

RE: LAND NORTH OF ST MARY'S LANE AT JUNCTION WITH WARLEY STREET, UPMINSTER

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. Mr John Edward Tucker, Clearview, Warley Hall Lane, Little Warley, Brentwood, CM13 3EN
 4. Mrs Janet Tucker, Clearview, Warley Hall Lane, Little Warley, Brentwood, CM13 3EN
 5. Stuart Edward Tucker, 40 Cadogan Avenue, West Horndon, Brentwood, Essex, CM13 3TU

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 north of St Mary's Lane at junction with Warley Street, Upminster shown edged in black on the attached plan ("the Land")

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

Without planning permission the depositing of earth and rubble to form a mound approximately 2 metres high at the northern boundary of the field shown hatched black

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 Land lies within the Metropolitan Green Belt. It is considered that the mound has a harmful impact upon the character and appearance of the Green Belt and the amenity of the locality. This inappropriate unauthorised development is contrary to the following policies of the Havering Unitary Development Plan: policies ENV1 and GRB2.

The Council do not consider that planning permission should be given, because planning conditions could not overcome these problems.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Remove from the Land the entire mound down to its original ground level

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

- (ii) Remove from the Land all soil, rubble and associated spoil resulting from compliance with (i)

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

- (iii) Restore the site to its original condition as grassland by sowing with grass seed

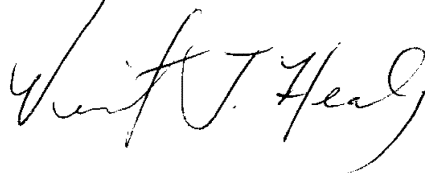
Time for compliance: 6 months from the effective date of this notice

6. WHEN THIS NOTICE TAKES EFFECT

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

Dated: 2 June 2006

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 7 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 7 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 7 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 £270 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.

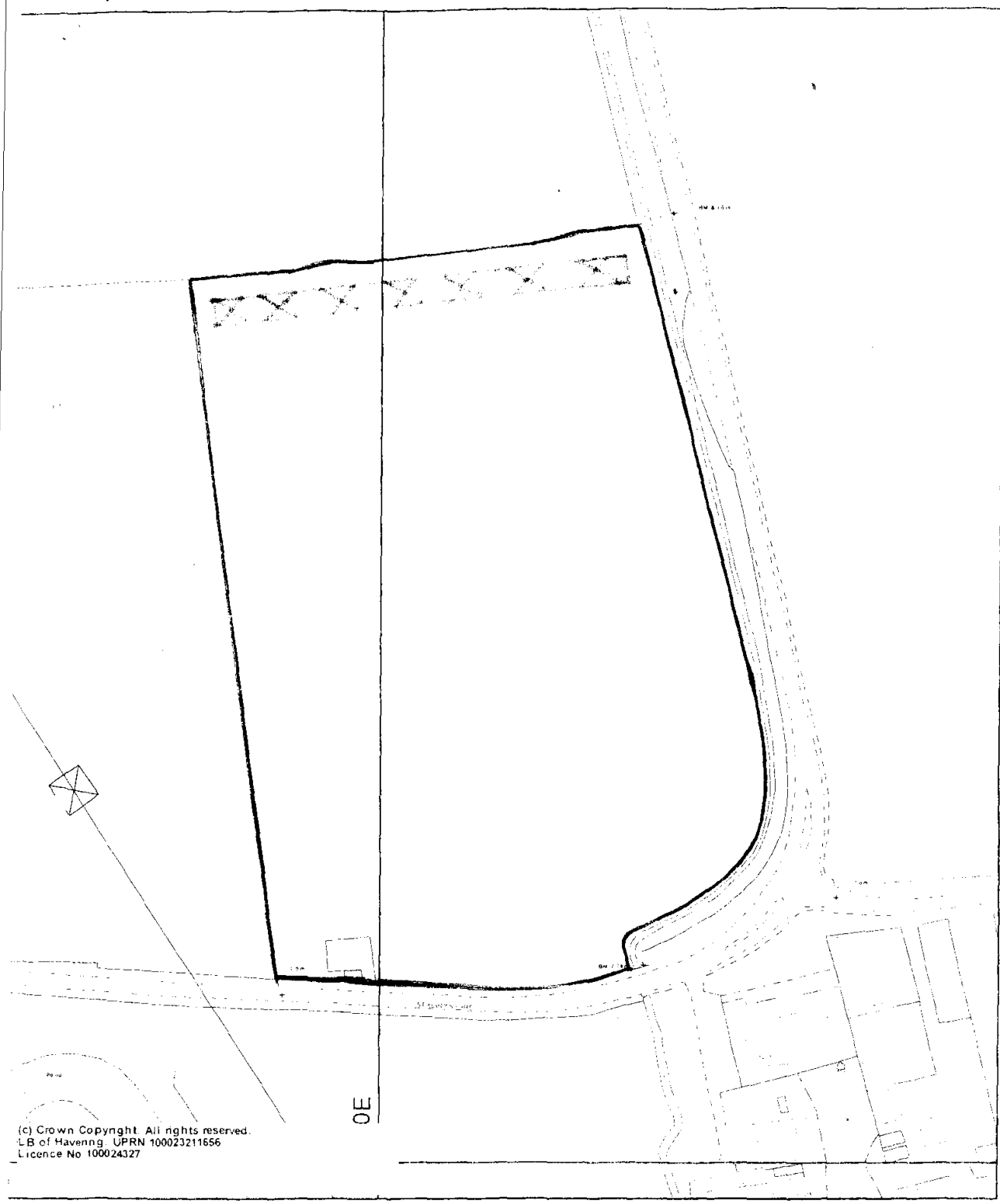
STATEMENT ON GROUNDS OF APPEAL

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. The Owner of the said land
2. The Occupier of the said land
3. Mr John Edward Tucker, Clearview, Warley Hall Lane, Little Warley, Brentwood, CM13 3EN
4. Mrs Janet Tucker, Clearview, Warley Hall Lane, Little Warley, Brentwood, CM13 3EN
5. Stuart Edward Tucker, 40 Cadogan Avenue, West Horndon, Brentwood, Essex, CM13 3TU



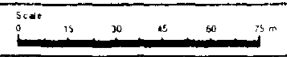
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Map Reference TQ5987SE
 Date 24/10/2005

Scale 1 2000



London Borough of Havering
 Planning Department
 Mercury House, Mercury Gardens
 Romford, RM1 3S4

nlp
 The National
 Land & Planning Database



Ordnance Survey

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