

**RE: 2A BOWER CLOSE, ROMFORD RM5 3SR.**

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

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

**ENFORCEMENT NOTICE**

**Council Reference: ENF/366/16/**

**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 2a Bower Close, Collier Row RM5 3SR shown edged in black on the attached plan.

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

Without the benefit of planning permission, the conversion of a single dwelling house into two self-contained residential units.

4. **REASONS FOR ISSUING THIS NOTICE**

- (1) It appears to the Council that the above breach of planning control has occurred "within the last FOUR 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) The subdivision fails to demonstrate an acceptable living environment for future occupants, through a combination of poor setting and insufficient internal spacing, failing to meet the prescribed standards as set out in the DCLG Technical housing standards - nationally described space standard - March 2015. The formation of a self-contained dwelling in the arrangement sought to represent a cramped overdevelopment of the site, detrimental to the amenity of future occupiers. The existing subdivision is therefore contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD, the Residential Design SPD and Policy 3.5 of the London Plan and conflict with paragraph 127 of the National Planning Policy Framework 2019 which seeks to ensure a high standard of amenity for future users of development.

- (3) 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**

**Within 2 months of the effective date of this Notice to**

- (i) Cease the unauthorised residential use of the annex known as 2a Bower Close, Romford RM5 3SR and
- (ii) Remove all cooking facilities including kitchen equipment associated with the unlawful use at No. 2a Bower Close, Romford
- (iii) Remove all utility meters from No. 2a Bower Close and ensure all supplies are connected via a single supply only to the main dwelling house.
- (iv) Remove all rubble, debris accumulated when taking steps (1), (2) and (3) above

**6. TIME FOR COMPLIANCE**

2 MONTHS after the date this Notice takes effect..

**7. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 3<sup>rd</sup> March 2020, unless an appeal is made against it beforehand

Dated: 28<sup>th</sup> January 2020

Signed:



George Atta-Adutwum

Authorised Officer

On behalf of London Borough of Havering  
5<sup>th</sup> Floor Mercury House, Mercury Gardens  
Romford RM1 3SL

Nominated Officer:

Steve Lomas. Senior Planning Enforcement Officer

Telephone Number: 01708 432805

Email: [steve.lomas@haverling.gov.uk](mailto:steve.lomas@haverling.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 3<sup>rd</sup> March 2020. 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 3<sup>rd</sup> March 2020 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) can be viewed online at <https://www.legislation.gov.uk>

### **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 3<sup>rd</sup> March 2020.

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 you wish to 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.

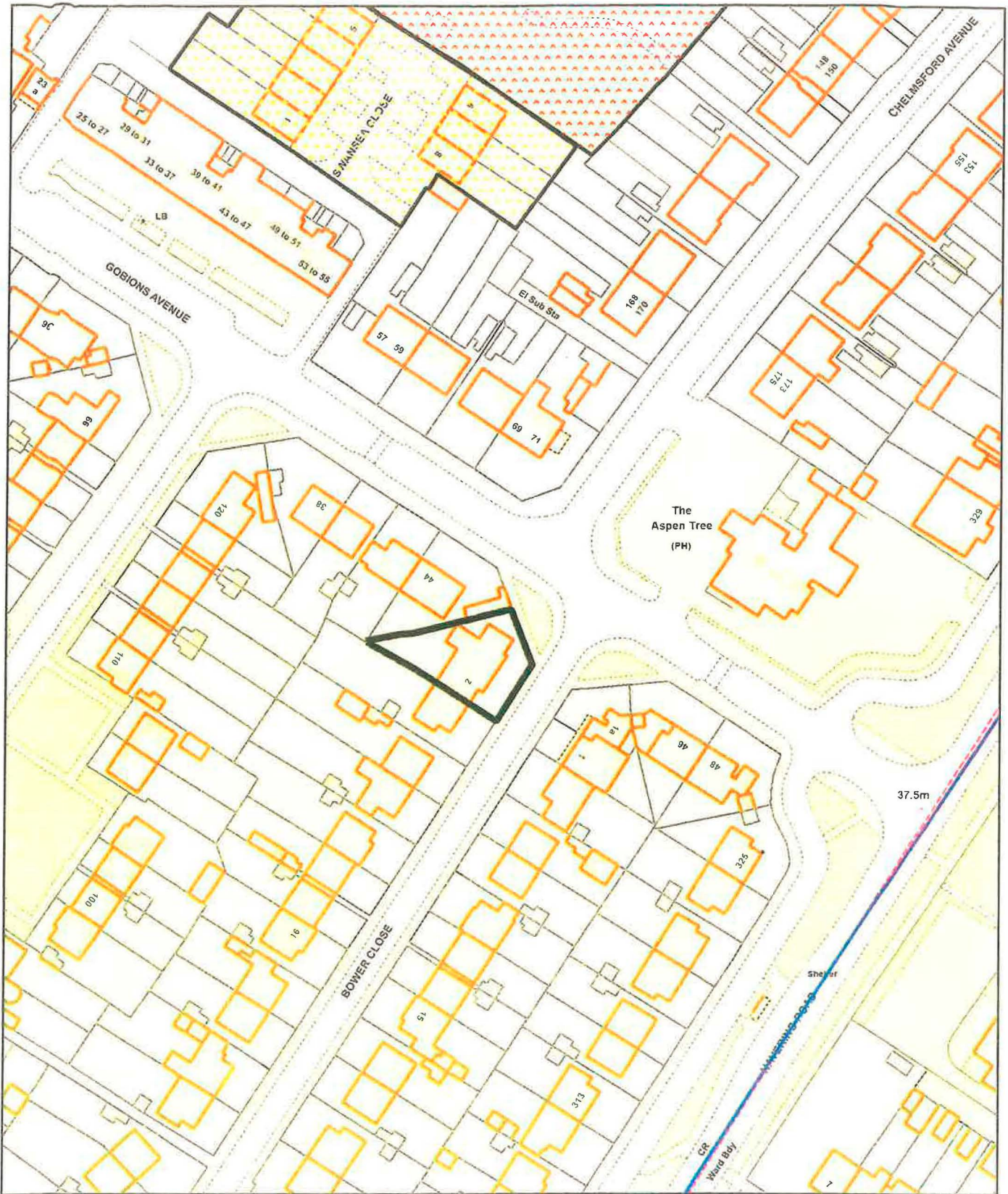
## **STATEMENT ON GROUNDS OF APPEAL**

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. Mr Alan Howard  
2 Bower Close  
Collier Row, Romford  
RM5 3SR
2. Mrs Dianne Howard  
2 Bower Close  
Collier Row, Romford  
RM5 3SR
3. The Occupier  
2A Bower Close  
Collier Row  
RM5 3SR
4. Aviva Equity Release UK Limited  
PO Box 520  
Surrey Street  
Norwich  
NR1 3WG



2 Bower Close, Collier Row. RM5 3SR



Scale: 1:1000  
Date: 21 January 2020



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](mailto: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.