

**RE: Caravan site east of Rosewood Cottage, Woodlands Drive, Noak Hill,  
Romford RM4 1LB**

**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 east of Rosewood Cottage, Woodlands Drive, Noak Hill, Romford RM4 1LB, Land Registry Title Number EGL278776 as shown hatched edged in black on the attached plan.

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

- (i) The change of use of the land shown hatched in black on the attached plan A from open land in Green Belt to residential use involving the stationing of caravans / mobile homes.
- (ii) The laying of hard standing to accommodate caravans and motor vehicles on the land shown cross hatched in black shown on the attached plan B.

4. **REASONS FOR ISSUING THIS NOTICE**

To issue an enforcement notice to cease the use of land hatched in black in the attached plan for stationing of mobile homes / caravans and for residential purposes.

**Reasons**

- (1) It appears to the Council that the above breaches of planning control have occurred within the last TEN years in relation to the development and uses of the land 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 use is inappropriate development in the Green Belt. The use of the site for residential use, involving the siting of mobile homes, due to the intensity of use and occupation of previously open undeveloped land results in loss of openness, harmful to the Green Belt. Policy E of the Planning Policy for Traveller Sites 2015 states that traveller sites (temporary or permanent) are considered inappropriate development. Inappropriate development is by definition harmful to the Green Belt and

should not be approved, except in very special circumstances. The guidance in the NPPF is that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

- (3) The development is therefore considered to be contrary to adopted policy and has a harmful impact on the Green Belt.

The development is contrary to the following Local Development Policies (LDF) adopted in 2008 and London Plan (adopted March 2016):

CP14 - Green Belt  
DC8 - Gypsies and Travellers  
DC45 - Appropriate Development in the Green Belt  
DC61 (Urban Design)  
DC69 (Other Areas of Special Townscape or Landscape Character)  
OTHER  
LONDON PLAN - 7.16 - Green Belt  
NPPF - National Planning Policy Framework  
PPTS – Planning Policy for Traveller Sites

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

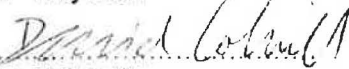
The Enforcement Notice to require, **within TWO MONTHS**:

1. Cease use of the land shown hatched in black on the attached plan A for residential purposes including storage of mobile homes / caravans, motor vehicles; and
2. Remove from the land all mobile homes / caravans, motor vehicles and any other structures or outbuildings; and
3. Remove hardstanding from the land shown cross hatched in black on the attached plan B; and
4. Restore the land, marked hatched black on the attached plan, to its condition before the breach occurred.
5. Remove all building materials, rubble and debris associated with taking steps 1, 2, 3 and 4 above.

## 6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 28<sup>th</sup> August 2017, unless an appeal is made against it beforehand

Dated: 24<sup>th</sup> July 2017

Signed: 

Name: David Colwill

Team Leader, Planning Enforcement and Appeals

on behalf of London Borough of Havering

5<sup>th</sup> Floor, Mercury House, Mercury Gardens, Romford RM1 3SL

Nominated Officer: Onkar Bhogal Telephone Number: 01708 431587

Email: Onkar.Bhogal@haverling.gov.uk

## YOUR RIGHT OF APPEAL

You can appeal against this Enforcement Notice to the Secretary of State before 28<sup>th</sup> August 2017. 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 28<sup>th</sup> August 2017 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 **28<sup>th</sup> August 2017**.

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 **£770** is payable to the Council. If the fees are not paid then that ground of appeal will not be valid.

## **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**

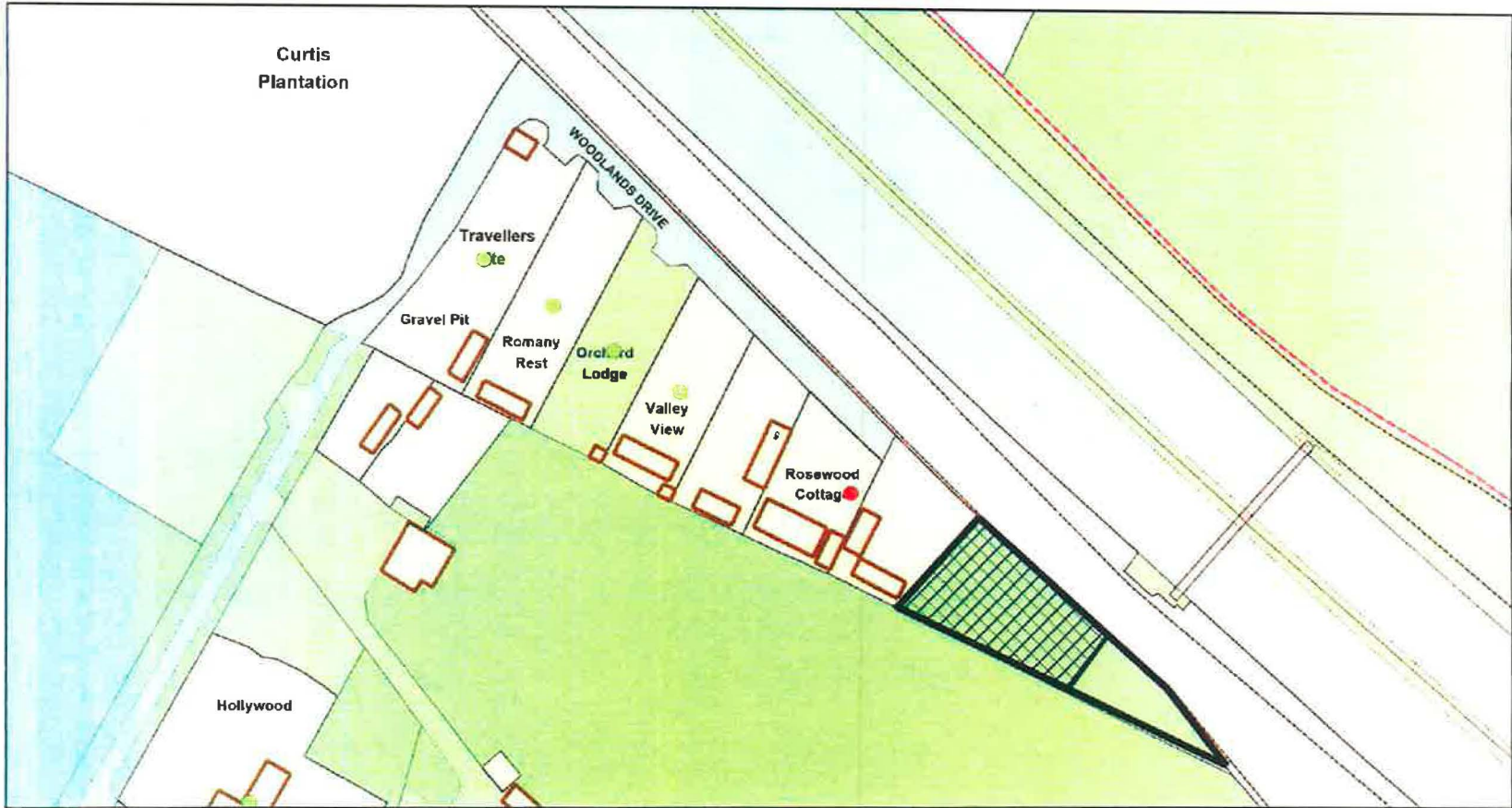
The names and addresses of all the persons on whom the Enforcement Notice has been served are:

The Company Secretary  
Highways England Company Limited  
Co. Reg. No. 9346363  
Bridge House  
1 Walnut Tree Close  
Guildford, Surrey GU1 4LZ

The Company Secretary  
Highways England Company Limited  
National Property Management and Disposal  
Ash House  
Falcon Road  
Sowton, Exeter EX2 7LB

Phil Bentley  
Assurance Director  
Connect Plus Services  
Connect Plus House  
St Albans Road  
South Mimms  
Potters Bar, Herts EN6 3NP

**+all persons on or at the land described above**



**LAND EAST OF ROSEWOOD COTTAGE- PLAN B**



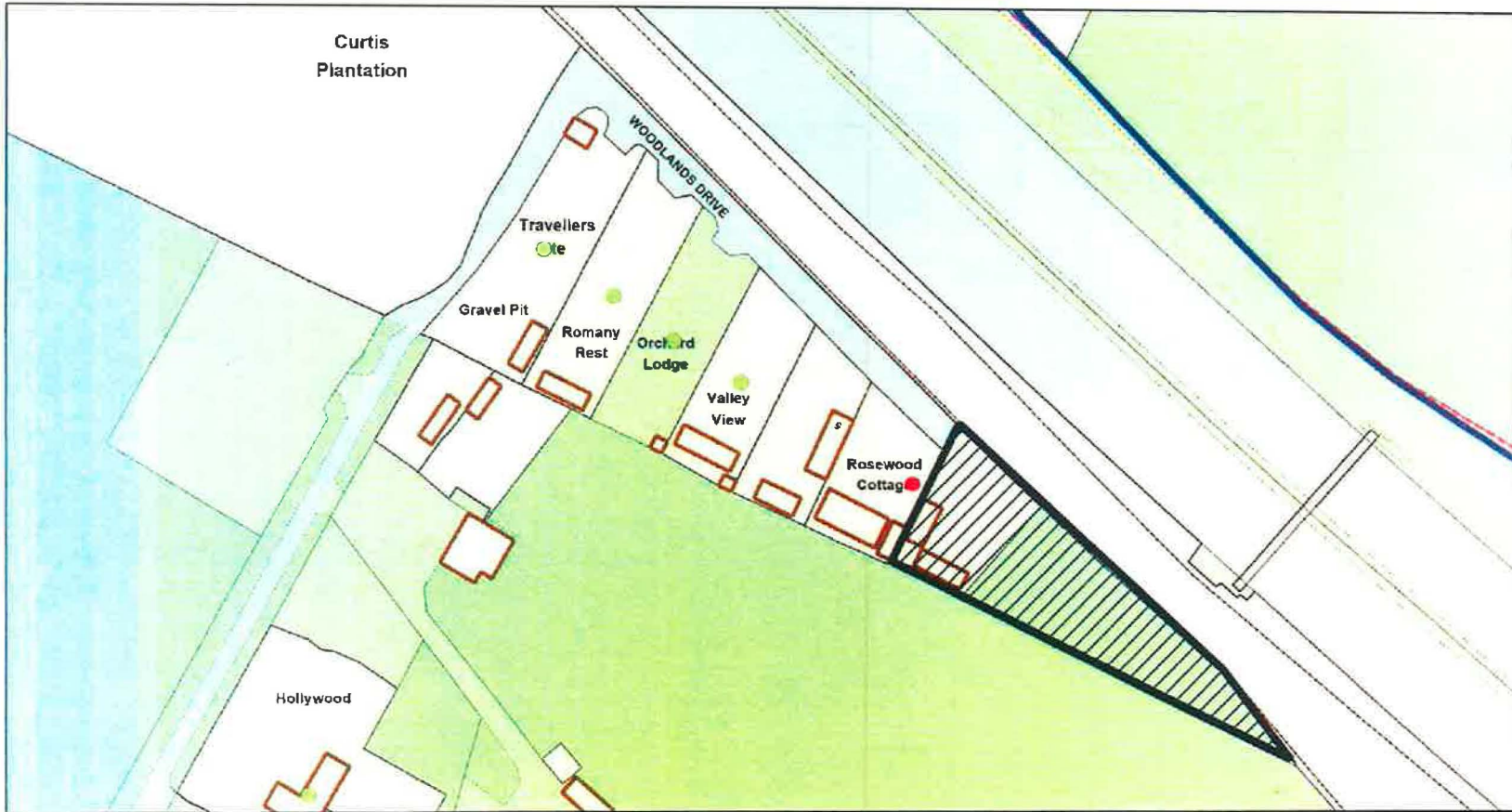
Scale: 1:1250  
 Date: 19 July 2017  
 Size: A4



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

© Crown copyright and database rights 2017  
 Ordnance Survey 100024327





LAND EAST OF ROSEWOOD COTTAGE PLAN A



Scale: 1:1250  
Date: 26 June 2017  
Size: A4



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

© Crown copyright and database rights 2017  
Ordnance Survey 100024327