

RE: 35 – 39 New Road, Rainham, Essex, RM13 8DR

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. Mr A Best, Lake View Park, Cummings Hall Lane, Noak Hill, Romford, Essex, RM3 7LE
2. The Company Secretary, Wyldecrest Properties Ltd, Lake View Park, Cummings Hall Lane, Noak Hill, Romford, Essex, RM3 7LE.
3. The Owner, Land at 35 – 39 New Road, Rainham, RM13 8DR
4. The Occupier, Land at 35 – 39 New Road, Rainham, RM13 8DR
5. The Company Secretary, Kwik-Fit Properties Limited, St James's Court, 30 Brown Street, Manchester M2 2JF.

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 35 – 39 New Road, Rainham Essex, RM13 8DR shown hatched black on the attached plan.

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

- a) Unauthorised change of use from a Motorists Centre for sale and fitting of tyres , exhausts and other parts for motor repairs to warehousing / wholesale (use class B8).
- b) Unauthorised development of the land by the siting of containers on the car park for storage.

4. REASONS FOR ISSUING THIS NOTICE

Formal consideration has been given by the Council as to the suitability of warehousing use class B8 activities at this site, plus the storage of containers. Such uses of the site have been judged to be unacceptable as they adversely affect visual amenity, the amenity of nearby residents and character of this part of the New Road Employment Area.

The developments are contrary to policies, ENV1, EMP7, TRN2 and TNR18 of Havering Unitary Development Plan and Supplementary Planning Guidance in respect of the New Road Employment Area.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the use of the Land for warehousing/wholesale sales, use class B8.

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

- (ii) Remove from the Land all containers, materials and equipment associated with the operation of the unauthorised use and development, including all rubbish and rubble associated with the unauthorised use.

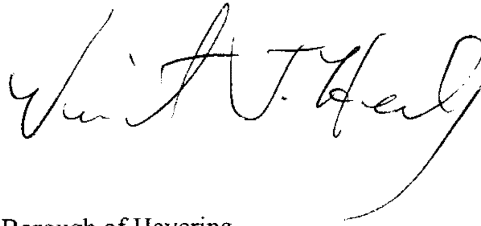
Time for compliance: 3 months from the effective date of this notice.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 7th July 2006, unless an appeal is made against it beforehand

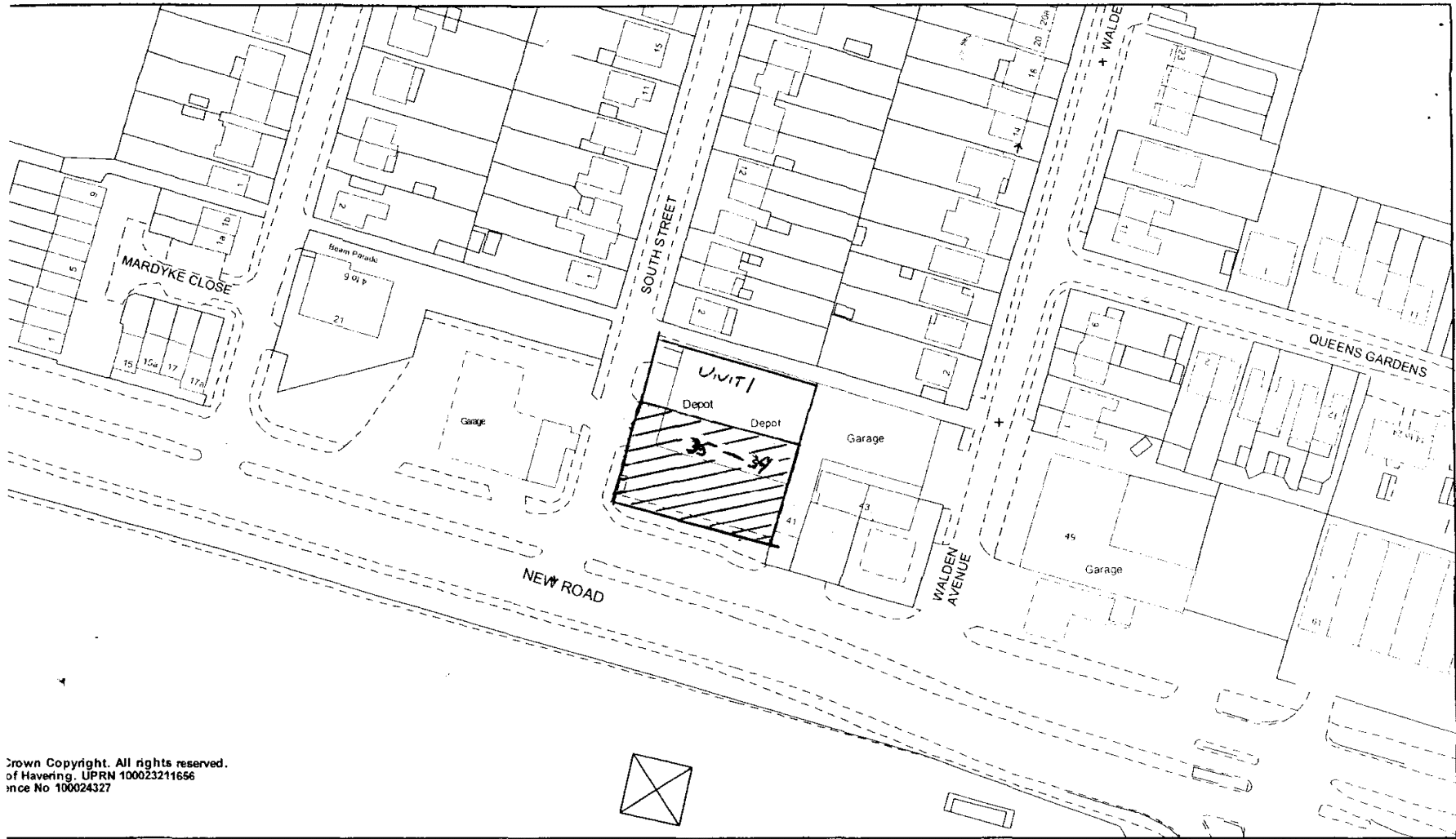
Dated: 5th June 2006

Signed:





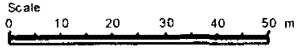
Authorised Officer

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



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	Map Reference: TQ5083SW	Date: 24/02/2006	
	Scale: 1:1250		



London Borough of Havering
 Planning Department
 Mercury House, Mercury Gardens
 Romford, RM1 3SL
 Tel: 01708 434343

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 London Borough of Havering 100024327

YOUR RIGHT OF APPEAL

You can appeal against this Enforcement Notice to the Secretary of State by the 7th July 2006. 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 7th July 2006 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 7th July 2006. 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 pages 2 - 5 the enclosed appeal forms.

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 £265 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:

1. Mr A Best, Lake View Park, Cummings Hall Lane, Noak Hill, Romford, Essex, RM3 7LE
2. The Company Secretary, Wyldecrest Properties Ltd, Lake View Park, Cummings Hall Lane, Noak Hill, Romford, Essex, RM3 7LE.
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