

**IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY**

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

**BREACH OF CONDITION NOTICE**

**ISSUED BY: LONDON BOROUGH OF HAVERING COUNCIL**

**TO:**

1. ZIA UDDIN, 17a High Street, Hornchurch, Essex RM11 1TP
2. ZIA UDDIN, The Cauliflower, 60 - 64 Upminster Road South, Rainham, Essex RM13 9AA
3. The Owner, 60 - 64 Upminster Road South, Rainham, Essex RM13 9AA
4. The Occupier, 60 - 64 Upminster Road South, Rainham, Essex RM13 9AA
5. BARCLAYS SECURITY TRUSTEE LIMITED of P.O. Box 16276, One Snowhill, Snowhill Queensway, Birmingham B2 2XE.

1. **THIS IS A FORMAL NOTICE** which is issued by the Council, under section 187A of the above Act because they consider that conditions imposed on a grant of planning permission, relating to the land described below have not been complied with. It considers that you should be required to comply with the conditions specified in this notice.

2. **THE LAND AFFECTED BY THE NOTICE**

The land and premises known as 60, 62 and 64 Upminster Road South, Rainham, Essex RM13 9AA shown edged in black on the attached plan.

3. **THE RELEVANT PLANNING PERMISSION**

The relevant planning permission to which this notice relates to permission P0128.18 granted on the 26<sup>th</sup> April 2019 for the variation of condition 1 of planning permission P1197.14 to relocate 4no. residential car parking spaces to the opposite side of the building.

4. **THE BREACH OF CONDITIONS**

The following conditions have not been complied with:

Non-compliance with Conditions 1 and 2 of planning permission ref: P0128.19 granted on 26<sup>th</sup> April 2019.

**Condition 1:**

*Unless within 3 months of the date of this decision, the 4no. resident parking spaces as indicated on the drawing titled Revised Parking Layout & Bin Area - Sheet 2 of 3 (dated: Revised Plans 23/4/18) have been laid out, surfaced and are available to use to the full satisfaction of the Local Planning Authority, the occupation of the residential units hereby*

approved shall cease, until such time as the parking provision has been provided. The parking spaces shall thereafter be permanently retained for the accommodation of vehicles associated with the 2no. first floor residential flats at 60-64 Upminster Road South and shall not be used for any other purpose.

**Reason:** To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety, and that the development accords with the Development Control Policies Development Plan Document Policy DC33.

**Condition 2:**

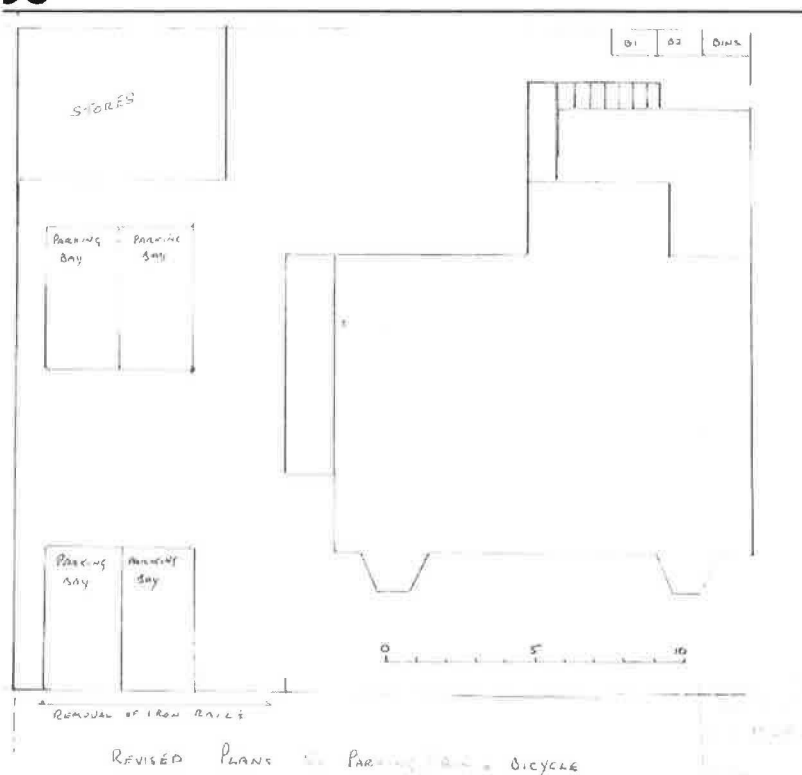
Within 3 months of the date of this decision, details of the type and location of the cycle storage provision shall be submitted to in writing to the Local Planning Authority. The development shall only be completed and used in accordance with any approval.

**Reason:** Insufficient information has been supplied with the application to demonstrate what facilities will be available for cycle parking. Submission of this detail prior to occupation in the case of new building works prior to the use commencing in the case of changes of use is in the interests of providing a wide range of facilities for non-motor car residents and sustainability.

**5. THE FOLLOWING ACTIVITIES ARE TO OCCUR TO SECURE COMPLIANCE WITH THE CONDITIONS**

**Within 35 days from the date of service of this notice:**

1. Lay out, surface and make available for use four resident parking spaces as indicated on the drawing titled Revised Parking Layout & Bin Area - Sheet 2 of 3 (dated: Revised Plans 23/4/18).



AND

2. Submit a valid application with plans and fee seeking to have details of the type and location of the cycle storage provision to the Local Planning Authority. The development shall subsequently only be completed and used in accordance with any approval.

6. **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect immediately it is served on you or you receive it by postal delivery.

Dated: 12<sup>th</sup> February 2020



**David Colwill**

**Position:** Planning Enforcement Team Leader

**Authorised Officer**

On behalf of: The Mayor and Burgesses of the London Borough of Havering, Mercury House, Mercury Gardens, Romford RM1 3SL

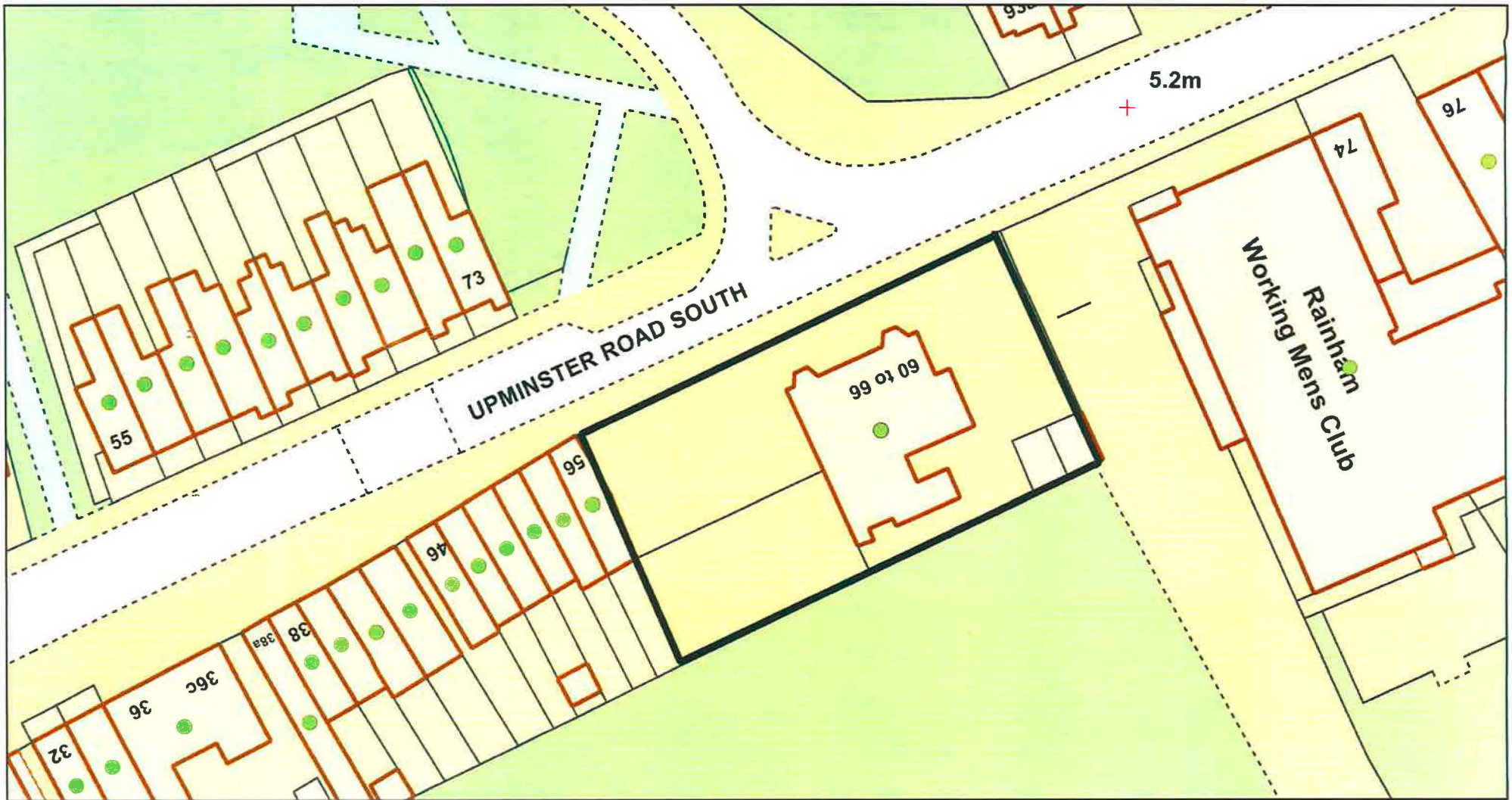
**WARNING**

**THERE IS NO RIGHT OF APPEAL AGAINST THIS NOTICE**

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of immediate prosecution in the Magistrates Court for which the maximum penalty is £2,500 for a first offence and for any subsequent offence. If you are in any doubt about what this notice requires you to do, you should get in touch immediately with David Colwill Team Leader for Planning Enforcement, Mercury House, Mercury Gardens, Romford, RM1 3SL (01708 432647).

If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review. A lawyer will advise you on what this procedure involves.

**DO NOT LEAVE YOUR RESPONSE TO THE LAST MINUTE**



60 - 66 Upminster Road South, Rainham, Essex RM13 9AA



Scale: 1:500  
 Date: 10 February 2020  
 Size: A4



London Borough of Havering  
 Town Hall, Main Road, Romford, RM1 3BD  
 Tel: 01708 434343

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