

Crow metals

RE: LAND AT CROW METALS, CROW LANE, ROMFORD, ESSEX RM7 0EE

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 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 at Crow Metals, Crow Lane, Romford, Essex RM7 0EE, showed edged in black on the attached plan.

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without benefit of planning permission material change of service yard including staff car, motorcycle and cycle parking area to a separate unit of car wash area with canopy including store room with office and service yard at Crow Metals. (Shown hatched on the attached plan)

The above operation results in breaches of conditions 2, 4 and 6 of planning permission P0962.11.

Condition 2 states:

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications.

Condition 4 states

No development shall take place until details of the proposed boundary treatment between the site and the surrounding properties, including along the access routes have been submitted to and approved in writing by the LPA. The approved scheme shall be implemented prior to the proposal being brought into use.

Condition 6 states

Prior to the first use/ occupation of the development hereby permitted, provision shall be made for the storage of bicycles for use by staff, according to details which shall previously been agreed in writing by the Local Planning Authority.

4. REASONS FOR ISSUING THIS NOTICE

1. It appears to the Council that the above breaches of planning control have occurred "within the last FOUR years" and that steps should be taken to

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remedy the breach by Section 173 4(a) or to remedy any amenity or injury which has been caused by the breach.

2. The above operations result in breaches of conditions 2, 4, & 6 of planning permission P0962.11.

Condition 2 states:

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications.

Condition 4 states

No development shall take place until details of the proposed boundary treatment between the site and the surrounding properties, including along the access routes have been submitted to and approved in writing by the LPA. The approved scheme shall be implemented prior to the proposal being brought into use.

Condition 6 states

Prior to the first use/ occupation of the development hereby permitted, provision shall be made for the storage of bicycles for use by staff, according to details which shall previously been agreed in writing by the Local Planning Authority.

3. The material change of service yard including staff car, motorcycle and cycle parking area to a car wash with canopy including store room with office and service yard at Crow Metals results in an adverse impact to the character and appearance of the street scene, contrary to Policy DC61 of the Local Development Framework
4. The material change of service yard including staff car, motorcycle and cycle parking area to a separate unit of car wash area results in unsafe vehicular movements onto Jutsums Lane, adjacent to existing entrance to Crow Metals causing vehicular conflict and with insufficient visibility splay causing danger to pedestrians, contrary to Policy DC32 of the Local Development Framework.
5. The material change of service yard including staff car, motorcycle and cycle parking area to a separate unit of car wash area results in unacceptable loss of vehicle and bicycle parking area for staff at Crow Metals, resulting in increased demand for on-site and on-street parking detrimental to the functioning of the Crow Metals site, the residential amenity of the area and the functioning of the road network, contrary to Policies DC32 and DC33 of the Local Development Framework and Policy W5 of the Joint Waste DPD..
6. The material change of service yard including staff car, motorcycle and cycle parking area to a separate unit of car wash area results in unacceptable levels of noise disturbance to occupiers of nearby residential properties in Jutsums Lane, contrary to Policies DC55 and DC61 of the Local Development Framework.

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

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5. WHAT YOU ARE REQUIRED TO DO

The Enforcement Notice requires you to, within ONE month:

1. Cease the use of the car wash; and
2. Remove storage and office container unit in the car washing area; and
3. Remove Canopy in car washing area; and
4. Remove all car washing and ancillary equipment associated with unauthorised use from the site; and
5. Reinstate the boundary fence fronting Jutsums Lane now used as entrance/exit for car wash area; and
6. Remove the breeze block boundary wall that separates the yard and car wash area and revert this area to staff car, motorcycle and cycle parking area as shown on the plans in planning permission P0962.11; and
7. Remove all building materials, rubble and other accumulated items from the site.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 10th November 2016, unless an appeal is made against it beforehand

Dated: 29th September 2016

Signed:.....
Name: Simon Thelwell

Authorised Officer
on behalf of London Borough of Havering
5th Floor
Mercury House
Mercury Gardens, Romford RM1 3SL

YOUR RIGHT OF APPEAL

You can appeal against this Enforcement Notice to the Secretary of State before 10th November 2016. Further details are given in the attached explanatory note.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Enforcement Notice, it will take effect on 10th November **2016** 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) is enclosed with this Notice.

YOUR RIGHT OF APPEAL

You can appeal against this Notice, but 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 Secretary of State before 22nd August 2016.

If you intend to appeal against this Notice you should follow the instructions given on the information sheet from the Planning Inspectorate which accompanies this Notice.

GROUND 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 - then a fee of (£385 X 2) £790 is payable to the Council. If the fees are not paid then that ground of appeal will not be valid.

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STATEMENT ON GROUNDS OF APPEAL

You must submit to the Secretary of State, either when giving notice of appeal or within 14 days from the date on which the Secretary of State sends him a notice so requiring, a statement in writing specifying the grounds on which you are appealing against the Enforcement Notice 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:

I.P.M. Personal Pension Trustees Limited (Co. Reg. No. 03029085)
Of Cambridge House,
Campus 6,
Caxton Way, Stevenage, Hertfordshire SG1 2XD

Barclays Bank PLC (Co. Reg. 1026167) of
UK Banking Service Centre
P O Box 299
Birmingham B1 3FF

Company Secretary
Crow Metals Ltd
Haslers
Old Station Road
Loughton, Essex IG10 4PL

Company Secretary
Crow Metals Ltd
Crow Lane, Romford, Essex, RM7 0EE

The Occupiers
Crow Metals Ltd
Crow Lane, Romford, Essex, RM7 0EE

Raw Inc.
Training Facility
Or The Occupiers
Crow Lane
Romford, Essex, RM7 0EE

Occupiers of Car Wash
Crow Metals Ltd
Crow Lane, Romford, Essex, RM7 0EE

Occupiers of Take away Hut
Crow Metals Ltd
Crow Lane, Romford, Essex, RM7 0EE

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Ace Welding & Powder Coating Services
Or The Occupiers
Unit 1 Crow Metal Estate
Crow Lane, Romford, Essex, RM7 0EE

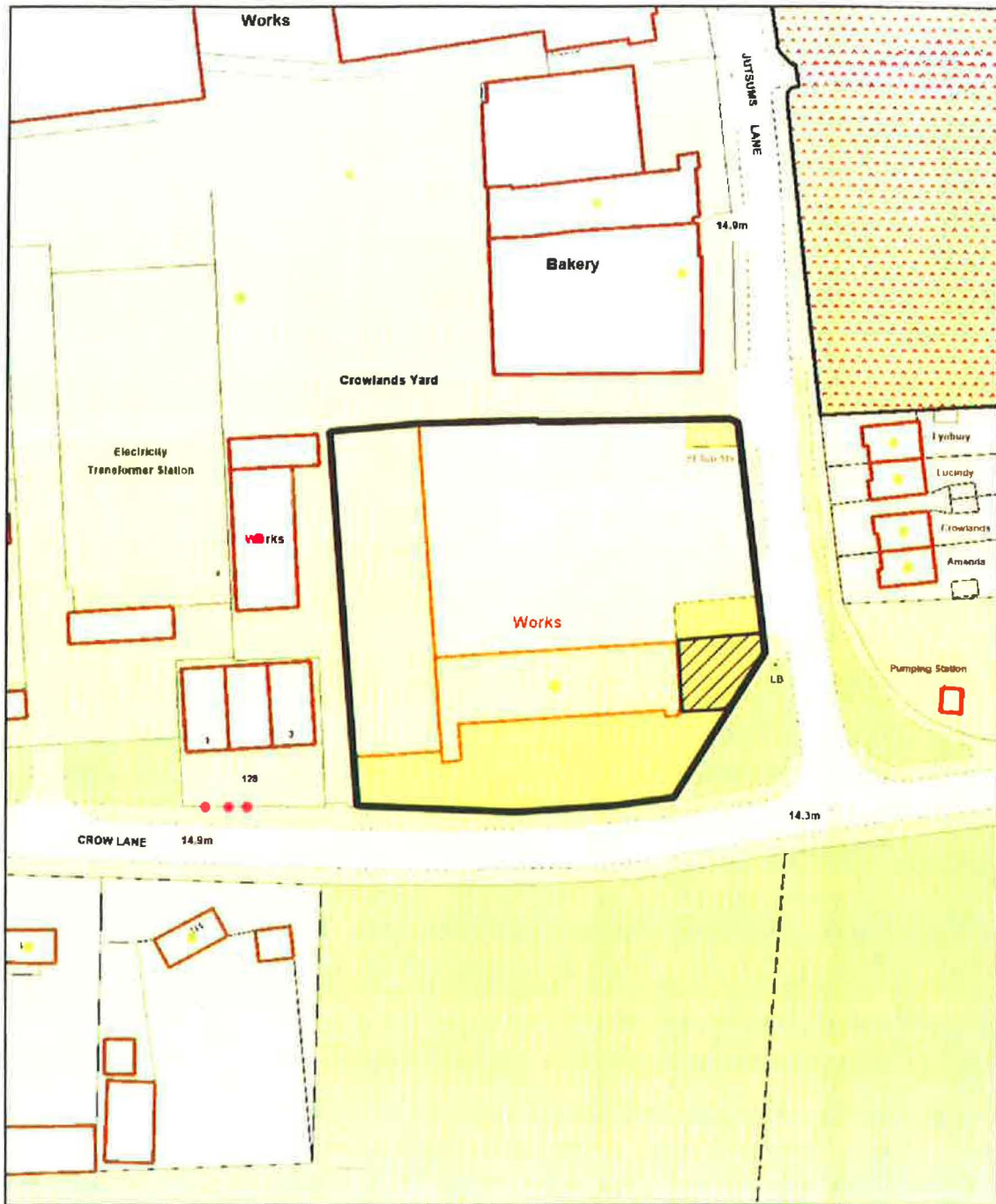
Crow Lane Garage
Or The Occupiers
Unit 2 Crow Metal Estate
Crow Lane, Romford, Essex, RM7 0EE

We buy your used car
Or The Occupiers
Unit 3 Crow Metals Estate
Crow Lane, Romford, Essex, RM7 0EE

Superbia Automotive Ltd
Or The Occupiers
Unit 4 Crow Metal Estate
Crow Lane, Romford, Essex, RM7 0EE

Fifth Avenue Cars
Or The Occupiers
Unit 5 Crow Metals Estate
Crow Lane, Romford, Essex, RM7 0EE

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<p>CROW METALS - CAR WASH</p>	<p>N ↑</p>
<p>nlpg NATIONAL STREET Ordnance Survey Licensed Partner</p>	<p>Scale: 1:1000 Date: 28 September 2016</p> <p>0 2.5 5 7.5 metres</p>
<p> Havering LONDON BOROUGH</p> <p>London Borough of Havering Town Hall, Main Road Romford, RM1 3BD Tel: 01708 434343</p>	<p>© Crown copyright and database rights 2016 Ordnance Survey 100024327</p>

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2. THE LAND AFFECTED

The land at Crow Metals, Crow Lane, Romford, Essex RM7 0EE, showed edged in black on the attached plan.

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, material change of south east part of the land used as car parking area to use as a fast food take away unit. (Use Class A5 of the Use Classes Order 2015) (Shown hatched on attached plan)

The above operation results in breaches of condition 2 of planning permission P0962.11.

Condition 2 states:

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications.

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 amenity or injury which has been caused by the breach.

2. The above operation results in breaches of conditions 2 of planning permission P0962.11.

Condition 2 states:

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications.

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3. The takeaway food hut due to its siting and design, appears incongruous in the street scene, contrary to Policy DC61 of the Local Development Framework.
4. The takeaway food hut results in unacceptable loss of vehicle and bicycle parking area for staff at Crow Metals, resulting in increased demand for on-site and on-street parking detrimental to the functioning of the Crow Metals site, residential amenity of the area and the functioning of the road network, contrary to Policies DC32 and DC33 of the Local Development Framework and Policy W5 of the Joint Waste DPD.
5. The takeaway food hut, due to cooking of food without adequate fume extraction system, results in fume and smell nuisance to nearby residential properties, contrary to Policy DC61 of the Local Development Framework.

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

5. WHAT YOU ARE REQUIRED TO DO

The Enforcement Notice requires you to, within ONE month:

1. Cease the use of fast food take away from take away hut fronting Jutsums Lane and Crow Lane; and
2. Remove takeaway hut from the land.
3. Remove any rubbish accumulated as a result of taking steps 1 and 2 above.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 10th November 2016, unless an appeal is made against it beforehand

Dated: 29th September 2016

Signed: 

Name: Simon Thelwell

Authorised Officer
on behalf of London Borough of Havering
5th Floor
Mercury House
Mercury Gardens, Romford RM1 3SL

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- (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;

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- (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.

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Of Cambridge House,
Campus 6,
Caxton Way, Stevenage, Hertfordshire SG1 2XD

Barclays Bank PLC (Co. Reg. 1026167) of
UK Banking Service Centre
P O Box 299
Birmingham B1 3FF

Company Secretary
Crow Metals Ltd
Haslers
Old Station Road
Loughton, Essex IG10 4PL

Company Secretary
Crow Metals Ltd
Crow Lane, Romford, Essex, RM7 0EE

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The Occupiers
Crow Metals Ltd
Crow Lane, Romford, Essex, RM7 0EE

Raw Inc.
Training Facility
Or The Occupiers
Crow Lane
Romford, Essex, RM7 0EE

Occupiers of Car Wash
Crow Metals Ltd
Crow Lane, Romford, Essex, RM7 0EE

Occupiers of Take away Hut
Crow Metals Ltd
Crow Lane, Romford, Essex, RM7 0EE

Ace Welding & Powder Coating Services
Or The Occupiers
Unit 1 Crow Metal Estate
Crow Lane, Romford, Essex, RM7 0EE

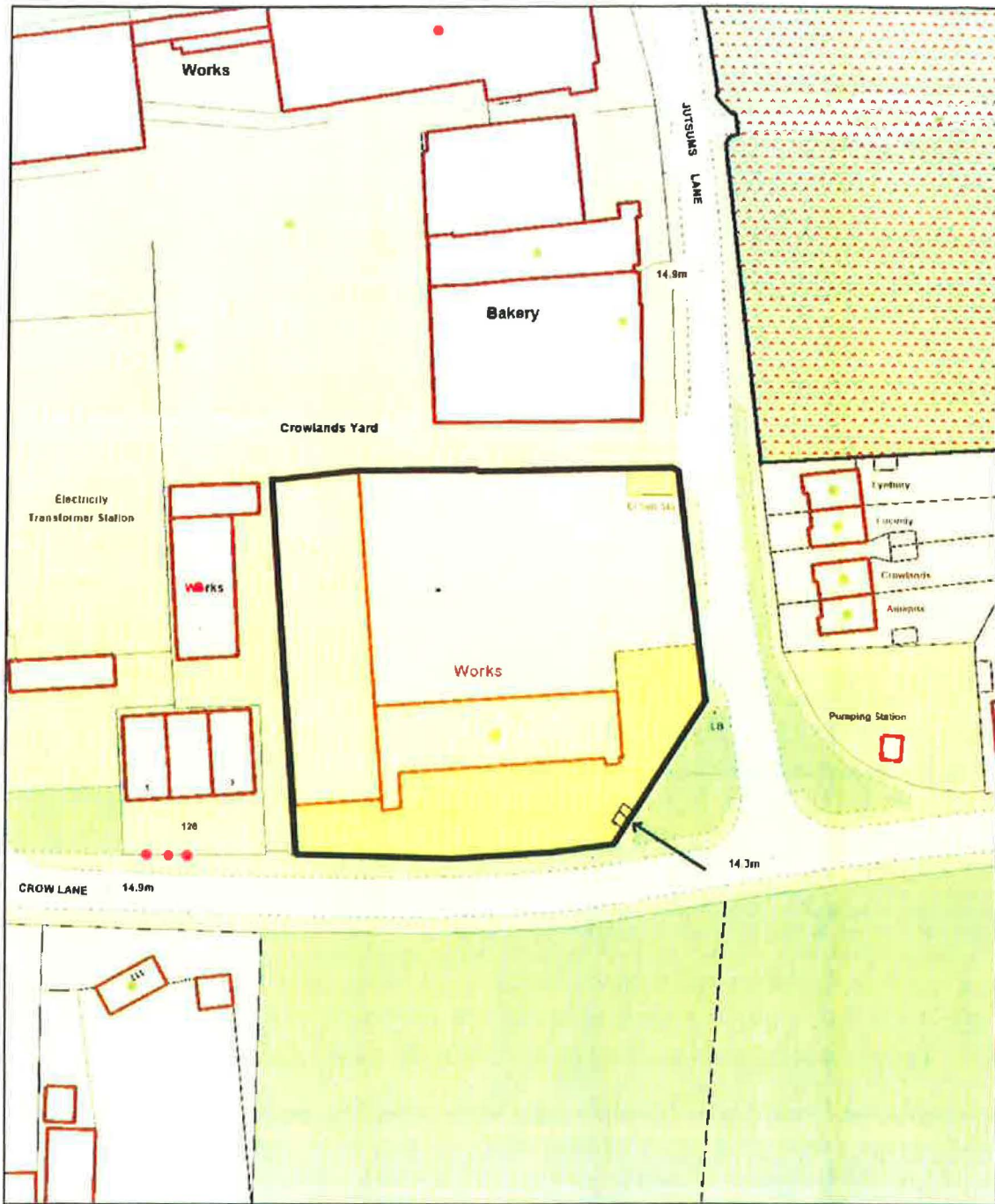
Crow Lane Garage
Or The Occupiers
Unit 2 Crow Metal Estate
Crow Lane, Romford, Essex, RM7 0EE

We buy your used car
Or The Occupiers
Unit 3 Crow Metals Estate
Crow Lane, Romford, Essex, RM7 0EE

Superbia Automotive Ltd
Or The Occupiers
Unit 4 Crow Metal Estate
Crow Lane, Romford, Essex, RM7 0EE

Fifth Avenue Cars
Or The Occupiers
Unit 5 Crow Metals Estate
Crow Lane, Romford, Essex, RM7 0EE

Crow metals



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	Scale: 1:1000 Date: 28 September 2016	
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