

290 NORTH STREET, ROMFORD, RM5 3AB
IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

Enforcement Reference: ENF/599/18

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 **290 North Street, Romford, RM5 3AB**. (registered under title number EGL416181) as shown edged in BLACK on the attached plan.

3. THE BREACH OF PLANNING CONTROL ALLEGED

The unauthorised installation of an externally protruding extract ventilation system at the rear of the building and four external air source heat pump housing units at the side of the building.

4. REASONS FOR ISSUING THIS NOTICE

- 1) It appears to the Council that the above breaches of planning control have 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 harm to amenity which has been caused by the breach.
- 2) The externally protruding extraction ventilation system at the rear causes unreasonable adverse effects on the environment, by reason of noise impact, vibration and odours contrary to Policies DC52 and DC55 of the DPD. Additionally, its height, bulk and mass, appears as an unacceptably dominant and visually intrusive feature in the streetscene and is harmful to the appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.
- 3) The four air source heat pump external housing units detract from the amenity and character of the area, by reason of excessive noise, which are not subject to measured controls, and is an unattractive visual feature, contrary to Policies DC23, DC55 and DC61 of the LDF Core Strategy and Development Control Policies DPD.

- 4) The Council has requested the resubmission of a planning application with sufficient information to assess the developments and any conditions that may be required in order to mitigate the harm and remedy the breach. To date no application has been submitted and therefore the developments cannot be made acceptable by way of conditions.

5. WHAT YOU ARE REQUIRED TO DO

The Enforcement Notice requires, **within 3 months** from the effective date of this notice to:

- (i) Remove in full from the property the externally protruding extract ventilation system at the rear of the building marked as A on the attached plan;

AND

- (ii) Remove in full from the property the four external air source heat pump units from the side of the building marked as B on the attached plan;

AND

- (iii) Remove from the land, in the area shown outlined in black on the attached plan, all materials, rubble, machinery, apparatus and Installations used in connection with or resulting from compliance with steps (i) and (ii).

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **7th August 2020**, unless an appeal is made against it beforehand.

Dated: 3rd July 2020

Signed:

Authorised Officer



David Colwill
Team Leader, Planning Enforcement
on behalf of London Borough of Havering
Mercury House, Romford RM1 3RL

Nominated Contact Officer:

George Atta-Adutwum,
Deputy Team Leader, Planning Enforcement
01708 432157 george.atta-adutwum@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 before the **7th August 2020**. Further details are given in the attached 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 **7th August 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 <http://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 on or before the **7th August 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 wish to appeal on ground (a) - that planning permission should be granted for the unauthorised development - 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. PARMJIT SINGH JOHAL, Parkside Hotel, 290 North Street, Romford RM5 3AB
2. RAMESH JAIN, Parkside Hotel, 290 North Street, Romford RM5 3AB
3. The Owners, 290 North Street, Romford, RM5 3AB
4. The Occupiers, 290 North Street, Romford, RM5 3AB
5. MACNEIL UB40 LIMITED, 1st Floor, The Central, 407 Nether Street, Finchley Central, London, N3 1QG
6. Caraway Lounge, 290 North Street, Romford, RM5 3AB
7. THE ROYAL BANK OF SCOTLAND PLC, Credit Documentation Department, 8th Floor, 1 Hardman Boulevard, Manchester M3 3AQ

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.

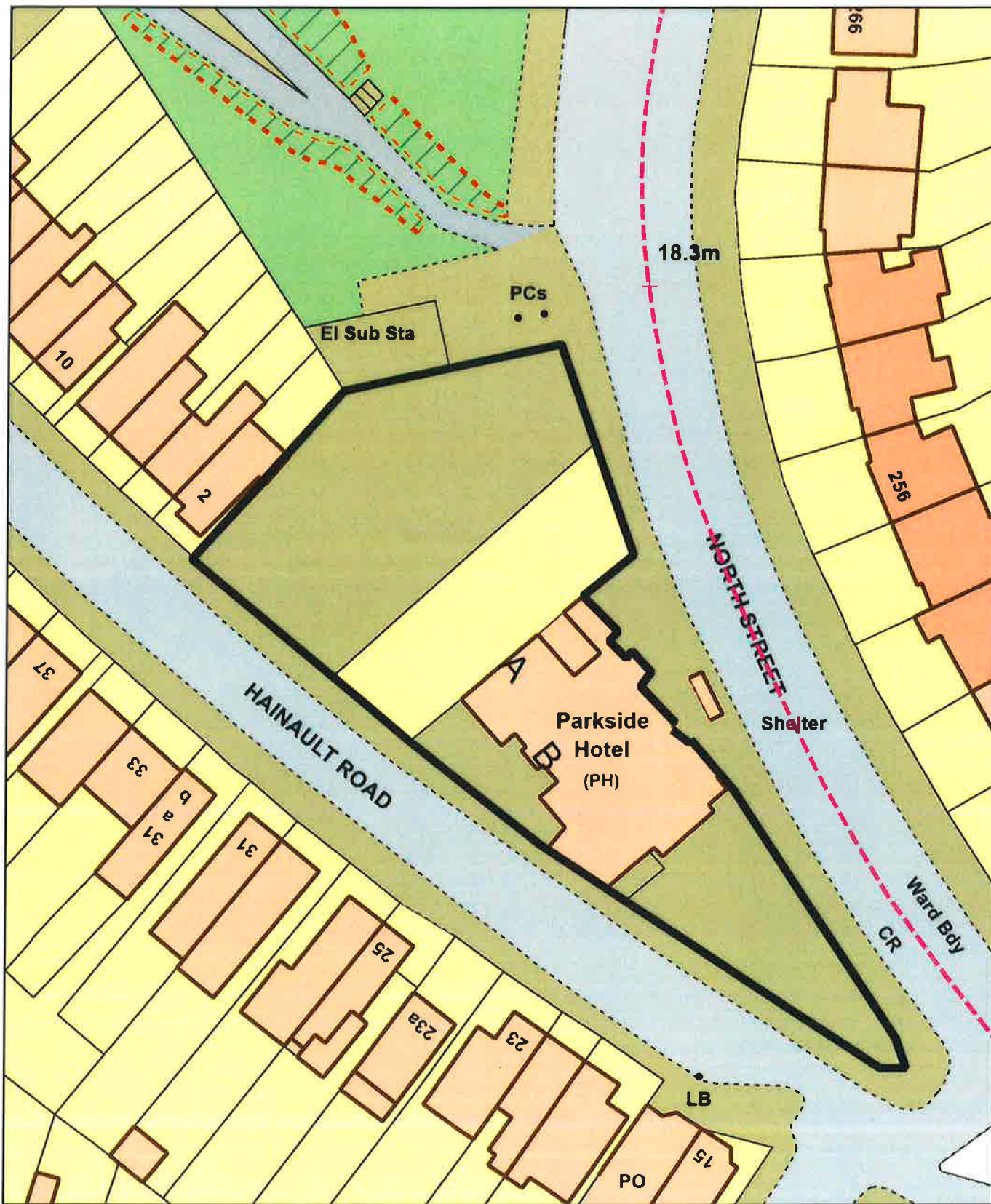
You MUST make sure that we receive your appeal before the effective date on the enforcement notice.

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.



290 North Street, Romford, RM5 3AB



Scale: 1:500
 Date: 03 July 2020

Havering
 LONDON BOROUGH

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

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