

**RE: FORMER SCRAP YARD ON LAND OFF PROSPECT ROAD HAROLD WOOD
OPPOSITE "THE VIEW."**

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

STOP NOTICE

Served by: The Mayor and Burgess of the London Borough of Havering

- TO:**
1. The Owner of the said land
Land opposite "The View" and adjacent to "Foxlands Farm"
Prospect Road
Harold Wood
RM11 3TY
 2. The Occupier of the said land
Land opposite "The View" and adjacent to "Foxlands Farm"
Prospect Road
Harold Wood
RM11 3TY
 3. Mr J O'Connor
Land opposite "The View" and adjacent to "Foxlands Farm"
Prospect Road
Harold Wood
RM11 3TY
 4. Mrs J O'Connor
Land opposite "The View" and adjacent to "Foxlands Farm"
Prospect Road
Harold Wood
RM11 3TY

1. On 6 May 2003 the Council issued an Enforcement Notice (of which a copy is attached to this notice) alleging that there has been a breach of planning control at the former scrap yard on land off Prospect Road Harold Wood opposite "The View."
2. **THIS NOTICE** is issued by the Council in exercise of its powers in Section 183 of the 1990 Act, because they consider that it is expedient that the activities specified in this notice should cease before the expiry of the period allowed for compliance with the requirements of the Enforcement Notice on the land described in paragraph 3 below. The Council **now prohibits** the carrying out of the activities specified in this notice. Important additional information is given in the Annex to this notice.
3. **THE LAND TO WHICH THIS NOTICE RELATES**
Former scrap yard on land, opposite "The View" and adjacent "Foxlands Farm", Prospect Road, Harold Wood, RM11 3TY shown edged black on the attached plan "A".

4. **ACTIVITY TO WHICH THIS NOTICE RELATES**

Within the area hatched black on the attached plan, residential use by the siting of caravans together with the parking of vehicles and storage.

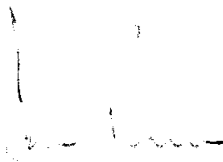
5. **WHAT YOU ARE REQUIRED TO DO**

- Stop using the said land for residential use;
- Stop using the land for parking of vehicles; and
- Stop using the land for storage.

6. **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 11 May 2003 when all the activity specified in this notice shall cease.

Dated: 7 May 2003



Authorised Officer

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

STATEMENT OF REASONS FOR EARLY EFFECT OF NOTICE

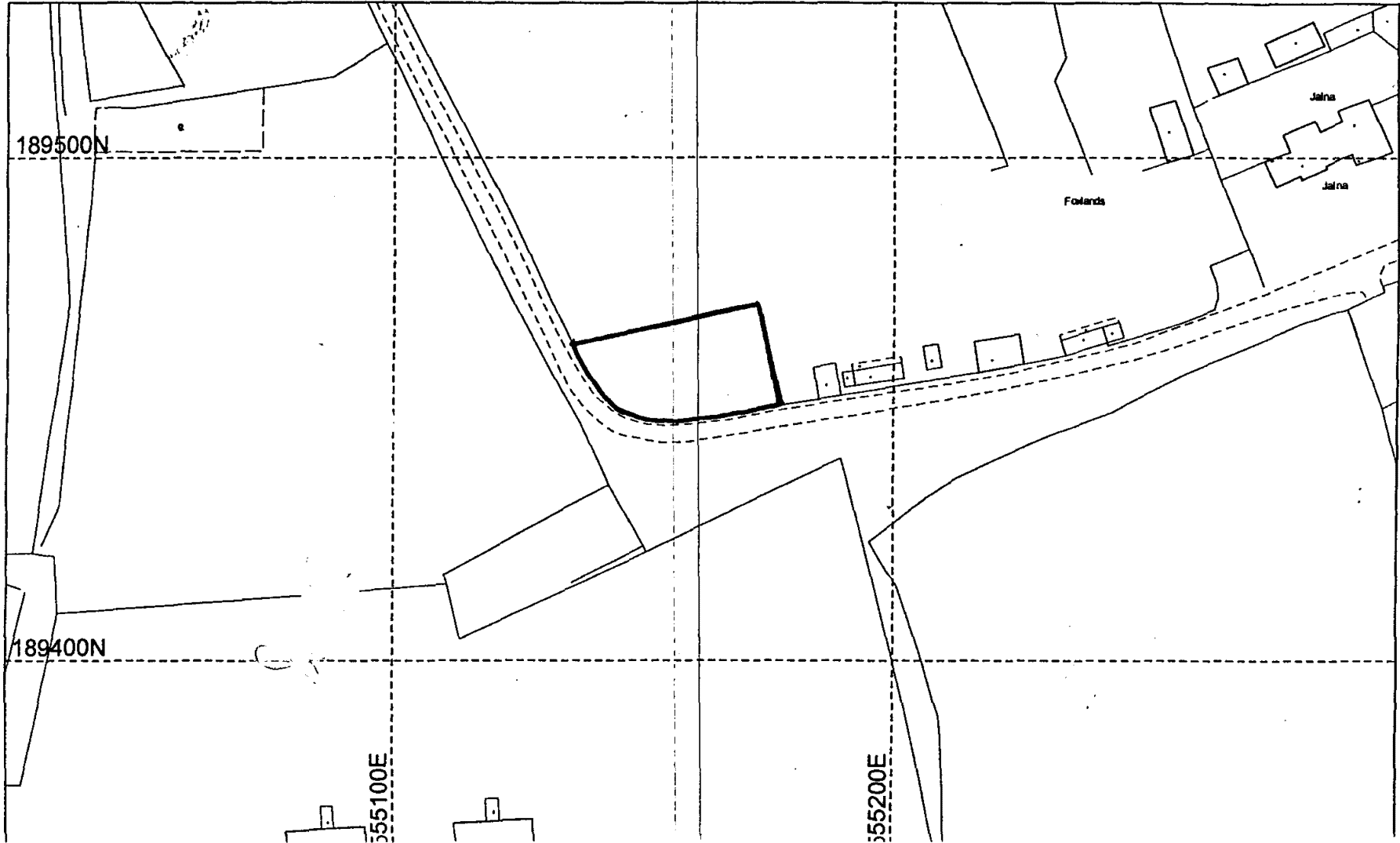
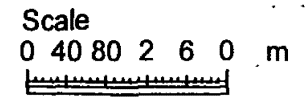
The Council considers that this notice should take effect the third day following service because of the adverse impact on the Green Belt that the unauthorised development is causing.



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ANNEX

WARNING

THIS NOTICE TAKES EFFECT ON THE DATE SPECIFIED IN PARAGRAPH 6

**THERE IS NO RIGHT OF APPEAL TO
THE SECRETARY OF STATE FOR THE ENVIRONMENT
AGAINST THIS NOTICE**

It is an offence to contravene a stop notice after a site notice has been displayed or the stop notice has been served on you (Section 187(1) of the 1990 Act). If you fail to comply with the stop notice you will be at risk of **immediate prosecution** in the Magistrates Court for which the maximum penalty is £20,000 on summary conviction for a first offence and for any subsequent offence. The fine on conviction on indictment is unlimited. If you are in any doubt about what this notice requires you to do, you should get in touch **immediately** with Patrick Keyes, Planning Control Manager or Jonathon Fullelove, Team Leader, Mercury House, Romford, RM1 3SL, telephone 01708 432685. If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional specialising in planning matters. If you wish to contest the validity of the notice, you may do so by an application to the High Court for judicial review.

A

**RE: FORMER SCRAP METAL YARD ON LAND OFF PROSPECT ROAD,
HAROLD WOOD OPPOSITE "THE VIEW"**

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT NOTICE

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Land opposite "The View" and adjacent to "Foxlands Farm"
Prospect Road
Harold Wood
RM11 3TY

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 former scrap metal yard land opposite "The View" and adjacent to "Foxlands Farm", Prospect Road, Harold Wood, RM11 3TY shown hatched black on the attached plan "A".

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, a material change of use of the land to residential by the siting of caravans and installations together with the parking of vehicles and storage.

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 development is not one recognised as appropriate for the Green Belt. It is, therefore, harmful to the function, character and appearance of the Green Belt. The unauthorised development is contrary to development plan policies and harmful to the visual amenities of the area. The Council do not consider that planning permission should be given, because planning conditions could not overcome these problems.

In making its decision to issue this Notice the Council consider that the unauthorised use is contrary to the following policies of the Havering Unitary Development Plan: polices: GRB2 (Presumption Against Any New Development in the Green Belt) and ENV1 (Development Design and Layout of High Standard).

5. WHAT YOU ARE REQUIRED TO DO

- (i) Stop using the said land for residential use.

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

- (ii) Stop using the said land for the parking of vehicles

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

- (iii) Stop using the said land for storage

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

- (iv) Remove from the said land all caravans, ancillary structures, vehicles, hard surfacing, equipment, machinery, goods, rubbish, apparatus and installations brought onto the land in connection with the unauthorised uses.

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

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 23 June 2003, unless an appeal is made against it beforehand

Dated: 6 May 2003

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 the 23 June 2003. 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 23 June 2003 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 23 June 2003. The enclosed booklet "Enforcement Appeals - A guide to Procedure" sets out your rights. Read it carefully. If you appeal you should use the enclosed appeal forms. Two copies are for you to send to the Secretary of State if you decide to appeal. The other is for you to keep as a duplicate for your own records. You should also send the Secretary of State a copy of the Enforcement Notice.

GROUND OF APPEAL

The grounds of appeal are set out in Section 174 of the Town and Country Planning Act 1991 and are also set out on page 2-5 the enclosed appeal forms.

PLANNING APPLICATION FEE

Should wish to appeal on ground (a) - that planning permission should be granted for the unauthorised use - then a fee of £220 is payable both to the Secretary of State and to the Council. 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 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:

- TO:**
1. The Owner of the said land
Land opposite "The View" and adjacent to "Foxlands Farm"
Prospect Road
Harold Wood
RM11 3TY

 2. The Occupier of the said land

Land opposite "The View" and adjacent to "Foxlands Farm"
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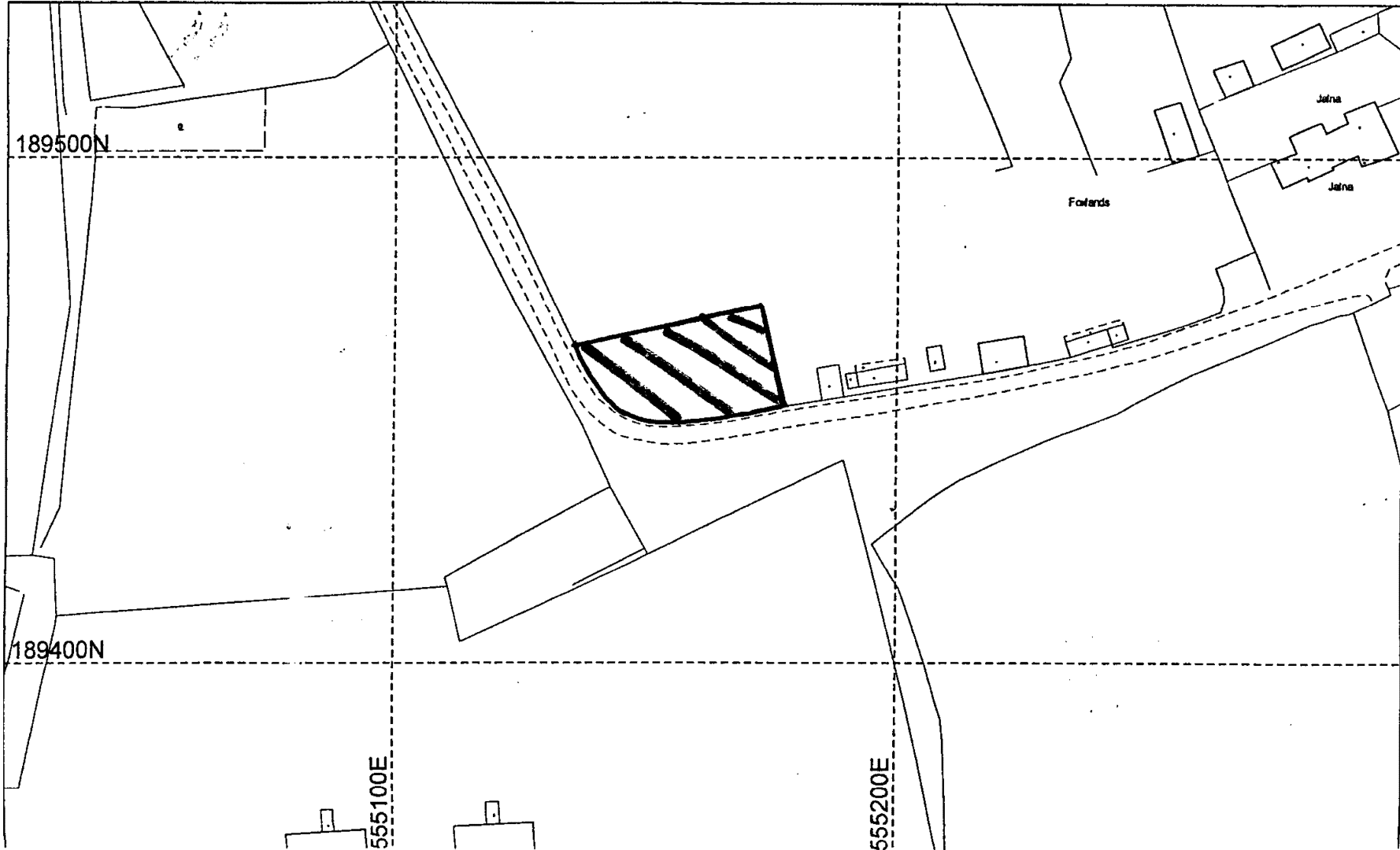
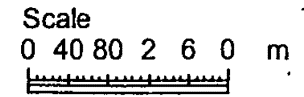


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TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)

TO WHOM IT MAY CONCERN

The Council of the London Borough of Havering has served a **STOP NOTICE** prohibiting from the date on which the notice takes effect the

WHEREAS

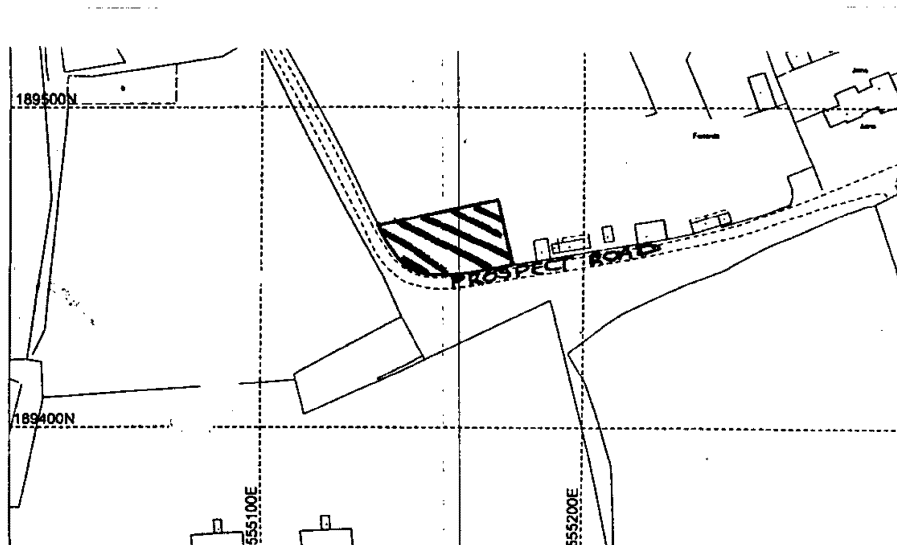
1. The Stop Notice relates to land situate at land opposite "The View" and adjacent to "Foxlands Farm" Prospect Road, Harold Road RM11 3TY shown hatched black on the attached plan.
2. The Stop Notice takes effect on 11 May 2003
3. The Stop Notice requires the owner and occupier to:
 - stop using the said land for residential use;
 - stop using the land for the parking of vehicles; and
 - stop the using the land for storage.

TAKE NOTICE that any person contravening or causing or permitting the contravention of the Stop Notice may be prosecuted for an offence under Section 187(1) of the Town and Country Planning Act 1990.

Dated: 7 May 2003

Authorised Officer

Town Hall
Main Road
Romford RM1 3BD



A

**RE: FORMER SCRAP METAL YARD ON LAND OFF PROSPECT ROAD,
HAROLD WOOD OPPOSITE "THE VIEW"**

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990
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ENFORCEMENT NOTICE

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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 former scrap metal yard land opposite "The View" and adjacent to "Foxlands Farm", Prospect Road, Harold Wood, RM11 3TY shown hatched black on the attached plan "A".

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, a material change of use of the land to residential by the siting of caravans and installations together with the parking of vehicles and storage.

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 development is not one recognised as appropriate for the Green Belt. It is, therefore, harmful to the function, character and appearance of the Green Belt. The unauthorised development is contrary to development plan policies and harmful to the visual amenities of the area. The Council do not consider that planning permission should be given, because planning conditions could not overcome these problems.

In making its decision to issue this Notice the Council consider that the unauthorised use is contrary to the following policies of the Havering Unitary Development Plan: polices: GRB2 (Presumption Against Any New Development in the Green Belt) and ENV1 (Development Design and Layout of High Standard).

5. WHAT YOU ARE REQUIRED TO DO

- (i) Stop using the said land for residential use.

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

- (ii) Stop using the said land for the parking of vehicles

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

- (iii) Stop using the said land for storage

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

- (iv) Remove from the said land all caravans, ancillary structures, vehicles, hard surfacing, equipment, machinery, goods, rubbish, apparatus and installations brought onto the land in connection with the unauthorised uses.

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

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 23 June 2003, unless an appeal is made against it beforehand

Dated: 6 May 2003

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 the 23 June 2003. 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 23 June 2003 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

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GROUND OF APPEAL

The grounds of appeal are set out in Section 174 of the Town and Country Planning Act 1991 and are also set out on page 2-5 the enclosed appeal forms.

PLANNING APPLICATION FEE

Should wish to appeal on ground (a) - that planning permission should be granted for the unauthorised use - then a fee of £220 is payable both to the Secretary of State and to the Council. 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 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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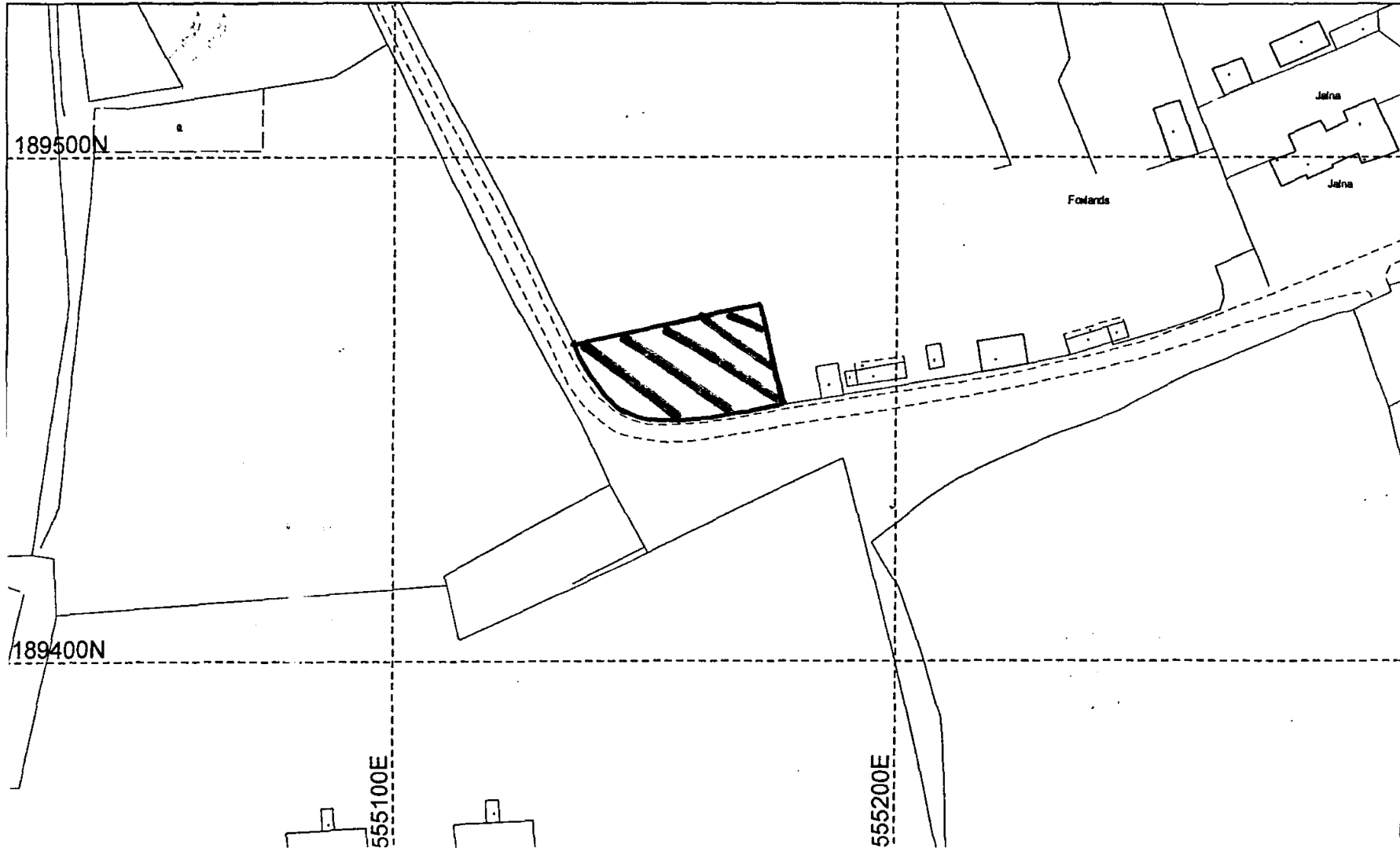
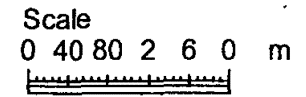


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B

**RE: FORMER SCRAP METAL YARD ON LAND OFF PROSPECT ROAD,
HAROLD WOOD OPPOSITE "THE VIEW"**

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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2. **THE LAND AFFECTED**

The former scrap metal yard land opposite "The View" and adjacent to "Foxlands Farm", Prospect Road, Harold Wood, RM11 3TY shown hatched black on the attached plan "A".

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission the carrying out of operational development on the land consisting of, the erection of fencing along the boundary of the site adjacent to Prospect Road marked A, B & C on the attached plan, the deposition and redistribution of rubble and building materials and the formation of hardsurfaces (including loose laid surfaces).

4. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the above breach of planning control has occurred within the last four years. The unauthorised development is not one recognised as appropriate for the Green Belt. It is, therefore, harmful to the function, character and appearance of the Green Belt. The unauthorised development is contrary to development plan policies and harmful to the visual amenities of the area. The Council do not consider that planning permission should be given, because planning conditions could not overcome these problems.

In making its decision to issue this Notice the Council consider that the unauthorised use is contrary to the following policies of the Havering Unitary Development Plan: polices: GRB2 (Presumption Against Any New Development in the Green Belt) and ENV1 (Development Design and Layout of High Standard).

5. WHAT YOU ARE REQUIRED TO DO

- (i) Stop carrying out deposition and redistribution of rubble and building materials.

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

- (ii) Stop carrying out formation of hardsurfaces including loose laid surfaces

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

- (iii) Remove from the land all fencing adjacent to Prospect Road, hardsurfacing, equipment, machinery, goods, rubbish, rubble, hardcore, surplus earth, apparatus and installations brought onto the land in connection with the unauthorised operations

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

- (iv) Reinstate the land to its former rural condition as one recognised as appropriate for the Green Belt.

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

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 23 June 2003, unless an appeal is made against it beforehand

Dated: 6 May 2003

Signed:



Authorised Officer

on behalf of London Borough of Havering
Town Hall
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YOUR RIGHT OF APPEAL

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GROUND OF APPEAL

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PLANNING APPLICATION FEE

Should wish to appeal on ground (a) - that planning permission should be granted for the unauthorised use - then a fee of £110 is payable both to the Secretary of State and to the Council. If the fees are not paid then that ground of appeal will not be valid.

If you appeal on ground (a) in respect of the other enforcement notice as well then the total fee will be £220 to both the Secretary of State and to the Council.

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.

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