

Land at Rear of 9 – 11 Elm Road, Romford RM7 8HH

Enforcement case ref: ENF/518/20

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990 (As amended by the Planning and Compensation Act 1991 and the Planning and Compulsory Purchase Act 2004)

TEMPORARY STOP NOTICE

SERVED BY: London Borough of Havering
herein after referred to as “the Council”

To: The Directors
Epsom Point Limited
(Co. Reg. 11887447)
4 Laburnum Grove, Ruislip HA4 7XF

Dipti Patel
Epsom Point Limited
(Co. Reg. 11887447)
4 Laburnum Grove, Ruislip HA4 7XF

Handf Finance Limited
(Co. Reg. 1489012)
3 Decima Street
London SE1 4QR

Loanpad Security Trustee Limited
(Co. Regn. No. 11140226)
254 – 258 Goswell Road
London EC1V 7EB

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

The Directors
Epsom Point Limited
(Co. Reg. 11887447)
R/o 7 – 11 Elm Road
Romford, Essex RM7 8HH

Tejash Patel
By email: tp@fourtwelvehomes.co.uk

1. On **13th December 2021**, the Council has issued this temporary stop notice alleging that there has been a breach of planning control on the land described in paragraph 4 below.
2. This temporary stop notice is issued by the Council, in exercise of their power in section 171E of the 1990 Act, because they think that it is expedient that the activity specified in this notice should cease on the land described in paragraph 4 below. The Council now prohibits the carrying out of the activity specified in this notice. Important additional information is given in the Annex to this notice.

3. **THE REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the breaches of planning control illustrated below have occurred within the last four years.

Without the benefit of planning permission:

1. The increase of land levels by approximately 300mm in height in the rear gardens of the development have taken place; and
2. The height of ground floor level of the development been increased by approximately 500mm; and
3. Planning condition 3 of planning ref: P1939.18 has not been discharged; and
4. Planning conditions 2 and 5 of planning permission ref: P1939.18 are not being complied.
5. The development has not been built in accordance with approved planning permission ref: P1939.18 with a potential to result in conditions, which are detrimental to the visual amenity of the area and detrimental to the residential amenity of surrounding occupiers.

4. **THE LAND TO WHICH THIS NOTICE RELATES**

Land at **Rear of 9 – 11 Elm Road, Romford RM7 8HH** shown edged black on the attached plan. Land registry Title number EX33356.

5. **THE ACTIVITY TO WHICH THIS NOTICE RELATES**

Without Planning permission:

1. The increase of land levels by approximately 300mm in height in the rear gardens of the development have taken place; and
2. The height of ground floor level of the development been increased by approximately 500mm; and
3. Planning condition 3 of planning ref: P1939.18 has not been discharged; and

4. Planning conditions 2 and 5 of planning permission ref: P1939.18 are not being complied.
5. The development has not been built in accordance with approved planning permission ref: P1939.18 with a potential to result in conditions, which are detrimental to the visual amenity of the area and detrimental to the residential amenity of surrounding occupiers.

6. **WHAT YOU ARE REQUIRED TO DO**

- 1) **Not to undertake any operational development on the land.**
- 2) **Not to bring onto the land any building materials, rubble etc. that would assist in unauthorised uses at the site.**
- 3) **Submit an application to discharge condition 3 of planning permission P1939.18**

7. **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on **15th December 2021** when all the activity specified in this notice shall cease. This notice will cease to have effect on **11th January 2022**.

Dated: **15th December 2021**

Signed:

George Atta-Adutwum
Deputy Team Leader, Planning Enforcement and Appeals



On behalf of: London Borough of Havering, Mercury House, Mercury Gardens, Romford, RM1 3SL

ANNEXE

WARNING

THIS NOTICE TAKES EFFECT ON THE DATE SPECIFIED IN PARAGRAPH 7.

THERE IS NO RIGHT OF APPEAL TO THE FIRST SECRETARY OF STATE AGAINST THIS NOTICE.

It is an offence to contravene a temporary stop notice after a site notice has been displayed or the temporary stop notice has been served on you. (Section 171G of the 1990 Act). If you then fail to comply with the temporary stop notice you will be at risk of **immediate prosecution** in the Magistrates' Court, for which the maximum penalty is £20,000 on summary conviction for a first offence and for any subsequent offence. The fine on conviction on indictment is unlimited. 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 and Appeals Enforcement Officer on 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.

S.171G. Temporary stop notice: offences

- (1) A person commits an offence if he contravenes a temporary stop notice—
 - (a) which has been served on him, or
 - (b) a copy of which has been displayed in accordance with section 171E(5).
- (2) Contravention of a temporary stop notice includes causing or permitting the contravention of the notice.
- (3) An offence under this section may be charged by reference to a day or a longer period.
- (4) A person may be convicted of more than one such offence in relation to the same temporary stop notice by reference to different days or periods of time.
- (5) A person does not commit an offence under this section if he proves—
 - (a) that the temporary stop notice was not served on him, and
 - (b) that he did not know, and could not reasonably have been expected to know, of its existence.
- (6) A person convicted of an offence under this section is liable—
 - (a) on summary conviction, to a fine not exceeding £20,000;
 - (b) on conviction on indictment, to a fine.
- (7) In determining the amount of the fine, the court must have regard in particular to any financial benefit, which has accrued or has appeared to accrue to the person convicted in consequence of the offence.