

RE: TIMBUK2, FOLKES FARM, FOLKES LANE, UPMINSTER. RM14 1TH

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT NOTICE C

TO:

1. The Owner of the said land
2. The Occupier of the said land
3. The Company Secretary  
Timbuk2 Limited  
Finance House  
77 Queens Road  
Buckhurst Hill, Essex IG9 5BW
4. The Company Secretary  
Glenroy Estates  
Unit 14 Grosvenor Way  
London E5 9ND
5. The Company Secretary  
Nationwide Building Society of Property Finance  
Kings Park Road  
Molton Park  
Northampton NN3 6NW

**ISSUED BY:** London Borough of Havering

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 Folkes Farm, Folkes Lane, Upminster RM14 1TH, shown cross hatched in 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 for car parking, shown cross hatched black on the attached plan.

#### **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 change of use of the land for car parking was substantially commenced less than ten years ago. The site lies within the Metropolitan Green Belt.

The unauthorised development is contrary to development plan policies and harmful to the visual amenity of the Land. In making its decision to issue this Notice the council considers that the hardstanding area associated with the material change of use of the Land for car parking causes harm to the character and the openness of the Metropolitan Green Belt.

The unauthorised development is contrary to the objectives of Planning Policy Guidance Note 2: Green Belts, and contrary to Policy DC45 of the Local Development Framework, which confirm that planning permission should only be given if such identified harm is clearly outweighed by very special circumstances.

As the material change of use of the Land for car parking has a detrimental impact upon views into the site, and the sites openness, it affects the contribution of the site to the Metropolitan Green Belt. The Council does not consider that planning permission should be given, because planning conditions could not overcome this harm.

In making its decision to issue this Notice the Council considered that the unauthorised use is contrary to the following policies of the Local Development Framework: policies DC61, DC45 and PPG2 policy guidance.

#### **5. WHAT YOU ARE REQUIRED TO DO**

- (i) Cease using the land shown cross hatched on the attached plan for the unauthorised use of car parking.

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

- (ii) Remove all hardstanding located in the area cross hatched black on the attached plan from the Land.

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

- (iii) Remove from the Land all rubbish, rubble, building material, machinery, apparatus and equipment brought onto the Land in order to comply with (ii) above.

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

- (iv) Restore the land to its original condition prior to the installation of the unauthorised hardstanding, by reseeding the area cross hatched black on the attached plan with grass.

Time for compliance: 6 months from the effective date of this notice

6. **WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 13 May 2010, unless an appeal is made against it beforehand

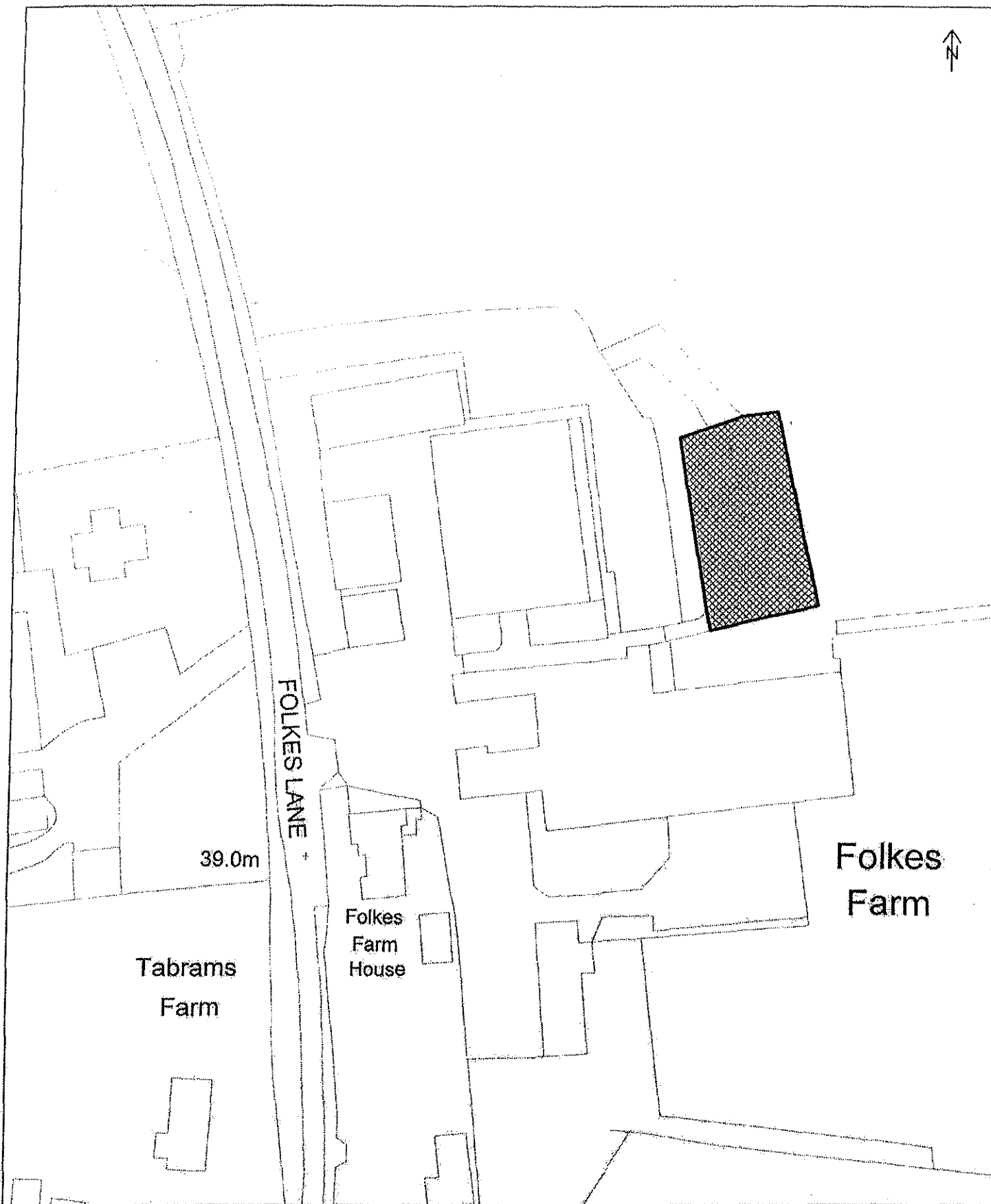
Dated: 1 April 2010

Signed:

A handwritten signature in black ink, appearing to read 'W. J. Healy', written in a cursive style. The signature is positioned to the right of the word 'Signed:' and above the text 'Authorised Officer'.

Authorised Officer

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



Car Park Timbuk2, Folkes Farm, Folkes Lane, Upminster



Scale @ A4 1:1000



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

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## **YOUR RIGHT OF APPEAL**

You can appeal against this Enforcement Notice to the Secretary of State by 13 May 2010. 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 13 May 2010 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.**

## **PLANNING APPLICATION FEE**

Should 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.

## **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:

1. The Owner of the said land
2. The Occupier of the said land
3. The Company Secretary  
Timbuk2 Limited  
Finance House  
77 Queens Road  
Buckhurst Hill, Essex IG9 5BW
4. The Company Secretary  
Glenroy Estates  
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