

RE: County Service Station, Essex Gardens, Hornchurch RM11 3EH

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. The Company Secretary, Plaistow Broadway Filling Stations Limited of 37 Market Street, Woolwich, London SE18 6QR.

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 and property known as County Service Station, Essex Gardens, Hornchurch RM11 3EH edged in bold black on the attached plan ("the Land").

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

Without planning permission, the unauthorised change of use of the Land from a petrol filling station to a car wash with valeting service.

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 unauthorised change of use has a materially harmful impact on occupiers of adjoining properties by reason of:

- a. increase in noise levels, through the use of valeting tools and jet washers, giving rise to disturbance;
- b. inadequate parking layout giving rise to parking congestion in the area.

The unauthorised change of use is contrary to Policies DC33, DC34, DC51, DC55 and DC61 of the Local Development Framework (Development Plan Documents).

The unauthorised change of use does not constitute permitted development under the General Permitted Development Order 1995 (as amended).

5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease using the Land for the washing and valeting of vehicles.

Time for compliance: 1 month from the effective date of this notice.

- (ii) Cease using the Land for the storage of cleaning materials.

Time for compliance: 1 month from the effective date of this notice.

- (iii) Remove from the Land all machinery, equipment, apparatus, cleaning materials, vehicles, tools, scrap, waste, signage and installations associated with the unauthorised use and to comply with (i) and (ii) above.

Time for compliance: 1 month from the effective date of this notice.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 24 October 2011, unless an appeal is made against it beforehand

Dated: 19 September 2011

Signed:



Authorised Officer
on behalf of London Borough of
Havering
Town Hall
Main Road, Romford RM1 3BD

Monday 19/9/11 I served a
copy of attached Notice on
Arsim Leci (occupier).



YOUR RIGHT OF APPEAL

You can appeal against this Enforcement Notice to the Secretary of State by 24 October 2011. 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 24 October 2011 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 24 October 2011.

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 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.

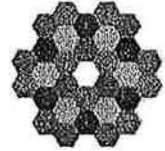
Not all these grounds may be relevant to you.

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 £335.00 is payable both to the Secretary of State and to the Council making the total fees payable £670.00. If the fees are not paid then that ground of appeal will not be valid.

Land Registry
Official copy of
title plan

Title number **EGL533751**
Ordnance Survey map reference **TQ5488NE**
Scale **1:1250**
Administrative area **HAVERING**



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