

**RE: LAND KNOWN AS AVELEY MARSHES TO THE NORTH WEST OF 9 – 15
JULIETTE WAY, SOUTH OCKENDON, ESSEX RM15 4YD**

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT NOTICE

- TO:**
1. The Owner of the said land
 2. The Occupier of the said land
 3. Mr Dean Kenneth Everett, Lamorna, Dunnings Lane, Bulphan, Upminster, RM14 3RJ
 4. Mr Michael Verrechia, c/o Freightmaster Commercials, Arterial Road, Aveley, RM15 4XS
 5. The Company Secretary, City Lifting Ltd. 9 Juliette Way Purfleet Industrial Park, South Ockendon, Essex RM15 4YD
 6. LPS Scaffolding, 29 Arnhem Avenue, Aveley, South Ockendon, Essex RM15 4AT
 7. The Company Secretary, Safeway Groundwork Supplies Ltd, 17 Juliette Way Purfleet Industrial Park, Aveley, South Ockendon, Essex, RM15 4YA
 8. M.V.Exports Unit A Millennium House, Thurrock Commercial Centre, Purfleet Industrial Park, Juliette Way, Purfleet, Essex, RM15 4YD
 9. The Company Secretary, M Brown Demolition Ltd land rear of 9-15 Juliette Way Purfleet Industrial Park, South Ockendon, Essex RM15 4YD
 10. S McCarthy Scaffolding land rear of 9-15 Juliette Way Purfleet Industrial Park, South Ockendon, Essex RM15 4YD
 11. Transport for London, The Property Asset Register Manager, Transport for London (Group Property), 172 Buckingham Palace Road, London, SW1E 9TN

ISSUED BY: London Borough of Havering

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 planning 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.

The land known as Aveley Marshes, to the north and west of 9 – 15 Juliette Way Purfleet Industrial Park, Aveley, South Ockendon, Essex, RM15 4YA shown outlined in bold black on the attached Plan B falling within Title Number EGL512947 (hereinafter called “the Land”)

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

Without planning permission a change of use of the land shown hatched black on the attached plan A (hereinafter called “the land”) from open land with nil use to a use of the land as a scaffolding yard and for the storage of scaffolding equipment, storage of crane parts, storage of scrapped vehicles including HGV's and HGV bodies, storage of containers, storage of plant and equipment, parking and storage of vehicles and storage of agricultural equipment

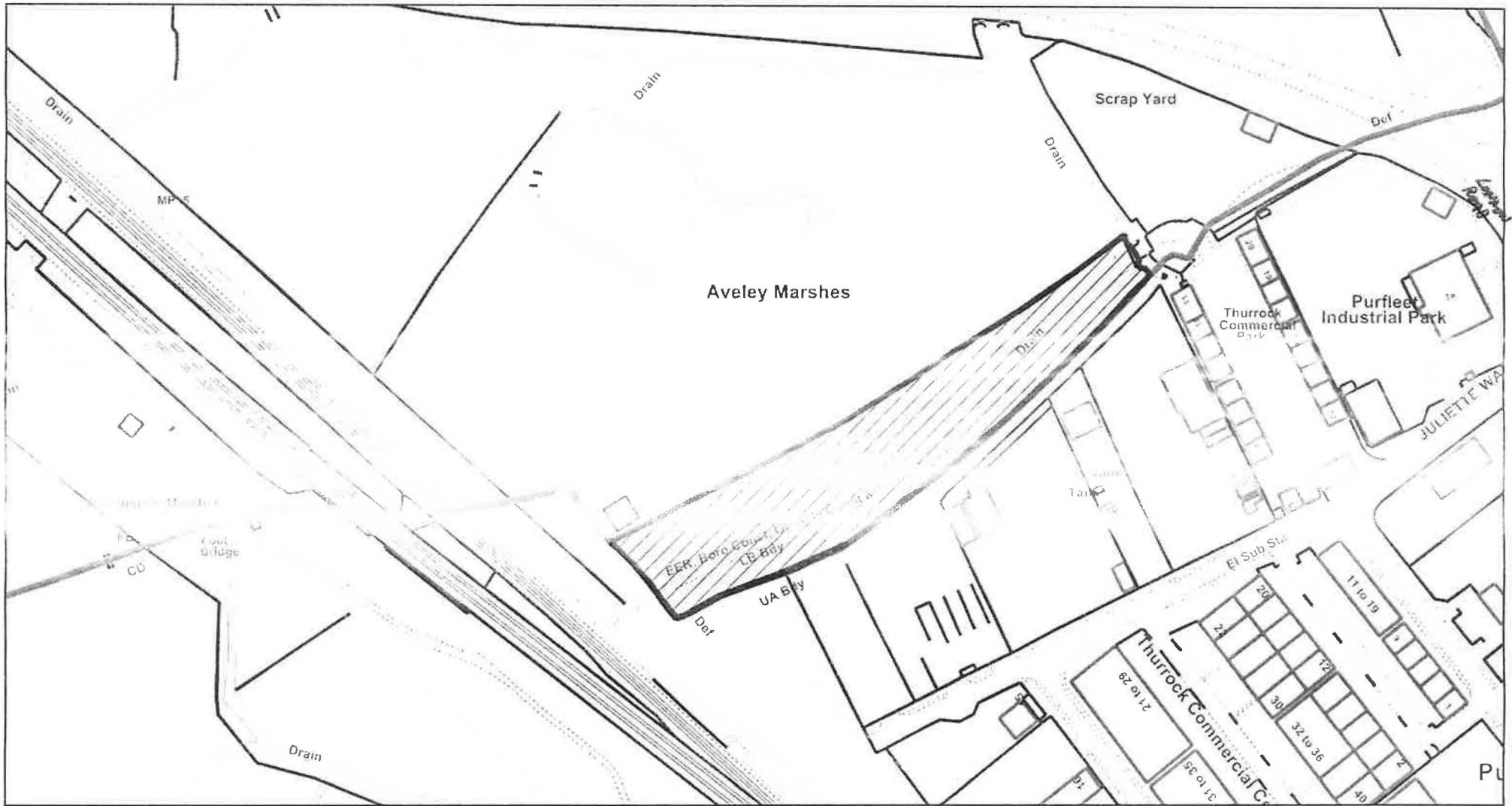
4. REASONS FOR ISSUING THIS NOTICE

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

The Land shown cross hatched on the attached plan (Plan A) is located within the Metropolitan Green Belt. The unauthorised use of the land for the purposes of the storage of scaffolding equipment, the storage of crane parts, the storage of scrapped vehicles including HGV's and HGV bodies, the storage of containers, the storage of plant and equipment, parking and storage of vehicles and the storage of agricultural equipment has a significant impact on the openness of the Green Belt by reason of the open air storage of the aforementioned items and the parking of vehicles on the land.

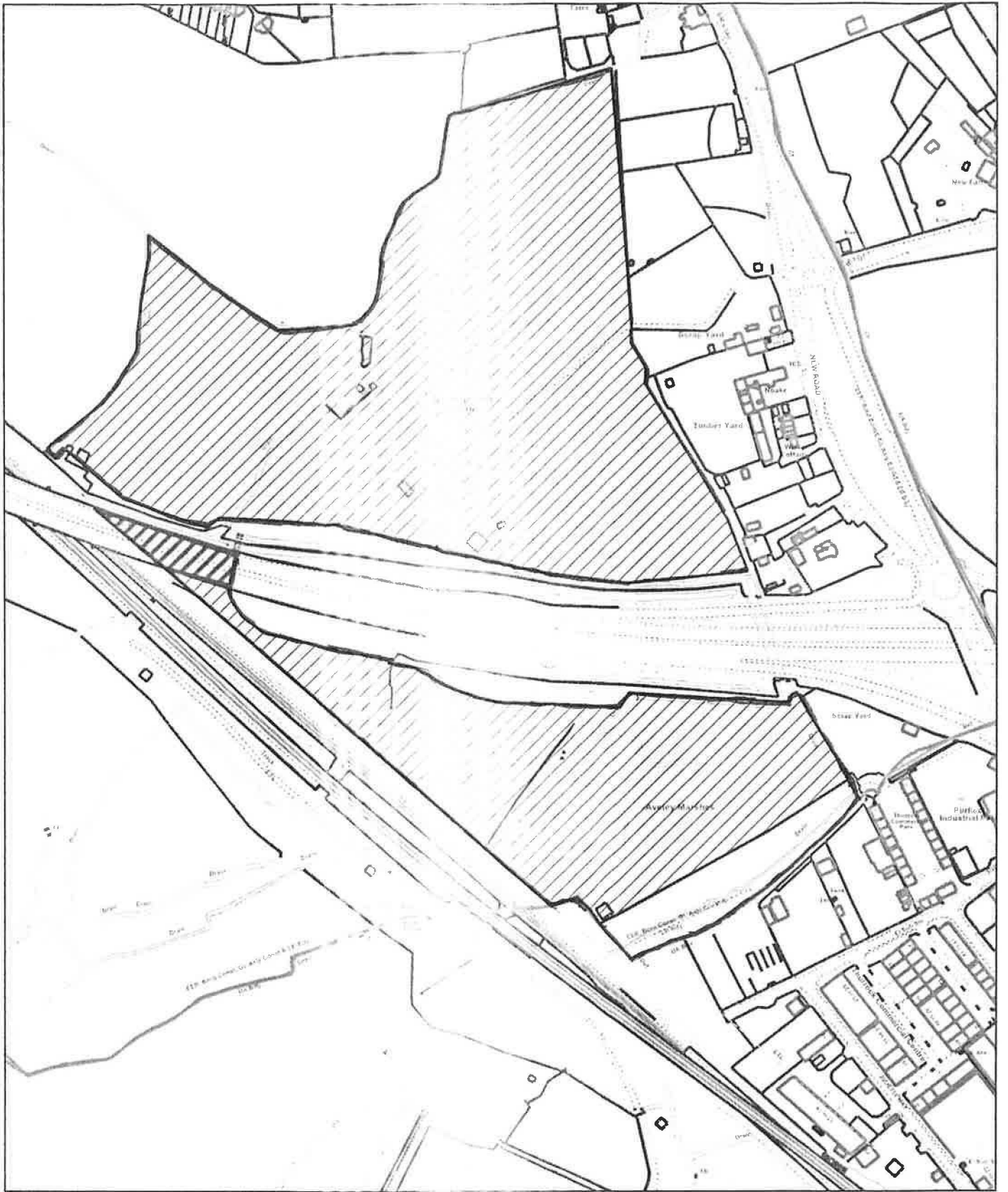
The alleged breach of planning control is materially harmful to the visual amenities and open character of the surrounding area because of the visibility and extent of aforementioned items and the parking of vehicles. The all year round activity associated with storage on the site and parking of vehicles contrasts with that say of agriculture which is more seasonal in nature. The change of use therefore represents inappropriate development in the Green Belt and fails to preserve the openness of the Green Belt and conflicts with the purposes of including land in Green Belt

In making its decision to issue this Notice the Council contend that the unauthorised use of the land is contrary to the provisions of the National Planning Policy Framework (NPPF) Planning Practice Guidance and the following policies of the



PLAN A N
↑

	<p>Scale: 1:2500 Date: 19 May 2014 Size: A4</p>
--	---



Aveley Marshes PLAN B



nlp
Not for sale
 0836 785116



OS
Ordnance Survey
 Licensed Partner

Scale: 1:5000
Date: 19 May 2014



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

© Crown copyright and database rights 2014
 Ordnance Survey 100024327



Local Development Framework, Core Strategy and Development Control Policies Development Plan Document: DC45 (Green Belt) and DC61 (Urban Design) as well as London Plan (adopted 2011) Policy 7.16 (Green Belt) and London Plan (Revised Early Minor Alterations 2013) Policy 7.16 (Green Belt).

5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the use of that part of the Land shown hatched black on Plan A attached as a scaffolding yard and for the storage including without limitation storage of scaffolding equipment, the storage of crane parts, the storage of scrapped vehicles including HGV's and HGV bodies, the storage of containers, the storage of plant and equipment and parking and storage of vehicles

Time for compliance: 3 months from the effective date of this notice.

- (ii) Cease the use of that part of the Land shown hatched black on plan A for the storage of agricultural equipment not associated with the agricultural holding used for the grazing of cattle and production of feed located to the north and west of the site (shown hatched black on the attached Plan B).

Time for compliance: 3 months from the effective date of this notice.

- (ii) Remove from that part of the Land hatched black on Plan A all scaffolding equipment, crane parts, scrapped vehicles, scrapped Heavy Goods Vehicles and bodies, containers and portable buildings, plant, equipment and machinery, building materials, associated spoils and rubble brought onto the land in connection with the unauthorised use mentioned above in (i) and agricultural equipment not associated with the agricultural holding used for the grazing of cattle and production of feed located to the north and west of the site (shown hatched black on the attached Plan B)

Time for compliance: 3 months from the effective date of this notice.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 31st October 2014, unless an appeal is made against it beforehand

Dated: 19th September 2014

Signed:



— • Authorised Officer

On behalf of London Borough of Havering
Town Hall

Main Road
Romford RM1 3BD

YOUR RIGHT OF APPEAL

You can appeal against this Enforcement Notice to the Secretary of State by 31st October 2014. Further details are given in the attached explanatory note.

An information sheet published by the Planning Inspectorate gives details of how to make an appeal -

[link to <http://www.planningportal.gov.uk/uploads/pins/eninfosheet.pdf>]

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Enforcement Notice, it will take effect on 31st October 2014 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 31st October 2014.

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.

GROUNDINGS 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 of the following grounds:-

- (a) That, in respect of any breach of planning control which may be constituted by the matters stated in this 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 served as required by Section 172;
- (f) That, steps required by the notice to be taken ,or the activities required by the notice 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 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

If you intend to appeal against the notice on ground (a) – that planning permission should be granted for the unauthorised development – then a fee of £770.00 is payable to the Council. If the fee is 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 him, 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

1. The Owner of the said land
2. The Occupier of the said land
3. Mr Dean Kenneth Everett, Lamorna, Dunnings Lane, Bulphan, Upminster, RM14 3RJ
4. Mr Michael Verrechia, c/o Freightmaster Commercials, Arterial Road, Aveley, RM15 4XS
5. The Company Secretary, City Lifting Ltd. 9 Juliette Way Purfleet Industrial Park, South Ockendon, Essex RM15 4YD
6. LPS Scaffolding, 29 Arnhem Avenue, Aveley, South Ockendon, Essex RM15 4AT
7. The Company Secretary, Safeway Groundwork Supplies Ltd, 17 Juliette Way Purfleet Industrial Park, Aveley, South Ockendon, Essex, RM15 4YA
8. M.V.Exports Unit A Millennium House, Thurrock Commercial Centre, Purfleet Industrial Park, Juliette Way, Purfleet, Essex, RM15 4YD
9. The Company Secretary, M Brown Demolition Ltd land rear of 9-15 Juliette Way Purfleet Industrial Park, South Ockendon, Essex RM15 4YD
10. S McCarthy Scaffolding land rear of 9-15 Juliette Way Purfleet Industrial Park, South Ockendon, Essex RM15 4YD

- 11 Transport for London, The Property Asset Register Manager,
Transport for London (Group Property), 172 Buckingham Palace Road,
London, SW1E 9TN