

**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 – REF: ENF/518/20**

**ISSUED BY:                    HAVERING LONDON BOROUGH COUNCIL**

**TO:**

The Directors, Epsom Point Limited, 4 Laburnum Grove, Ruislip HA4 7XF

Dipti Patel, Epsom Point Limited, 4 Laburnum Grove, Ruislip HA4 7XF

Handf Finance Limited, 3 Decima Street, London SE1 4QR

Loanpad Security Trustee Limited, 254 – 258 Goswell Road, London EC1V 7EB

The Owners, R/o 7 – 11 Elm Road, Romford, Essex RM7 8HH

The Occupiers, R/o 7 – 11 Elm Road, Romford, Essex RM7 8HH

The Directors, Epsom Point Limited, R/o 7 – 11 Elm Road Romford, Essex RM7 8HH

Tejash Patel, by email

**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 site lies on the western side of Elm Road, Romford at the rear of 3 -17 Elm Road, Romford identified edged in black in the attached site plan in a predominately-residential area with two storey detached, semi-detached and terraced houses. The site previously comprised lockup garages and was in a dilapidated condition.

Land registry records show that it is registered under title number EX33356.

**3. THE RELEVANT PLANNING PERMISSION**

The relevant planning permission to which this notice relates is the permission P1939.18 refused by the Council but subsequently won on appeal on the 23<sup>rd</sup> January 2021 for the demolition of lock up garages and erection of 7 x 3 bed 5 person dwelling Houses and provision of 14 car parking spaces and associated refuse and recycling and associated landscape works.

#### **4. THE BREACH OF CONDITIONS**

The following conditions have not been complied with:

The permission was granted subject to conditions that required conditions 3, 4, 6 and 7 to be discharged before the use commences.

The development is not being carried out in accordance with conditions 2 and 5 of Planning permission P1939.18.

Condition 2 states:

The development hereby permitted shall be carried out in accordance with the following approved plans and details:- Drawing os. PA.01, PA.02, PA.03 (Rev B), PA04 (Rev A), PA05 (Rev A), PA.06 (Rev A), PA.06 (Rev A), PA.07 (Rev A), PA.08 (Rev A), PA.09 (Rev A), PA.10 (Rev A), PA.11 (Rev A), PA.12 (Rev A), PA.13 (Rev A), 19004-13-T, 217-PL-002, 27-PL-003, 2018 -3450-001, 2018-3450-002, 2018-3450-003, 2018-3450-004, 2018-3450-005, Transport Statement dated November 2018 and the Design and Access Statement dated 20<sup>th</sup> December 2018.

Condition 3 has not yet been discharged. It required:

No development works, aside from those relating to the demolition of the garages and removal of the existing hard surface, shall take place until details of all external facing materials and finishes have been submitted to and approved in writing by the local planning authority. The relevant works shall be carried out in accordance with the approved details and finishes.

Condition 5 states:

All existing trees shown on the landscaping plans to be retained (Drawing Nos 217-PL-001, 217-PL-002, 217- PL-003) and falling within the redline shown on the site plan (PA.01) shall be protected by strong fencing, the location and type to be previously approved in writing by the local planning authority. The fencing shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be placed and stored within in the any fenced area, and the ground levels and tree zone areas within those are not be altered, nor shall any excavation be made (for hard surfacing, access, drainage and other services), without the prior written consent of the local planning authority.

#### **5. THE FOLLOWING ACTIVITIES ARE TO BE CARRIED OUT TO SECURE COMPLIANCE WITH THE CONDITIONS**

As the person responsible for the breach of conditions specified in section 4 of this notice, you are required to comply with the stated conditions by taking the following steps:

1. Stop the development until Condition 3 of P1939.18 has been discharged.
2. Stop all development until specific schemes to address the following have been submitted to and agreed in writing by the Council:

- (i) How you propose to reduce the increase of land levels by approximately 300mm in height in the rear gardens of the development; and
- (ii) How you propose to reduce the height of ground floor level of the development which has been increased by approximately 500mm; and
- (iii) Submit a list of all the development that has been carried out not in accordance with condition 2 of the planning permission and how you propose to comply with these breaches; and
- (iv) Submit a valid application to show how you propose to comply with condition 5 of planning permission P1939.18.

**Time for compliance: 28 days from the effective date of this notice, beginning with the day on which the notice is served on you.**

## **6. WHEN THIS NOTICE TAKES EFFECT**

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

Dated: 7<sup>th</sup> February 2022



**David Colwill**

**Position:** Team Leader Planning Enforcement

### **Authorised Officer**

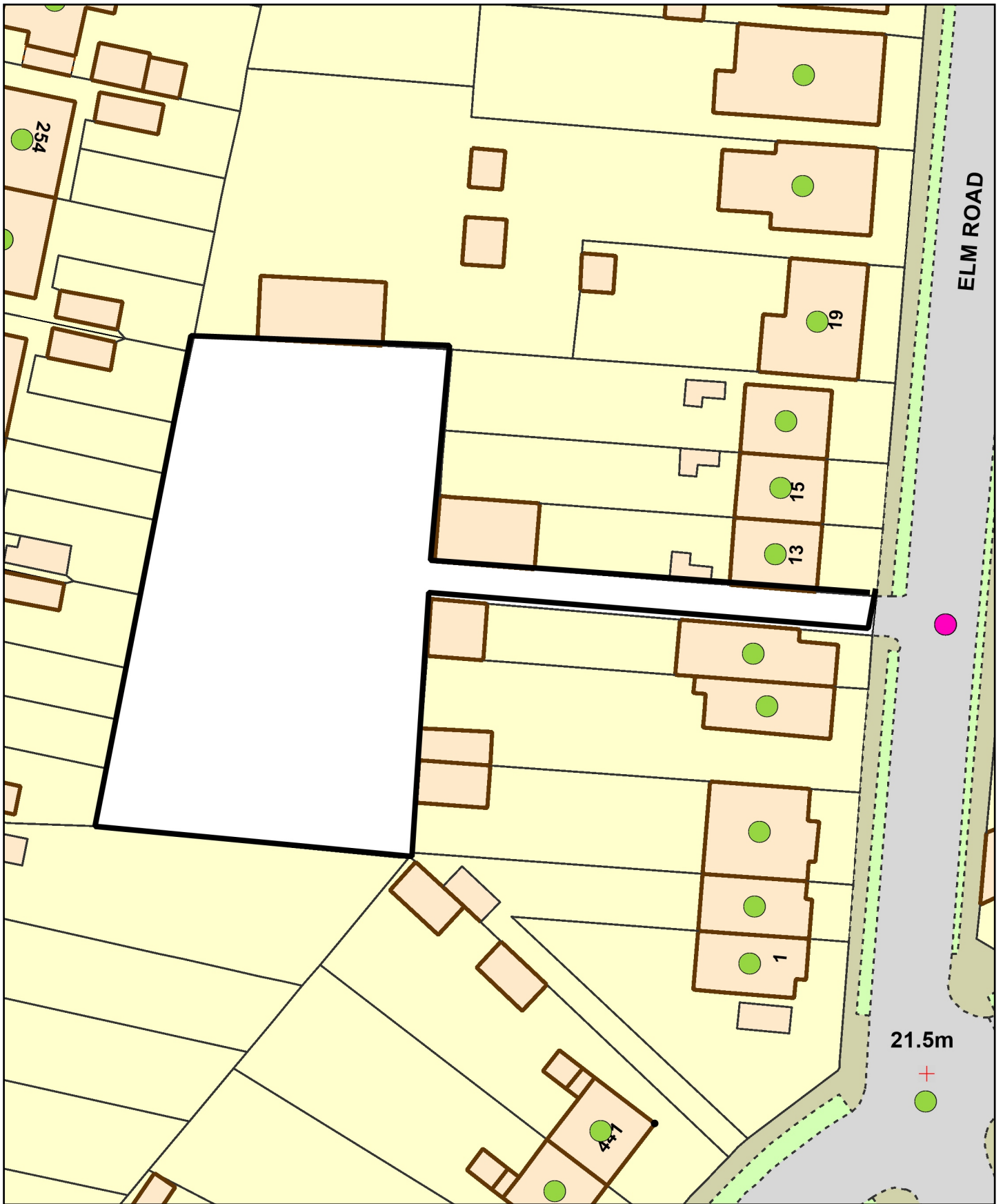
On behalf of: The Mayor and Burgesses of the London Borough of Havering Town Hall  
Main Road Romford RM1 3BD



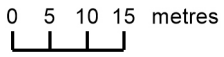

## **WARNING**

### **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 Onkar Bhogal, Principal Planning Enforcement and Appeals Officer, [Onkar.bhogal@havering.gov.uk](mailto:Onkar.bhogal@havering.gov.uk) (01708 431587). 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**



<p>Rear of 9 - 11 Elm Road, Romford</p>	
	<p>Scale: 1:500</p> <p>Date: 08 December 2021</p> 
 <p>London Borough of Havering Town Hall, Main Road Romford, RM1 3BD Tel: 01708 434343</p>	<p>© Crown copyright and database rights 2021 Ordnance Survey 100024327</p>