

**RE: Land on the West side of Straight Road, Romford known as Hogbar Farm,
Lower Bedford Road, Romford, Essex RM1 4DG**

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 and property
 2. The Occupier of the said land and property
 3. Myles Martin O'Connor of Woodside, Five Oaks Lane, Chigwell IG7 4QP.
 4. John Joseph O' Connor of Woodside, Five Oaks Lane, Chigwell IG7 4QP.
 5. Larry O' Connor of Hogbar Farm, Lower Bedfords Road Essex RM1 4DG
 6. Rebecca O' Connor of Hogbar Farm, Lower Bedfords Road Essex RM1 4DG
 7. Jim O' Connor of Hogbar Farm, Lower Bedfords Road Essex RM1 4DG
 8. Lisa Delaney of Hogbar Farm, Lower Bedfords Road Essex RM1 4DG
 9. Caroline Purcell of Hogbar Farm, Lower Bedfords Road Essex RM1 4DG
 10. Hugh Purcell of Hogbar Farm, Lower Bedfords Road Essex RM1 4DG
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 12. Kathleen Connors of Hogbar Farm, Lower Bedfords Road Essex RM1 4DG
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 14. Gerry Purcell of Hogbar Farm, Lower Bedfords Road Essex RM1 4DG
 15. Maryanne Purcell of Hogbar Farm, Lower Bedfords Road Essex RM1 4DG
 16. Helen Purcell of Hogbar Farm, Lower Bedfords Road Essex RM1 4DG
 17. John Murphy of Hogbar Farm, Lower Bedfords Road Essex RM1 4DG

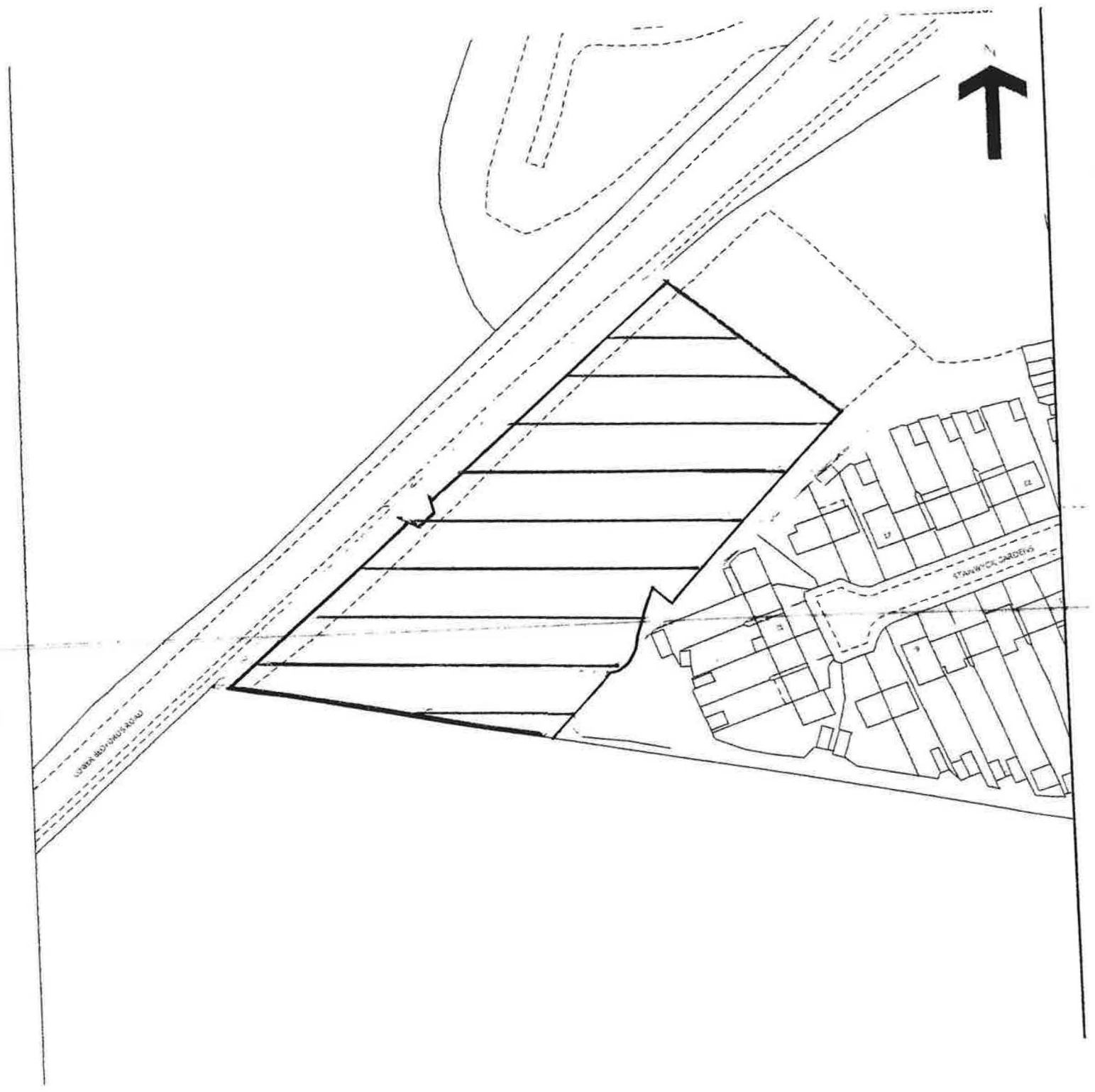
18. Eileen O' Connor of Hogbar Farm, Lower Bedfords Road Essex RM1 4DG
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27. Katie Robb of Hogbar Farm, Lower Bedfords Road Essex RM1 4DG
28. Larry Purcell of Hogbar Farm, Lower Bedfords Road Essex RM1 4DG

ISSUED BY: London Borough of Havering

1. **THIS IS A FORMAL NOTICE** which is issued by the London Borough of Havering ("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. The Council considers 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 on the West side of Straight Road, Romford known as Hogbar Farm, Lower Bedford Road, Romford, Essex RM1 4DG (registered at the Land Registry under title No EGL451026) and shown outlined hatched black on the attached plan ("the Land").



3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the material change of use of the Land to residential use through; the stationing of mobile homes and touring caravans on the Land for residential purposes; the laying of ancillary hard surfacing on the Land; the parking of vehicles and open storage on the Land.

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 lies within the Metropolitan Green Belt. The unauthorised use of the Land has a materially harmful impact on the Metropolitan Green Belt. The unauthorised use is detrimental to the visual amenity and character of the surrounding area in general and is harmful to the essential open nature of this part of the Metropolitan Green belt.

Both national and local planning policies provide for the protection of the Metropolitan Green Belt, the fundamental aim of Green Belts being to prevent urban sprawl by keeping land permanently open. There is a general presumption against inappropriate uses and development within the Green Belt except in very special circumstances.

The Council has not been made aware of any very special circumstances which would outweigh the harm to the Green belt. The Council considers that the change in the use of the Land and other residential paraphernalia on the Land constitutes inappropriate development in the Metropolitan Green Belt and significantly reduces the openness of this part of the Green Belt.

The unauthorised use of the Land and unauthorised development on the Land are inappropriate, and by definition, harmful to the Green Belt and contrary to policies DC45 and DC61 of the Council's Local Development Framework Core Strategy and Development Control Policies Development Plan Document and the NPPF.

The Council do not consider that planning permission should be given, because planning conditions could not overcome these problems.

An enforcement notice was issued on 6th September 2001 by the Council in respect of an area of land slightly more extensive than the Land subject to this enforcement notice. The appeal was allowed and temporary planning permission granted for one year expiring on the first anniversary of the date of the appeal decision 14th February 2003 for the Western part of the Land. That temporary planning permission has expired.

A further enforcement notice was issue on 16th January 2004 in respect of part of the Land primarily within the eastern part of the Land. That notice was quashed and temporary planning permission issued to named persons and their wives and children until 31st December 2011 or until land subject to the enforcement notice was no longer occupied by the named persons and their wives and children which ever was the earlier. This temporary permission was varied by a temporary planning permission which agreed a variation of the authorised occupiers to whom the

permission was personal and amongst other things extended the temporary period of the planning permission to 30th April 2013 or until the land shall no longer be occupied by those to who the personal permission benefits, whichever is the earlier. That temporary planning permission has expired.

The use of the Land permitted under the Planning Permissions has lapsed.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the use of the Land for residential purposes.

Time for compliance: 2 years from the effective date of this notice.

- (ii) Cease the use of the Land for the parking of vehicles.

Time for compliance: 2 years from the effective date of this notice.

- (iii) Cease the use of the Land for storage purposes (associated with the unauthorised use).

Time for compliance: 2 years from the effective date of this notice.

- (iv) Remove from the Land all mobile homes, caravans, hard surfacing, equipment, machinery, goods, rubbish, apparatus and installations brought onto the Land in connection with the unauthorised use.

Time for compliance: 2 years from the effective date of this notice.

- (v) Reinstate the Land to its former rural condition by reseeding and replanting the affected area with grass.

Time for compliance: 2 years from the effective date of this notice.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 17 March 2014, unless an appeal is made against it beforehand

Dated: 12 February 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 17 March 2014. 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 17 March 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 17 March 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.

GROUNDS 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

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:

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 2. The Occupier of the said land and property
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