

**LAND KNOWN AS ROMFORD HALAL MEAT COMPANY / PALMERS  
WHOLESALE BUTCHERS, FOLKES LANE, UPMINSTER RM14 1TH**

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

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

**ENFORCEMENT REFERENCE: ENF/236/19**

**ENFORCEMENT NOTICE**

**ISSUED BY:** London Borough of Havering (herein after referred to as "the Council")

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 known as **Romford Halal Meat Company / Palmers Wholesale Butchers, Folkes Lane, Upminster RM14 1TH** shown edged in black on the attached plan and is registered under Land Registry Title Number is EGL15920.
  
3. **THE BREACH OF PLANNING CONTROL ALLEGED**  
  
Without the benefit of planning permission, the material change of use of part of the land for residential use through the siting of eight mobile homes for residential use.
  
4. **REASONS FOR ISSUING THIS NOTICE**
  1. The site is within the area identified as Metropolitan Green Belt. The Local Development Framework and Government Guidance as set out in the NPPF is that in order to achieve the purposes of the Metropolitan Green Belt it is essential to retain and protect the existing rural character of the area so allocated and that the new building will only be permitted outside the existing built up areas in the most exceptional circumstances. No very special circumstances have been submitted in this case and the use of the land for permanent residential purposes is therefore contrary to Policy DC45 of the LDF Core Strategy and Development Control Policies DPD, contrary to Policy 7.16 of the current London Plan and contrary to the provisions of the NPPF.

2. The change of use, due to the haphazardly located mobile homes by reason of their bulk, mass, siting and permanence is considered to materially harm the character and the openness of the Metropolitan Green Belt contrary to Policy DC45 of the Development Control DPD, Policy 7.16 of London Plan and the advice given in National Planning Policy Framework 2019.
3. The use and siting of the mobile homes by reason of its layout and inadequate floor space is considered to be cramped and unsatisfactory for occupation as permanent residential accommodation to the detriment of the occupiers of the site. In these regards the use is contrary to Policies DC61 of the Development Control DPD, Policy 3.5 of the London Plan and Residential Quality SPD.
4. The proposal, if granted planning permission on appeal, would be liable for the Havering and the Mayor of London Community Infrastructure Levy (CIL). Based on the floor space figures the development is liable for the Mayor's Community Infrastructure Levy at £25 per square metre and Havering (CIL) at £125 per square metre. The Mayor's CIL would amount to £5,112.50 and the Havering CIL would amount to £25,562.50, which has not been paid to the Council.
5. The Council does not consider that planning permission should be granted because conditions attached to any consent would not overcome the planning issues raised in the reasons for issuing the notice and planning permission has already been refused under reference P1879.19.

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## 5. WHAT YOU ARE REQUIRED TO DO

The Enforcement Notice requires, within **SIX MONTHS** of the effective date of the Notice to:

- i. Cease the use of the land for residential purposes; AND
- ii. Remove all mobile homes from the land; AND
- iii. Remove all debris and materials accumulated as a result of taking steps i. and ii. above; AND
- iv. Restore the land to its condition, which existed before the mobile homes were sited.

## 6. TIME FOR COMPLIANCE

**SIX MONTHS** after the date when this Notice takes effect.

## 7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **19<sup>th</sup> JUNE 2020**, unless an appeal is made against it beforehand.

Dated: 24<sup>th</sup> APRIL 2020

Signed: 

David Colwill  
Team Leader, Planning Enforcement  
on behalf of London Borough of Havering  
5<sup>th</sup> Floor, Mercury House, Mercury Gardens, Romford RM1 3SL

Nominated Officer: Onkar Bhogal  
Email: [Onkar.Bhogal@havering.gov.uk](mailto:Onkar.Bhogal@havering.gov.uk)

Telephone Number: 01708 431587

### THE RIGHT TO APPEAL

Those with a legal or equitable interest in the land of who is a relevant occupier can appeal against this Enforcement Notice to the Secretary of State before the **19<sup>th</sup> JUNE 2020**. Further details are given in the attached explanatory note.

### WHAT HAPPENS IF AN APPEAL IS NOT RECEIVED

If an appeal is not against this Enforcement Notice, it will take effect on **19<sup>th</sup> JUNE 2020** 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) can be viewed online at

<https://www.legislation.gov.uk/ukpga/1990/8/contents>

#### THE RIGHT TO 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 **19<sup>th</sup> JUNE 2020**.

If an appeal against this Notice is intended, the instructions given on the information sheet from the Planning Inspectorate which accompanies this Notice should be followed.

## **GROUND OF APPEAL**

The grounds of appeal are set out in Section 174 of the Town and Country Planning Act 1990 (as amended) and an appeal may be made 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, 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 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 an appeal on ground (a) - that planning permission should be granted for the unauthorised development be sought - then a fee of **£924** is payable for each Ground (a) appeal to the Council when the appeal is lodged. If this fee is not paid, the planning merits of the appeal will not be considered by the Planning Inspector.

## **STATEMENT ON GROUNDS OF APPEAL**

The grounds of appeal must be submitted 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, a statement in writing specifying the grounds on which the appeal against the Enforcement Notice is to be made and stating briefly the facts on which it is proposed 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:

The Directors,  
Romford Halal Meats Ltd  
Metrix House, 12 – 16 Lionel Road  
Canvey Island, Essex SS 9DE

Simon Fredrick Klien (Director)  
Romford Halal Meats Ltd  
Metrix House, 12 – 16 Lionel Road  
Canvey Island, Essex SS 9DE

Harry Robert Palmer (Director)  
Ongar Hall Farm  
Brentwood Road, Orsett, Grays RM16 3HU

Romford Halal Meats Limited  
Folkes Lane  
Upminster Essex RM14 1TH

Palmers Wholesale Butchers  
Folkes Lane  
Upminster, Essex RM14 1TH

The Owners,  
Premises occupied by Romford Halal Meat Limited and Palmers Wholesale Butchers  
Folkes Lane  
Upminster, Essex RM14 1TH

The Occupiers  
Premises occupied by Romford Halal Meat Limited and Palmers Wholesale Butchers  
Folkes Lane  
Upminster, Essex RM14 1TH

Occupiers  
Mobile 1  
At premises occupied by Romford Halal Meat Limited and Palmers Wholesale  
Folkes Lane  
Upminster, Essex RM14 1TH

Occupiers  
Mobile 2  
At premises occupied by Romford Halal Meat Limited and Palmers Wholesale  
Folkes Lane  
Upminster, Essex RM14 1TH

Occupiers

Mobile 3

At premises occupied by Romford Halal Meat Limited and Palmers Wholesale

Folkes Lane

Upminster, Essex RM14 1TH

Occupiers

Mobile 4

At premises occupied by Romford Halal Meat Limited and Palmers Wholesale

Folkes Lane

Upminster, Essex RM14 1TH

Occupiers

Mobile 5

At premises occupied by Romford Halal Meat Limited and Palmers Wholesale

Folkes Lane

Upminster, Essex RM14 1TH

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Occupiers

Mobile 6

At premises occupied by Romford Halal Meat Limited and Palmers Wholesale

Folkes Lane

Upminster, Essex RM14 1TH

Occupiers

Mobile 7

At premises occupied by Romford Halal Meat Limited and Palmers Wholesale

Folkes Lane

Upminster, Essex RM14 1TH

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Occupiers

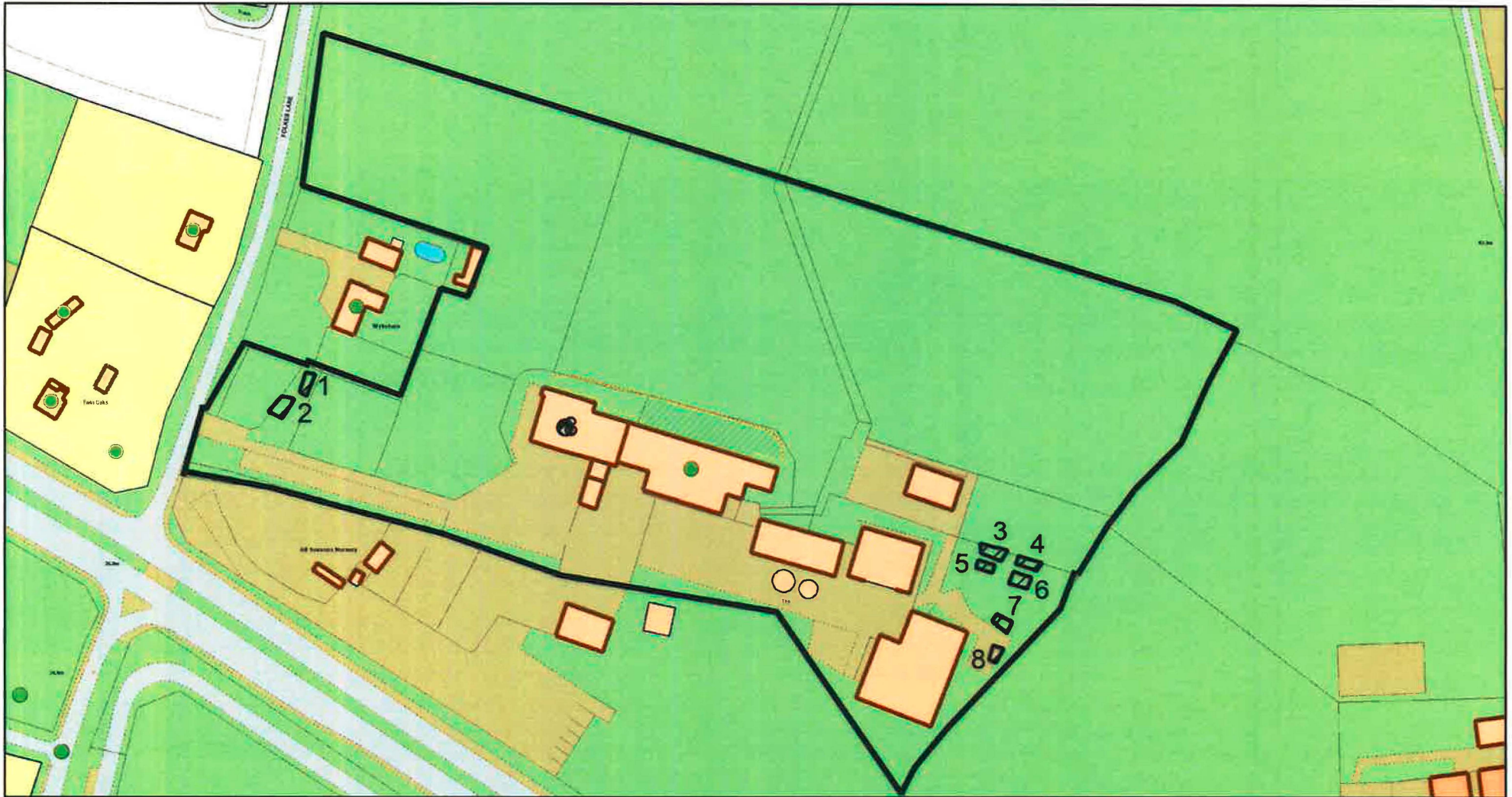
Mobile 8

At premises occupied by Romford Halal Meat Limited and Palmers Wholesale



Folkes Lane

Upminster, Essex RM14 1TH





<b>Romford Halal / Palmers Wholesale- Folkes Lane</b>	
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	<p>Scale: 1:2000          Date: 03 April 2020          Size: A4</p> 
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	<p>London Borough of Havering          Town Hall, Main Road, Romford, RM1 3BD          Tel: 01708 434343</p>	<p>© Crown copyright and database rights 2020          Ordnance Survey 100024327</p>
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CST Room 3/13  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

Direct Line 0303-444 5000  
Email [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk)

## THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can do it:-

- on-line at the Appeals Casework Portal <https://acp.planninginspectorate.gov.uk/> or
- sending us enforcement appeal forms, which can be obtained by contacting us on the details above.

**You MUST make sure that we receive your appeal before the effective date on the enforcement notice.**

Please read the appeal guidance documents at <https://www.gov.uk/appeal-enforcement-notice/how-to-appeal>

In exceptional circumstances you may give notice of appeal by fax or letter. You should include:-

- the name of the local planning authority;
- the site address;
- the effective date of the enforcement notice.

We MUST receive this BEFORE the effective date on the enforcement notice. This should **immediately** be followed by your completed appeal forms.