

## **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)

### **ENFORCEMENT NOTICE**

ISSUED BY: THE 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 all 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 THE NOTICE RELATES**

Land at 797 Forest Road, Walthamstow, London E17 4JB registered at H.M land Registry under title number NGL146424 and shown edged black on the attached plan.

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

Without planning permission, change of use of the land from Retail A1 use to Retail A3 and A5 restaurant and takeaway use.

4. **REASONS FOR ISSUING THIS NOTICE**

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

The change of use leads to a significant increase in vehicular activity and on street parking in the vicinity of the Site close to major traffic light intersections. As a consequence it will be detrimental to road safety and the free flow of traffic and contrary to provisions of Policies TSP9 and TSP20 of the Council's Unitary Development Plan 1996.

The proposal would result in parking of vehicles in nearby residential streets and would result in late night noise and activity to the detriment of occupiers of these

properties, contrary to the provisions of Policies ENV1 and TSP20 of the Council's Unitary Development Plan 1996.

The Council does 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 using the Site as a restaurant takeaway and convert the unit back to its original use.

(2) Remove all fixtures which may be related to the use of the Site as a restaurant /takeaway.

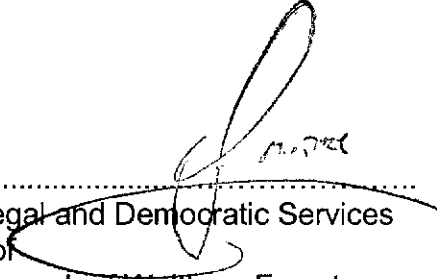
**6. TIME FOR COMPLIANCE**

1 month after this notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 18 July 2005 unless an appeal is made against it beforehand.

DATED: 7 June 2005

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

**ANNEX**

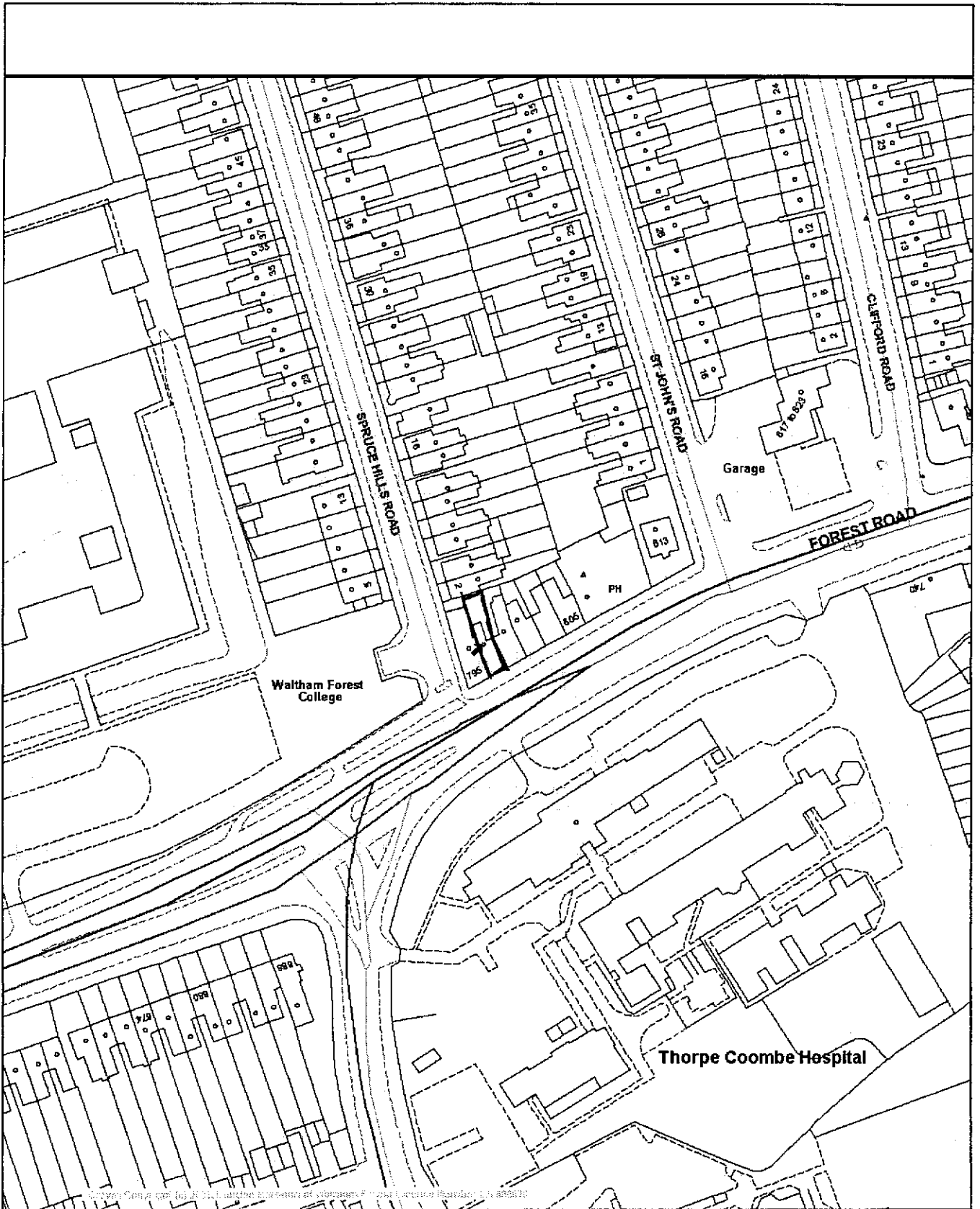
**YOUR RIGHT OF APPEAL**

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 the 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.



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Scale 1/1250 Date 27/4/2005

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