

RE: 179/181 CHERRY TREE LANE RAINHAM RM13 8TU

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. Stephen Leonard Wright
116 Queen Street Villas
Romford Essex RM7 9AX
 4. The Company Secretary
Bank Of Scotland PLC (Scot. Co. Regn. No. SC327000) of
Birmingham Midshires Division
Pendeford Business Park
Wobaston Road, Wolverhampton WV9 5HZ

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 179/181 Cherry Tree Lane, Rainham RM13 8TU. 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 premises at 179/181 Cherry Tree Lane Rainham RM13 8TU shown edged black on the attached plan ("the Land").

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission change of use of the rear garden of the premises on the Land, a former barbers shop on the ground floor with residential flat above, for the purposes of storage of motor vehicles.

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 intensive use of the rear garden of the premises of the Land for storage of motor vehicles is considered to be contrary to Policy DC61 of the Local Development Framework .

Such use of the Land is visually intrusive and affects the amenity of the nearby occupiers and locality. Planning permission could not be granted because conditions could not overcome these problems.

5. WHAT YOU ARE REQUIRED TO DO

- I. Stop the unauthorised use of the rear garden of the premises on the Land for the storage of motor vehicles.

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

- II. Remove all motor cars brought onto the Land in connection with the unauthorised use above

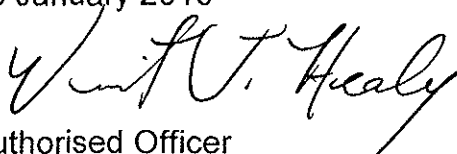
Time for compliance: 1 month from the effective date of this notice

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 11 March 2010, unless an appeal is made against it beforehand.

Dated: 28 January 2010

Signed:


Authorised Officer

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

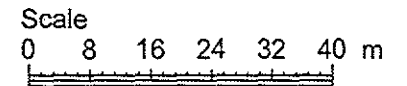


179/181 Cherry Tree Lane, Rainham RM13 8TU



Map Reference: TQ5183SE
Date: 03/08/2009

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 11 March 2010. Further details are given on the information sheet from the Planning Inspectorate which accompanies this Notice. The enclosed booklet "Enforcement Appeals – A guide to procedure" also sets out your rights.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Enforcement Notice, it will take effect on 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

EXPLANATORY NOTES

STATUTORY PROVISIONS

A copy 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

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 11 March 2010.

If you intend to appeal this Notice you should follow instructions given on the information sheet from the Planning Inspectorate which accompanies this Notice.

GROUNDINGS OF APPEAL

Under 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 or, 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 the 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.

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 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. Stephen Leonard Wright
116 Queen Street Villas
Romford Essex RM7 9AX
4. The Company Secretary
Bank Of Scotland PLC (Scot . Co . Regn . No . SC327000) of Birmingham
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