

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991
an 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 9 The Broadway, London, E4 registered at HM land registry under title number EGL103782 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 site is being used as an A3 café.

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 results in the proportion of non-retail units in this main frontage location in excess of the maximum 30% of the length of the frontage contrary to policy SHP4 of the adopted Unitary Development Plan and Policy TRL3 of the Second Deposit Draft Unitary Development Plan. As such this would have a detrimental effect on the vitality and viability of the Highams Park Principal Shopping Centre.

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) Remove the fixtures and fittings associated with A3 café use.

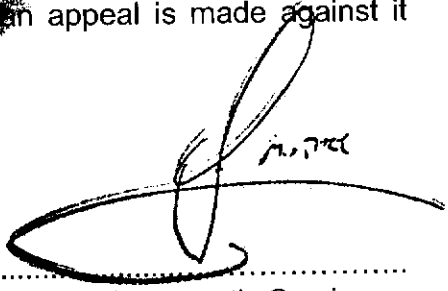
6. **TIME FOR COMPLIANCE**

3 (Three) months after this notice takes effect.

7. **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 30 March 2006 unless an appeal is made against it beforehand.

DATED: 23 February 2006



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

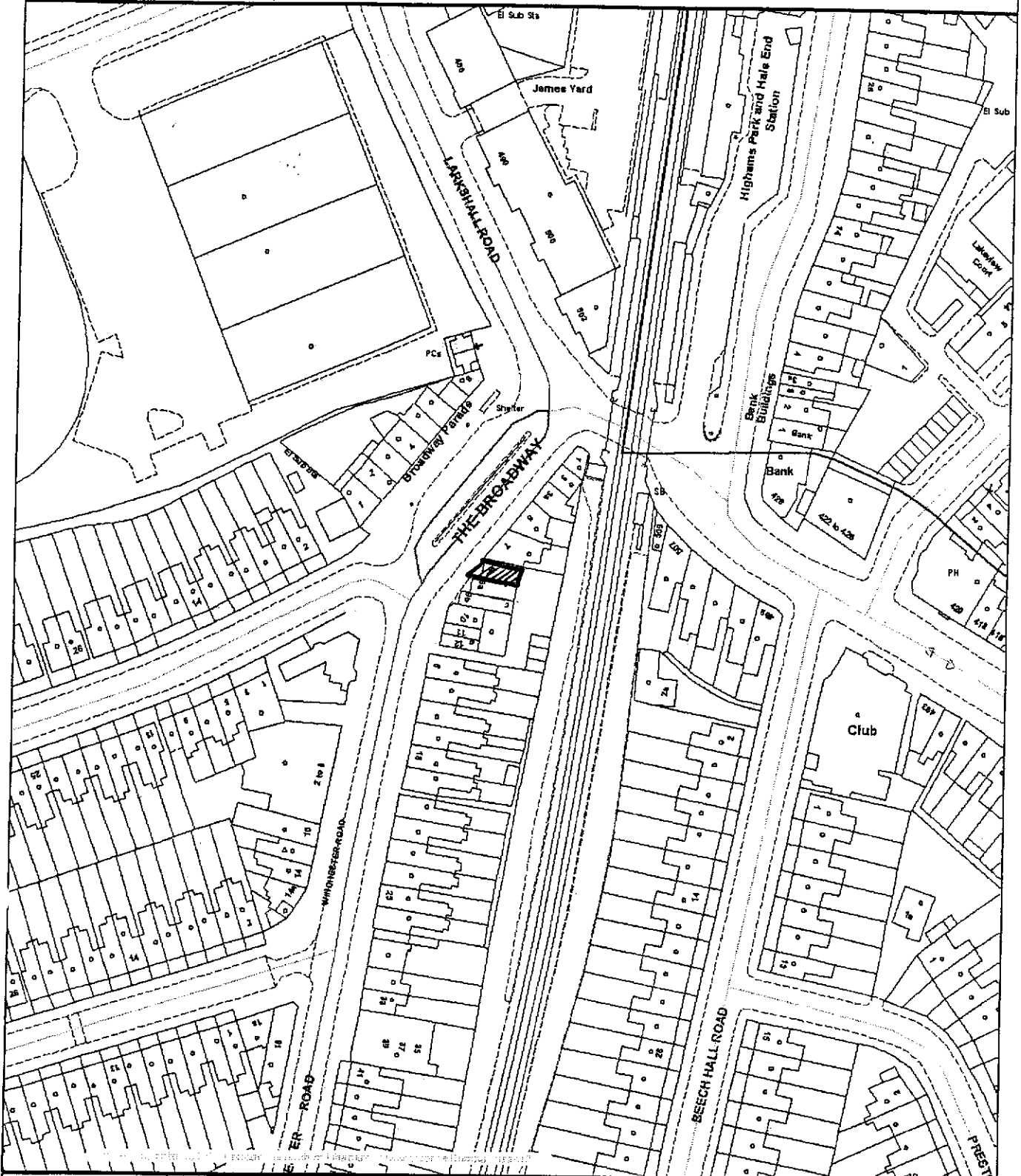
You can appeal against this notice, but any appeal must be received, or posted in time to be **received**, by the Secretary of State **before** the date specified in paragraph 7 of the notice. The enclosed booklet "Making your enforcement appeal" sets out your rights. Read it carefully. You may use the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

2005/0055/ENF
9 THE BROADWAY, CHINGFORD E4



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Scale 1/1250 Date 2/11/2005

Centre = 538531 E 191725 N