

ENFORCEMENT NOTICE (A)

**RE: "1 WOODLANDS", BROOKMANS PARK DRIVE, UPMINSTER,
RM14 1LX (FORMERLY KNOWN AS LAND AT 70-71 BROOKMANS PARK
DRIVE, UPMINSTER, RM14 1LX)**

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 Hedges, "1 Woodlands", Brookmans Park Drive, Upminster, RM14 1LX
 4. Mrs Jean Hedges, "1 Woodlands", Brookmans Park Drive, Upminster, RM14 1LX
 5. Mr Joseph Hedges, "1 Woodlands", Brookmans Park Drive, Upminster, RM14 1LX

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 "1 Woodlands", Brookmans Park Drive, Upminster, RM14 1LX (formerly known as land at 70-71 Brookmans Park Drive, Upminster, RM14 1LX) and shown hatched black on the attached plan.

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

Without planning permission:

- (1) The laying of hardsurfacing, including paving slabs and gravel
- (2) The erection of fencing and gates shown red on the attached plan

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 site lies within the Metropolitan Green Belt and this unauthorised development is considered to have caused material harm to its character and openness contrary to policies ENV1 and GRB2 of the Havering Unitary Development Plan.

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

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

- (i) Remove all gravel, paving slabs and hardstanding from the Land

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

- (ii) Remove the fencing and gates shown red on the attached plan

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

- (iii) Restore the Land to pasture by reseeding with grass

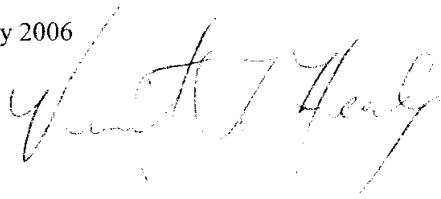
Time for compliance: the first planting season after three months from the effective date of this notice

6. **WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 9 June 2006, unless an appeal is made against it beforehand.

Dated: 5 May 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 9 June 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 9 June 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 9 June 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.

GROUNDS 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 £135 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.

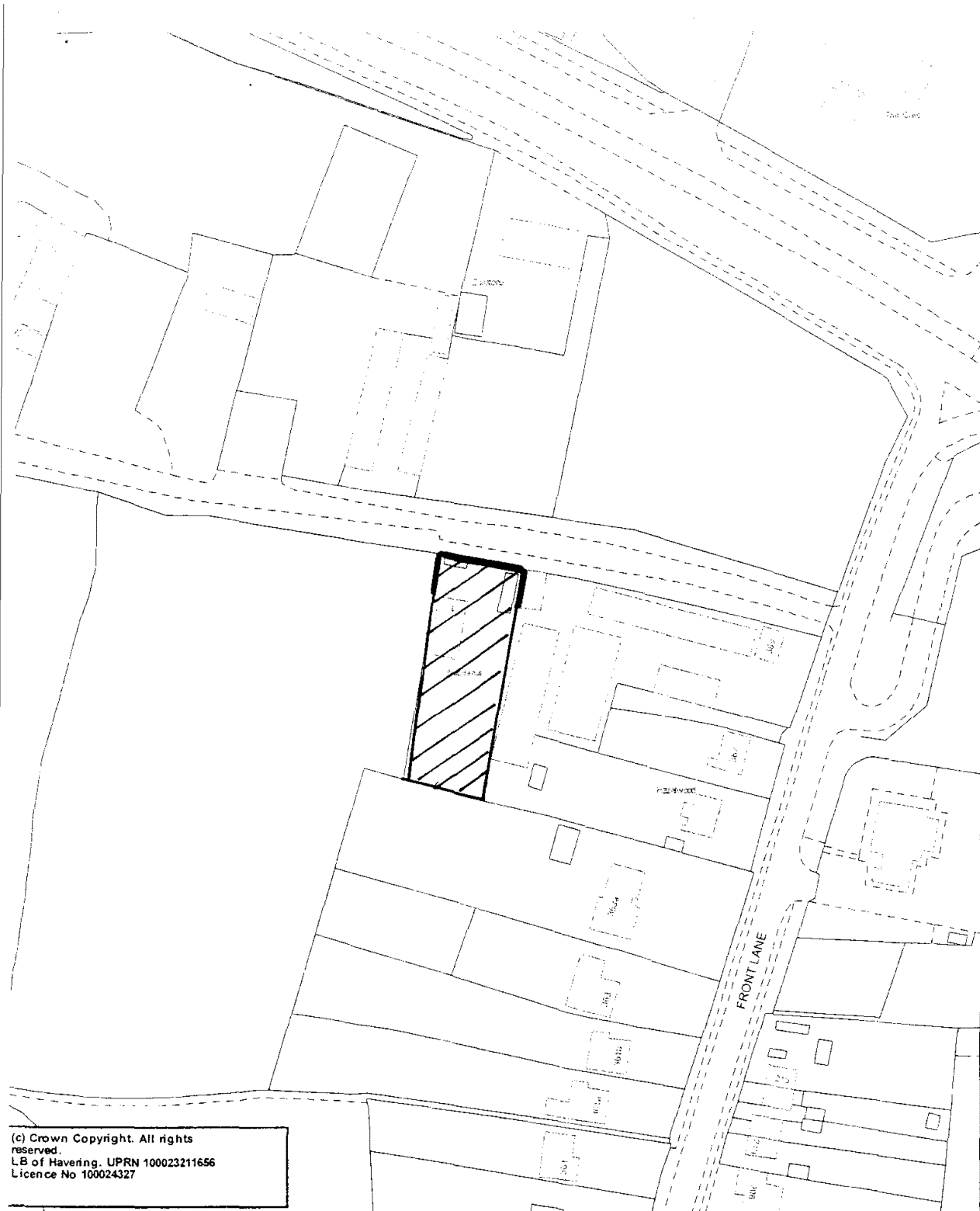
STATEMENT ON GROUNDS OF APPEAL

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 Hedges, "1 Woodlands", Brookmans Park Drive, Upminster, RM14 1LX
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Map Reference: TQ5788NW Date: 09/03/2006 Scale: 1:1250



Brookmans Park Drive



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

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ENFORCEMENT NOTICE (B)

**RE: LAND AT "1 WOODLANDS", BROOKMANS PARK DRIVE,
UPMINSTER, RM14 1LX
(FORMERLY KNOWN AS LAND AT 70-71 BROOKMANS PARK DRIVE,
UPMINSTER, RM14 1LX)**

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2. **THE LAND AFFECTED**

The land at "1 Woodlands", Brookmans Park Drive, Upminster, RM14 1LX (formerly known as land at 70-71 Brookmans Park Drive, Upminster, RM14 1LX) shown hatched black on the attached plan.

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

Without planning permission a material change of use from rural land to residential which includes the placing of a mobile home, a portakabin storage building and a container on the Land. The Council believes that these items constitute an integral part of the breach of planning control.

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.

The site is within the Metropolitan Green Belt as defined by the Havering Unitary Development Plan wherein there is a presumption against inappropriate development. The unauthorised development harms the character and appearance of the Green Belt. There are no very special circumstances which would justify this inappropriate development which is contrary to policies GRB2 and GRB13 of the Havering Unitary Development Plan.

An application for Planning Permission was made on 30.01.03 proposing that the use be changed to residential and that a mobile home be stationed on the Land. This application was refused and the subsequent appeal dismissed by the Planning Inspectorate who concluded that the *'proposal would amount to inappropriate development harmful to the Green Belt'*.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease using the Land for residential purposes and associated activities.
Time for compliance: three months from the effective date of this notice.
- (ii) Remove from the Land the mobile home, portakabin and container.
Time for compliance: three months from the effective date of this notice.
- (iii) Remove from the Land all machinery, equipment and apparatus brought onto the land for residential purposes
Time for compliance: three months from the effective date of this notice.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 9 June 2006, unless an appeal is made against it beforehand.

Dated: 5 May 2006

Signed:



Authorised Officer

on behalf of London Borough of Havering
Town Hall, Main Road,
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GROUND OF APPEAL

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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

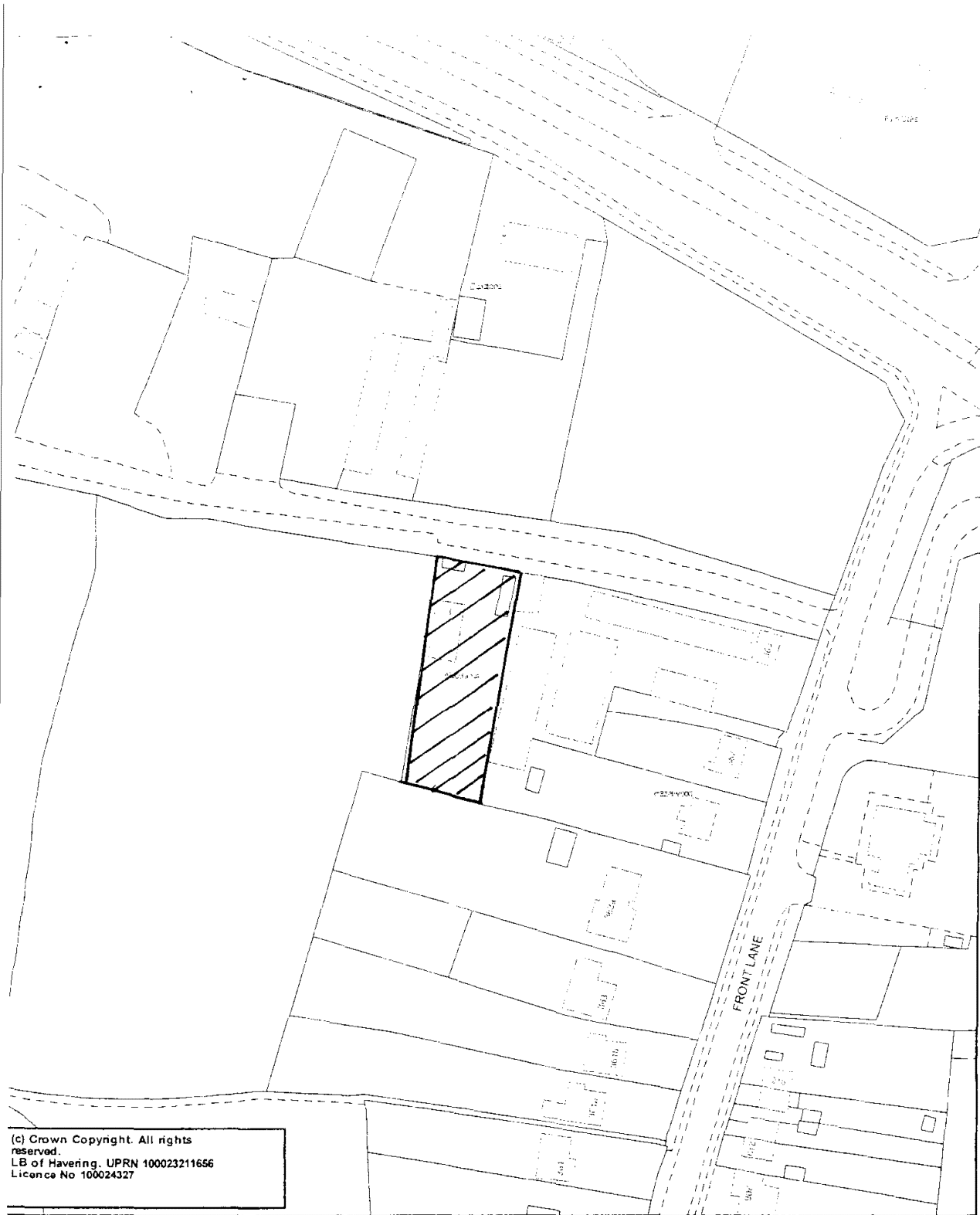
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