

RE: LAND TO THE SOUTH EAST OF BENSKINS LANE (KNOWN AS  
ROSEWELL), NOAK HILL, ROMFORD, RM4 1LB

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 Palmer, Woodways Farm, Benskins Lane, Noak Hill, Romford, RM4 1LB

**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 to the south east of Benskins Lane (known as Rosewell), Noak Hill, Romford, RM4 1LB shown hatched black on the attached plan ("the Land").

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

Without Planning Permission, an unauthorised change of use from residential land to a waste transfer station and recycling facility which also includes:

- unauthorised parking and manoeuvring of heavy goods vehicles and plant machinery,
- unauthorised storage of pallets, waste, containers, skips, heavy goods vehicles, trailers, caravans and various associated equipment including plant and other heavy machinery, and
- unauthorised storage of rubbish and waste materials

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.

This unauthorised use of the Land is inappropriate and therefore, in principle, harmful to the character, appearance and purpose of the Metropolitan Green Belt. Significant harm to the Green Belt is also caused through physical impact arising from the waste storage, the recycling of the wooden pallets, storage of containers and the associated activity.

Material harm is being caused to visual and residential amenity by reason of the adverse effect the use is having on the character, setting and appearance of this rural site which is located within the Green Belt and also in terms of noise disturbance and pollution.

Such development is contrary to the objectives of Policies GRB2 and ENV1 of the Unitary Development Plan and their counterpart policies in the Local Development Framework and also Planning Policy Guidance 2: Green Belts.

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

- (i) Cease using the Land as a waste transfer station and recycling facility

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

- (ii) Cease all manoeuvring and parking of heavy goods vehicles associated with the unauthorised use

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

- (iii) Remove from the Land all pallets, waste, containers, skips, heavy good vehicles, trailers, caravans, plant and any other heavy machinery brought onto the Land in connection with the unauthorised use

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

- (iv) Remove all rubbish and waste materials used in connection with the unauthorised use and return the Land to its original residential use

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

**6. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 20 March 2007, unless an appeal is made against it beforehand

Dated: 13 February 2007

Signed:



Authorised Officer

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

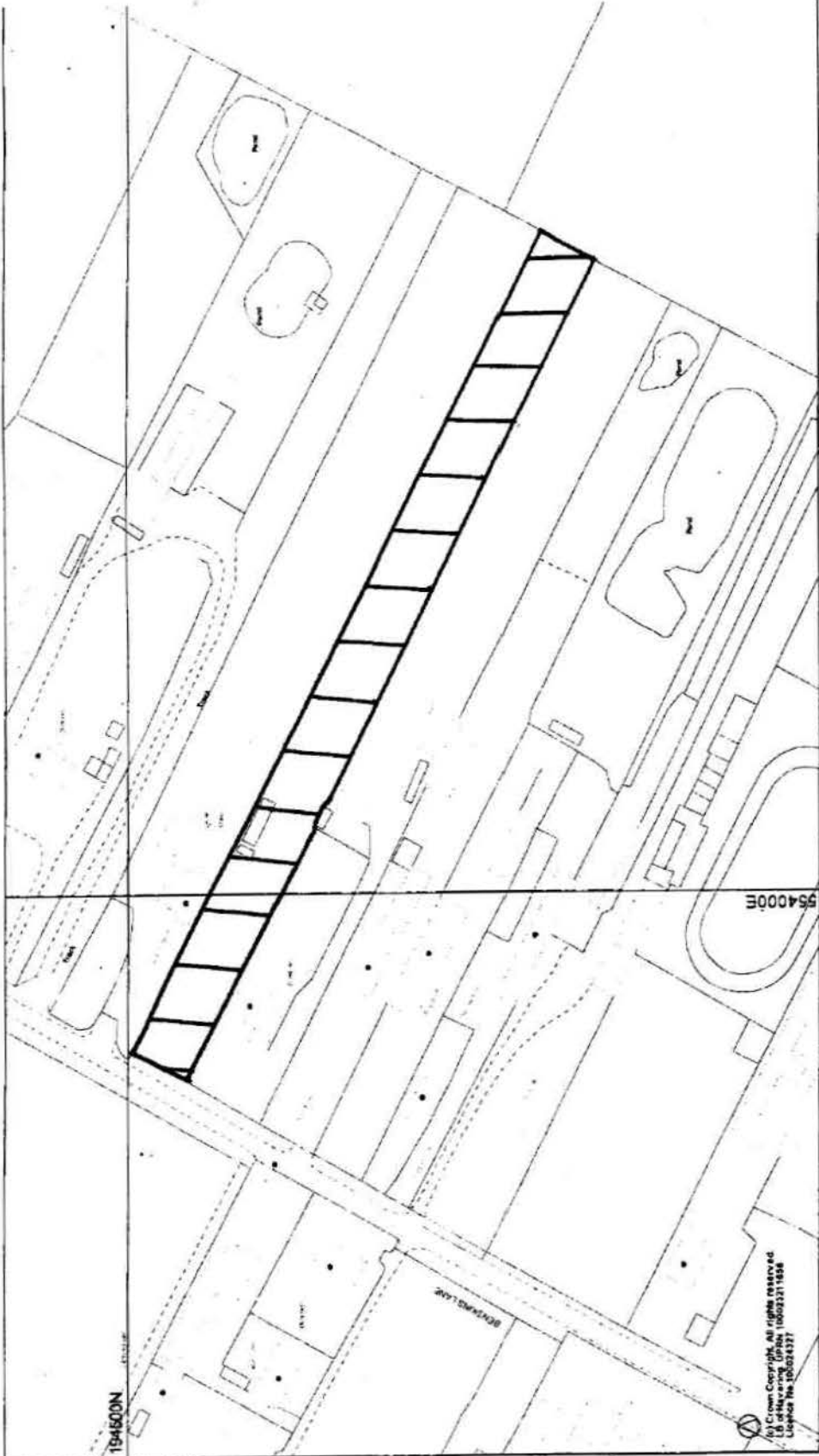
**YOUR RIGHT OF APPEAL**

You can appeal against this Enforcement Notice to the Secretary of State by the 20 March 2007. 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 20 March 2007 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.**



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London Borough of Havering  
 Town Hall, Main Road  
 Romford, RM1 3ED  
 TM 01708 50343



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## **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 20 March 2007. 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 £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:

- TO: 1. The Owner of the said land  
2. The Occupier of the said land

3. Mr John Palmer, Woodways Farm, Benskins Lane, Noak Hill,  
Romford, RM4 1LB



COPY

Christine J. Dooley LLB, Solicitor  
Assistant Chief Executive  
Legal and Democratic Services

London Borough of Havering  
Town Hall, Main Road  
Romford, Essex RM1 3BD  
DX NO 138120 ROMFORD 4

First Class  
Mr John Palmer  
Woodways Farm  
Benskins Lane  
Noak Hill  
Romford  
RM4 1LB

Please ask for Joanna West  
Telephone: 01708 432466  
Fax: 01708 432482  
Switchboard: 01708 434343  
e-mail: joanna.west@havering.gov.uk

Date: 18 June 2007

Our Ref: JW/TP3322 & TP3323

Your Ref:

Dear Mr Palmer,

**SECTION 172 OF THE TOWN AND COUNTRY PLANNING ACT 1990 -  
ENFORCEMENT NOTICES**

**(1) LAND TO THE SOUTH EAST OF BENSKINS LANE (KNOWN AS ROSEWELL)  
AND (2) WOODWAYS, BENSKINS LANE, NOAK HILL, ROMFORD**

I write to advise that the Council has withdrawn, under Section 173A of the Town and Country Planning Act 1990, the Enforcement Notices it issued on 13 February 2007 in respect of the above mentioned properties.

Please note that this does not preclude the Council from issuing further Enforcement Notices.

I confirm that the Notices have been removed from the Local Land Charges Register.

Yours sincerely

Joanna West  
For and on behalf of  
C Dooley  
Assistant Chief Executive  
Legal and Democratic Services



INVESTOR IN PEOPLE

**RE: LAND TO THE SOUTH EAST OF BENSKINS LANE (KNOWN AS  
ROSEWELL), NOAK HILL, ROMFORD, RM4 1LB**

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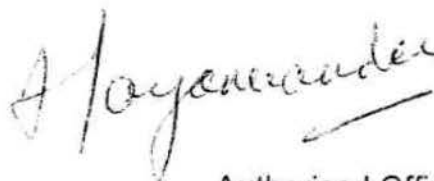
Time for compliance: 3 months from the effective date of this notice

**6. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 26 July 2007, unless an appeal is made against it beforehand

Dated: 21 June 2007

Signed:



Authorised Officer

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

**YOUR RIGHT OF APPEAL**

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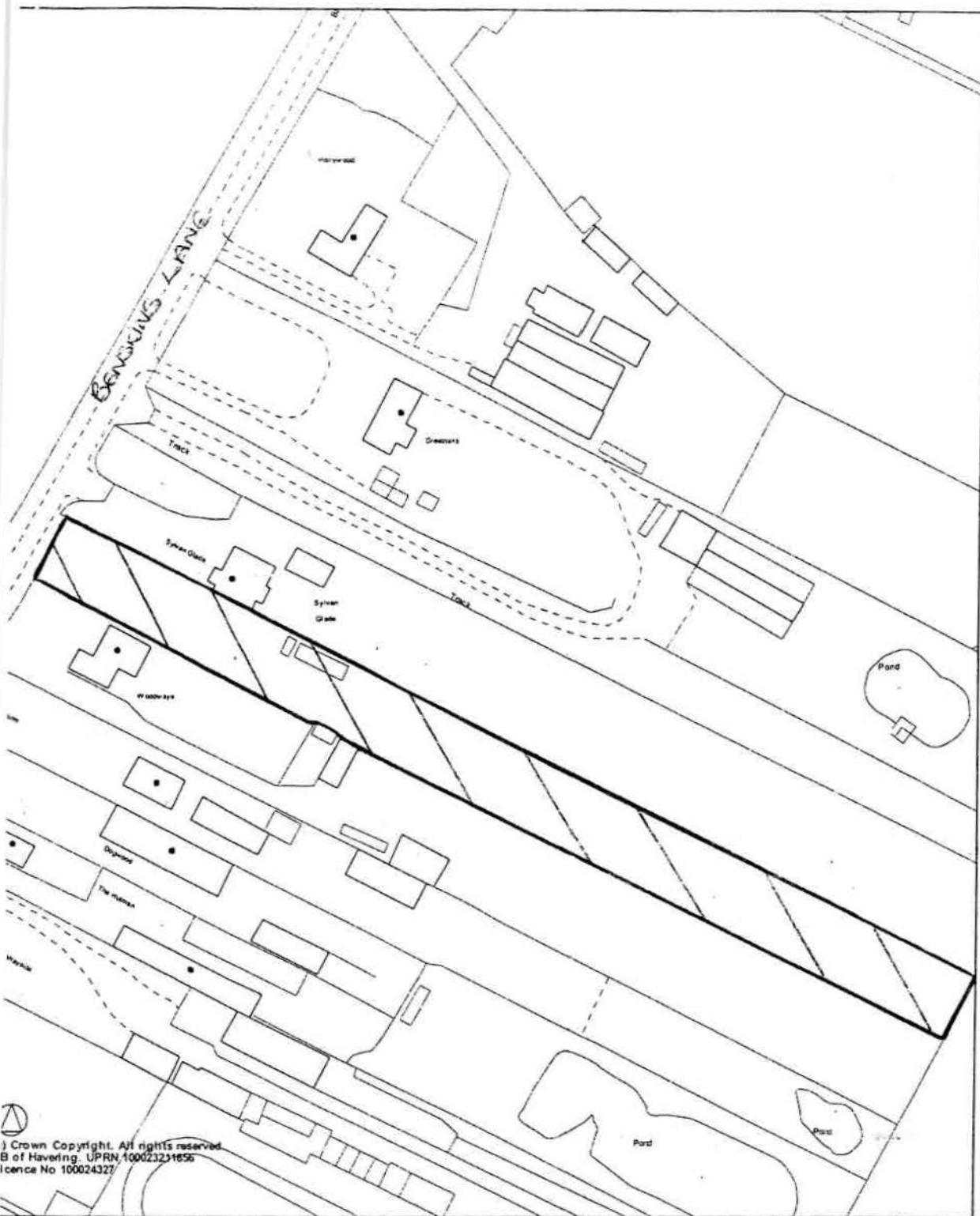
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Woodways farm



London Borough of Havering  
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