

**LAND TO THE REAR OF 9-11 ELM ROAD, ROMFORD RM7 8HH
ALSO TO BE KNOWN AS 1-7 (CONS) CHROME MEWS, ROMFORD RM7 8EN**

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT REFERENCE: ENF/518/20

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 known as **LAND TO THE REAR OF 9-11 ELM ROAD, ROMFORD RM7 8HH, ALSO TO BE KNOWN AS 1-7 (CONS) CHROME MEWS , ROMFORD RM7 8EN** shown edged in black on the attached plan.

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

Without planning permission, the construction of new buildings arranged in one block of four and one block of three buildings intended for use as 7 dwelling houses.

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 injury to amenity which has been caused by the breach.
2. Through the combined scale, bulk and mass of the dwellings, their positioning within the site and placement of rear facing openings, all in variance to the approved scheme, for which planning permission was granted on appeal on 23rd January 2020 under reference APP/B5480/W/19/3230530, the development represents a cramped form of development which would be detrimental to the amenity of surrounding neighbouring occupiers by way of direct overlooking and loss of outlook. Similarly, due to the positioning of openings and relationship to neighbouring sites as constructed and failure to implement the mitigation measures incorporated into the scheme as approved, the dwellings would fail to provide adequate levels of amenity for future occupants. The development is thereby contrary to the objectives of Havering Local Plan (2016 -2031) Policies 7

and 26, London Plan (2021) Policies D3, D4 and D5 and the Framework, in particular Para 135 which requires that development function well and add to the overall quality of the area and make provision for a high standard of amenity for existing and future users.

- 3 The Council does not consider that planning permission should be granted because planning conditions attached to any consent would not overcome these problems,

5. WHAT YOU ARE REQUIRED TO DO

Either

Option A

1. Demolish the seven new buildings as shown in the approximate position edged red on Plan 2 annexed to the Notice

AND

2. Remove all other debris, rubbish or other materials accumulated as a result of taking step 1 above.

OR

Option B

1. Modify the seven new buildings, as shown in the approximate position edged red on Plan 2 annexed to the Notice so that their dimensions, position within the site, fenestration positions and elevational appearance match the seven new houses granted planning permission on appeal, reference APP/B5480/W/19/3230530, on 23rd January 2020 for the demolition of lock up garages and erection of 7x 3 bed 5 person dwelling houses and provision of 14 parking spaces and associated refuse and recycling and associated landscape works in accordance with the terms of Planning Application Ref P1939.18 dated 21 December 2018

AND

2. In carrying out Step 1 above comply with all the conditions to Planning Permission on appeal APP/B5480/W/19/3230530 granted on 23rd January 2020 including Condition 2 as to the approved plans drawings details, drawings transport statement and design and access statement and those as to the provision of parking, hard and soft landscaping and garden buildings

AND

- 3 Remove all other debris, rubbish or other materials accumulated as a result of taking steps 1 and 2 above.

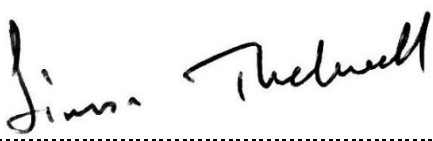
6. TIME FOR COMPLIANCE

SIX MONTHS after the date when this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **17th July 2024**, unless an appeal is made against it beforehand

Dated: **13th June 2024**

Signed: .....

SIMON THELWELL

Authorised Officer on behalf of London Borough of Havering, Town Hall, Main Road, Romford, RM1 3BB

Nominated Officer to contact regarding this Notice: **Chris Stathers**

Telephone Number: **01708 433619** Email: Chris.stathers@havering.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 Planning Inspectorate acting on behalf of the Secretary of State before **17th July 2024** 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 **17th July 2024** 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 Planning Inspectorate before **17th July 2024**

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.

GROUNDINGS OF APPEAL

The grounds of appeal are set out in Section 174 of the Town and Country Planning Act 1990 (as amended) you may appeal 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 or use, then a fee of **£8092** 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

The grounds of appeal must be submitted to the Planning Inspectorate, either when giving notice of the appeal or within 14 days from the date on which the Planning

Inspectorate sends you 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 you propose 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. Epsom Point Limited, 4 Laburnum Grove, Ruislip, HA4 7XF
2. The Owner, Land on the west side of Elm Road at the rear of 7-11 Elm Road, Romford, RM7 8HH
3. The Occupier, Land on the west side of Elm Road at the rear of 7-11 Elm Road, Romford, RM7 8HH
4. Deven Patel, as Director of Epsom Point Limited, 4 Laburnum Grove, Ruislip, HA4 7XF
5. Dipti Patel, as Director of Epsom Point Limited, 4 Laburnham Grove, Ruislip HA4 7XF
6. Epsom Point Limited, Land on the west side of Elm Road at the rear of 7-11 Elm Road, Romford RM7 8HH
7. Deven Patel as Director of Epsom Point Limited, Land on the west side of Elm Road at the rear of 7-11 Elm Road, Romford RM7 8HH
8. Dipti Patel as Director of Epsom Point Limited, Land on the west side of Elm Road at the rear of 7-11 Elm Road, Romford RM7 8HH
9. Handf Finance Limited, 3 Decima Street, London SE1 4QR
10. Loanpad Security Trustee Limited, 254-258 Goswell Road, London EC1V 7EB.
11. Loan2Invest Limited, Zone G, Salamander Quay West, Harefield, Middlesex, UB9 6NZ
12. Loan2Invest Limited, care of Adams & Remers Solicitors, Trinity House, School Hill, Lewes, East Sussex, BN7 2NN.
13. Handf Finance Limited, 23 Melford Drive, Maidstone, England, ME16 0UN
14. Loanpad Security Trustee Limited, 5 Technology Park, Colindeep Lane, Colindale, London, United Kingdom, NW9 6BX

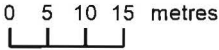



**LAND AT THE REAR OF 9-11 ELM ROAD, ROMFORD
ENF/518/20**

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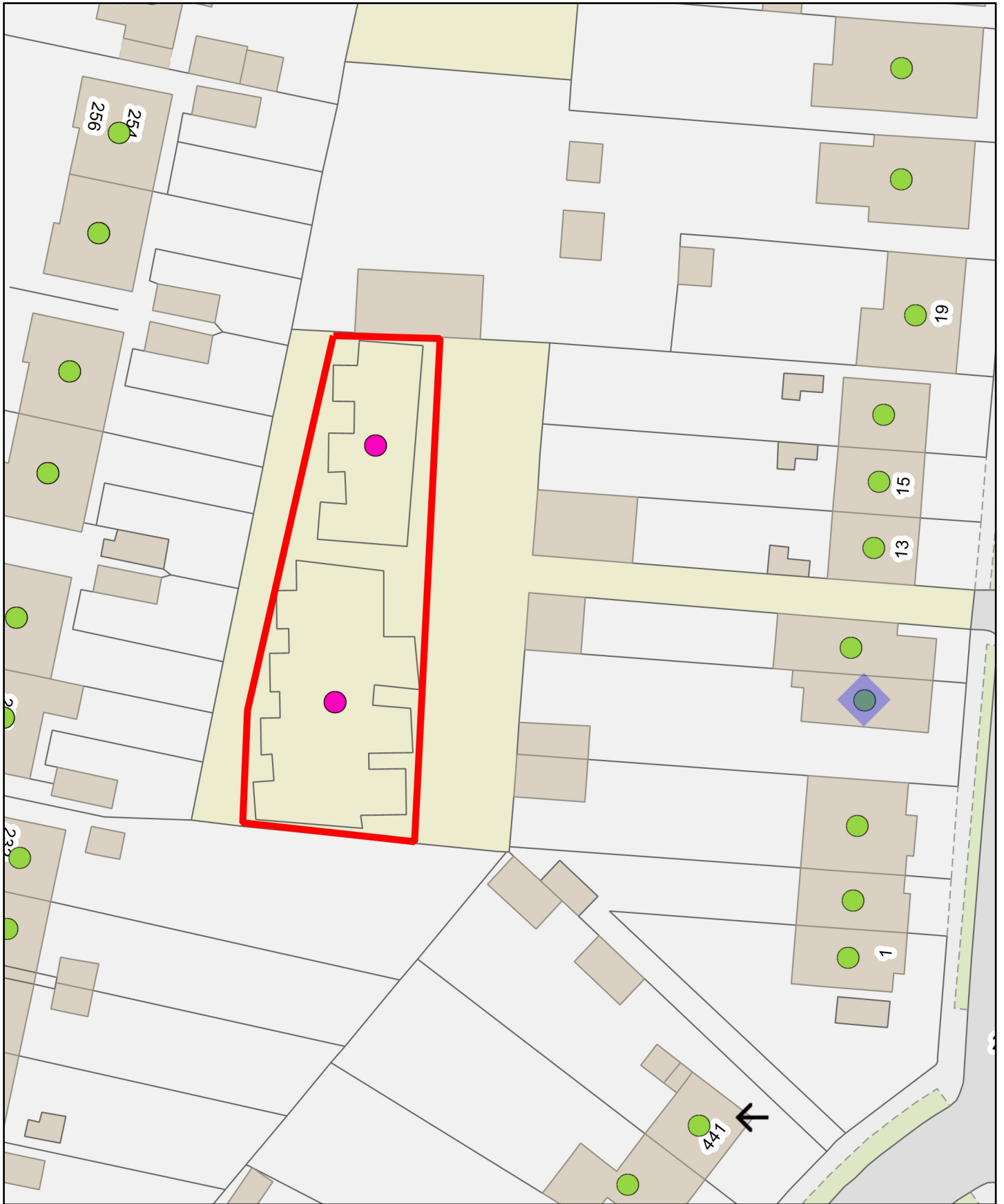




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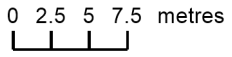




London Borough of Havering
Town Hall, Main Road
Romford, RM1 3BD
Tel: 01708 434343

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Ordnance Survey AC0000815231



PLAN 2. LAND REAR OF 7-11 ELM ROAD, ROMFORD	TQ4978290325 
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Enforcement appeal: information sheet for local planning authorities

Customer Support Team
Temple Quay House
2 The Square
Temple Quay
Bristol BS1
6PN

Direct Line: 0303 444 5000

Email: enquiries@planninginspectorate.gov.uk

1. THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can do it:-

- online at the [Appeals Casework Portal](#); 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 written notice of appeal by letter or email. You should include the name and contact details of the appellant(s) and either attach a copy of the Enforcement notice that you wish to appeal or state the following:

- the name of the local planning authority;
- the site address; and
- 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.