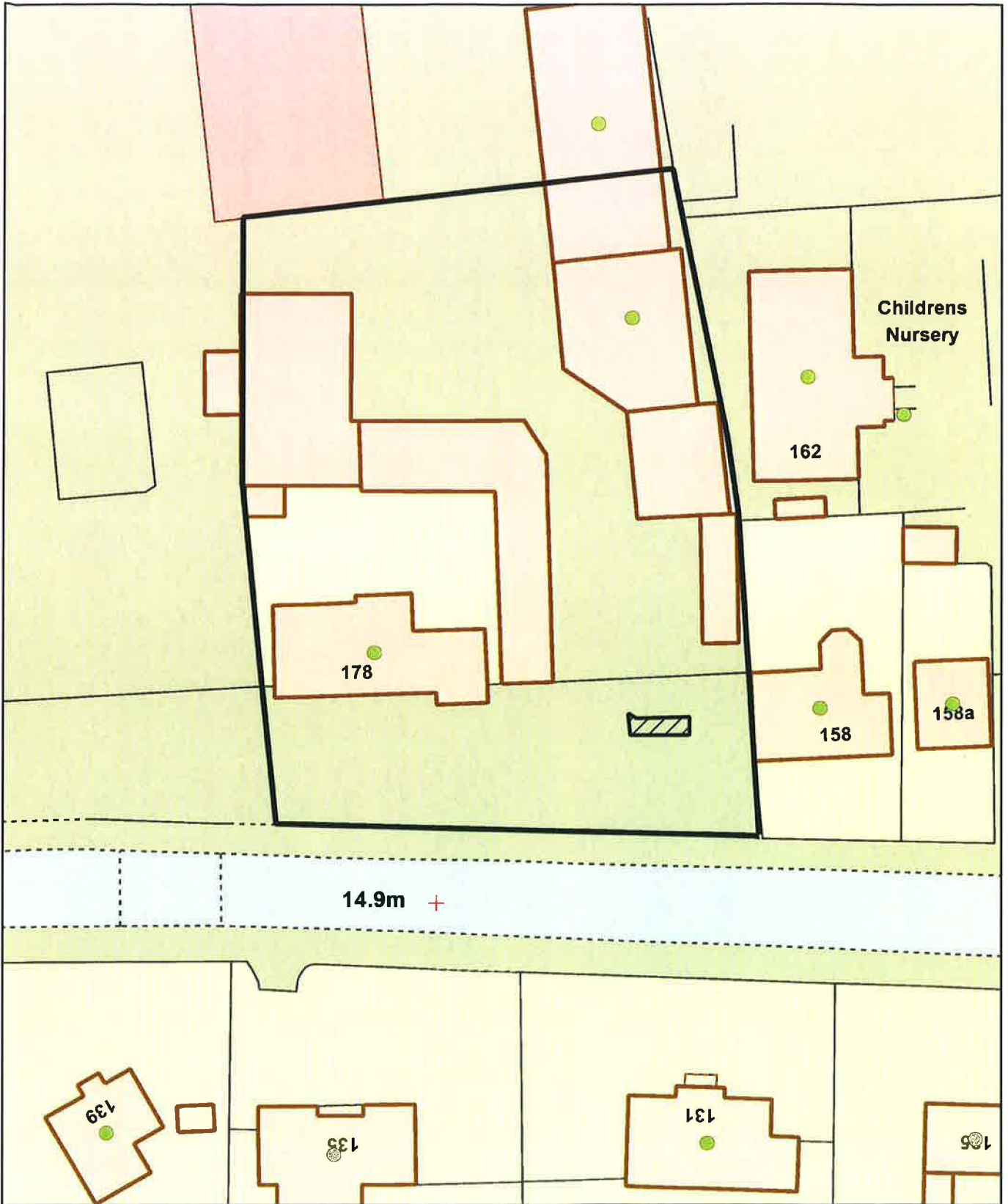
Henry Albert (Junior) Tebbutt
Riverside House
1-5 Como Street
Romford, Essex RM7 7DN

Henry Albert Tebbutt
Riverside House
1-5 Como Street
Romford, Essex RM7 7DN

Jacquelin Hazel Walsh
Riverside House
1-5 Como Street, Romford, Essex RM7 7DN

Hazel Lilian Tebbutt
49 Main Road
Gidea Park
Romford RM2 5EB

Royal Bank of Scotland PLC
(Scot. Co. Regn. No. SC083026)
Of Orbital house,
20 Eastern Road, Romford Essex RM1 3PJ





178 CROW LANE N
↑





Scale: 1:500
Date: 11 April 2019

 0 2.5 5 7.5 metres



 London Borough of Havering
 Town Hall, Main Road
 Romford, RM1 3BD
 Tel: 01708 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.