

14A HOG HILL ROAD, ROMFORD, RM5 2DH

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT NOTICE - ENF/509/19

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 have been breaches 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. The Explanatory Notes at the end of this Notice and the Enclosures referred to therein contain important additional information.

2. THE LAND AFFECTED

The land known as 14A Hog Hill Road, Romford, RM5 2DH shown edged in black on the attached plan and is registered under Land Registry Title Number EGL279326.

3. THE BREACHES OF PLANNING CONTROL ALLEGED

Without planning permission, the unauthorised change of use of the land to vehicle storage and vehicle repairs business.

4. REASONS FOR ISSUING THIS NOTICE

- (1) It appears to the Council that the above breaches of planning control in respect to the change of use of the land for vehicle storage and vehicle repairs commenced less than TEN years ago and that steps should be taken to remedy the breach by Section 173 4(a) or to remedy any harm to amenity which has been caused by the breach.
- (2) The uses of the land for vehicle storage and vehicle repairs by reason of the land's tight constraints and associated level of activity and comings and goings has a detrimental impact on the living conditions of the occupiers of neighbouring residential properties and the commercial parade. The use therefore conflicts with Policy DC55 (Noise), Policy DC33 (Car Parking), Policy DC61 (Urban Design) of the Core Strategy and the London Plan – 7.4 (Local character) and conflicts with guidance in the NPPF 2019.
- (3) The Council does not consider that planning permission should be granted for the use of the site as vehicle storage and car repairs because conditions attached to any consent cannot remedy the breach.

5. WHAT YOU ARE REQUIRED TO DO

The Enforcement Notice requires **within 3 months** of the effective date of the Notice to:

1. Cease the use of the land for the storage of vehicles and as a vehicle repairs business;

AND

2. Permanently remove all vehicles, vehicle parts and tyres from the land;

AND

3. Remove all rubble and debris accumulated when taking steps (1) to (2) above.

6. TIME FOR COMPLIANCE

3 MONTHS after the date this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice will take effect on **9th November 2020**, unless an appeal is made against it beforehand.

Dated: 9th October 2020

Signed:



Name: David Colwill
Team Leader, Planning Enforcement
on behalf of London Borough of Havering
5th Floor, Mercury House, Mercury Gardens, Romford RM1 3SL

Nominated Officer: George Atta-Adutwum Telephone Number: 01708 42157
Email: George.Atta-Adutwum@haverling.gov.uk

THE RIGHT TO APPEAL

Those with a legal or equitable interest in the land or who is a relevant occupier can appeal against this Enforcement Notice to the Secretary of State before the **9th November 2020**. Further details are given in the attached explanatory note.

WHAT HAPPENS IF AN APPEAL IS NOT RECEIVED

If an appeal is not received against this Enforcement Notice, it will take effect on **9th November 2020** 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) can be viewed online at <http://www.legislation.gov.uk>

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 on or before the **9th November 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.

GROUNDS 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 wish to appeal on ground (a) - that planning permission should be granted for the unauthorised development - then a fee of **£924** is payable 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

It 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 being 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:

1. WILLIAM CHARLES GREEN, 13 Robin Close, Collier Row, Romford, Essex
2. DENISE ANGELA GREEN, 13 Robin Close, Collier Row, Romford, Essex.
3. DENISE ANGELA GREEN, land rear of 14A Hog Hill Road, Romford, RM5 2DH.
4. WILLIAM CHARLES GREEN, land rear of 14A Hog Hill Road, Romford, RM5 2DH.
5. BPGARAGE.COM LIMITED, GREEN, Lisa Sarah , 10 Lower Bedfords Road, Collier Row, Romford, Essex, England, RM1 4LY
6. BPGARAGE.COM LIMITED, GREEN William, 14a Hog Hill Road, Romford, United Kingdom, RM5 2DH
7. ENGINE DIRECT LIMITED, CRANMER Maxine, 14a Hog Hill Road, Romford, England, RM5 2DH
8. Director, Recon My Engine, 14a Hog Hill Road, Romford, England, RM5 2DH
9. The Occupiers, land rear of 14a Hog Hill Road, Romford, RM5 2DH.
10. The Owner, land rear of 14a Hog Hill Road, Romford, RM5 2DH.

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

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.

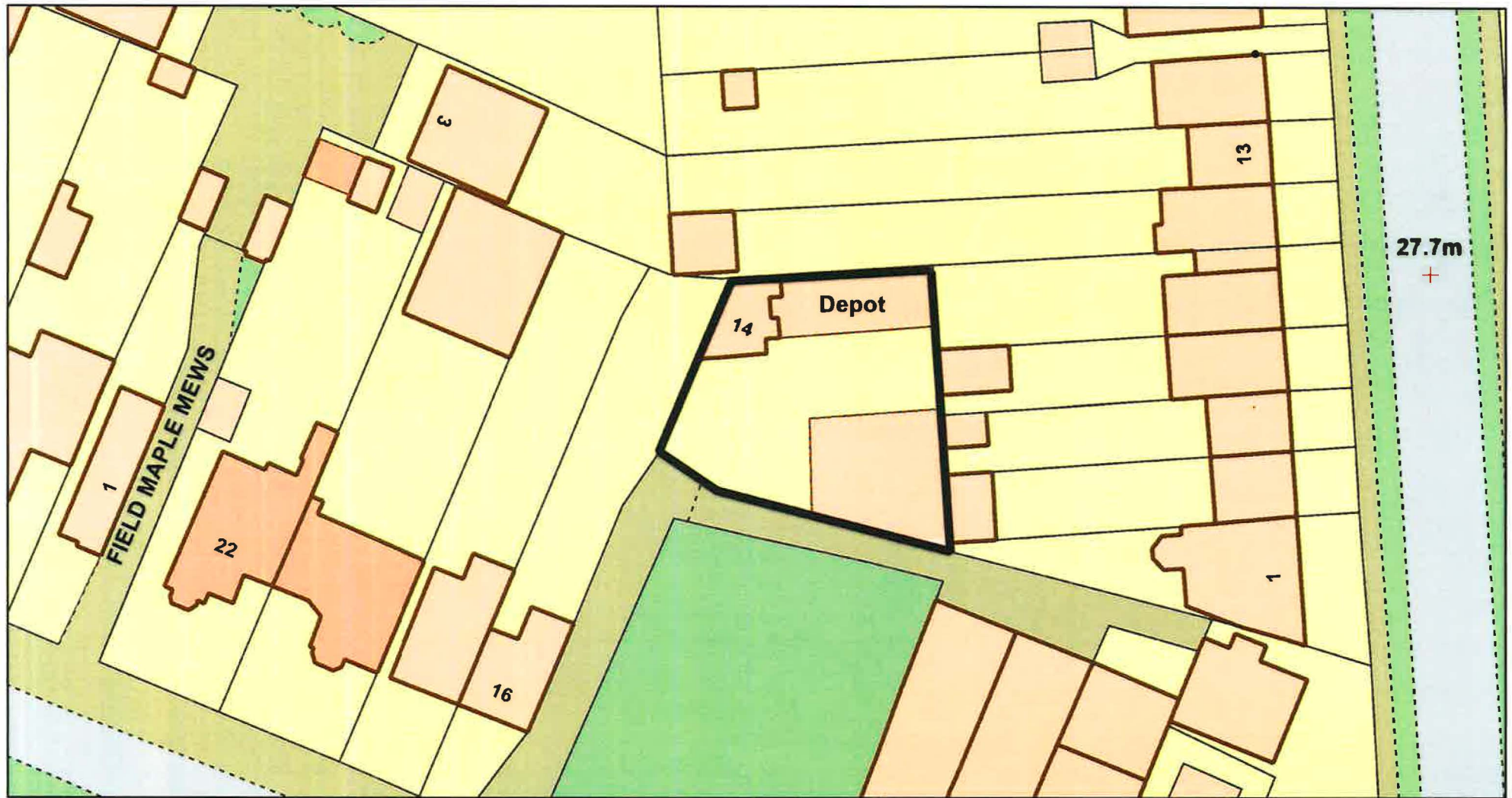
You MUST make sure that we receive your appeal before the effective date on the enforcement notice.

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.



14A Hog Hill Road, Romford, RM5 2DH N
↑



 Scale: 1:500
 Date: 10 August 2020
 Size: A4



 London Borough of Havering
 Town Hall, Main Road, Romford, RM1 3BD
 Tel: 01708 434343

 © Crown copyright and database rights 2020
 Ordnance Survey 100024327