

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT NOTICE

ISSUED BY: LONDON BOROUGH OF WALTHAM FOREST

1. **THIS NOTICE** is issued by the Council because it appears to them that there has been a breach of planning control within paragraph (a) of Section 171A (1) 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 considerations. The Annex at the end of the Notice and the enclosures to which it refers contain important additional information.

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

Land at 797 Forest Road, Walthamstow, London, E17 4JD, shown edged black and hatched red on the attached plan.

3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**

Without planning permission, the change of use of the building from a retail shop (Use Class A1) to a restaurant (Use Class A3).

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last four years.

The use of the site as a restaurant is a direct breach of planning control and therefore requires planning permission. The change in use results in a significant increase in vehicular activity and on-street parking, and is therefore detrimental to road safety and the free flow of traffic and contrary to the provisions of Policies TSP9 and TSP29 of the Councils Unitary Development Plan 1996. The change in use results in the parking of vehicles in nearby residential streets and consequent late night noise and activity to the detriment of the occupiers of these properties, contrary to the provisions of Policies ENV1 and TSP20 of the UDP.

The Council do not consider that planning permission should be given, because planning conditions could not overcome these objections to the development.

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

- (1) Cease the use of the site as a restaurant/takeaway premises and convert the unit back to a retail shop; and
- (2) Remove all fixtures that may relate to the use of the site as a restaurant/takeaway.

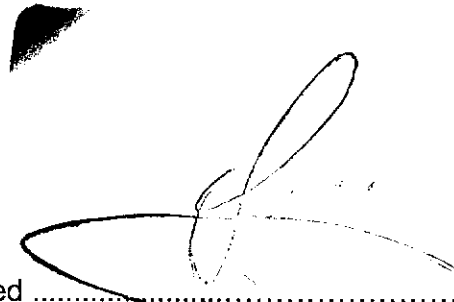
6. **TIME FOR COMPLIANCE:**

1 month after this notice takes effect.

7. **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 2nd October 2004 unless an appeal is made against it beforehand.

DATED: 2nd August 2004



Signed
Head of Legal and Democratic Services
On behalf of
London Borough of Waltham Forest
Town Hall
Forest Road
Walthamstow
London E17

ANNEX

YOUR RIGHT OF APPEAL

You can appeal against this notice, but any appeal must be received, or posted in time to be **received**, by the Secretary of State **before** the date specified in paragraph 7 of the notice. The enclosed booklet "Making your enforcement appeal" sets out your rights. Read it carefully. You may use the enclosed appeal forms.

- (a) One is for you to send to the Secretary of State if you decide to appeal together with a copy of this Enforcement Notice
- (b) The second copy of the Appeal Form and Notice should be sent to the Council.
- (c) The third copy is for your own records.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Enforcement Notice, it will take effect on the date specified in paragraph 7 of the notice 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[s] specified in paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.