

**RE: Land and buildings lying to the North West of Noak Hill, Romford known as Lakeview Park, Cummings Hall Lane, Noak Hill Road, Romford RM3 7LE**

**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 and property
  2. The Occupier of the said land and property
  3. 59 The Green, Lakeview Park, Cummings Hall Lane, Noak Hill Road, Romford RM3 7LR
  4. 61 The Green, Lakeview Park, Cummings Hall Lane, Noak Hill Road, Romford RM3 7LR
  5. 62 The Green, Lakeview Park, Cummings Hall Lane, Noak Hill Road, Romford RM3 7LE
  6. 63 The Green, Lakeview Park, Cummings Hall Lane, Noak Hill Road, Romford RM3 7LR
  7. 65 The Green, Lakeview Park, Cummings Hall Lane, Noak Hill Road, Romford RM3 7LR
  8. The Company Secretary Shelfside (Holdings) Limited (Company No. 04128194) of 88/98 College Road, Harrow, Middlesex HA1 1RA
  9. The Company Secretary Shelfside (Holdings) Limited (Company No. 04128194) C/O Trethowans LLP, London Road Office Park, London Road, Salisbury, Wiltshire SP1 3HP
  10. The Company Secretary Shelfside (Holdings) Limited (Company No. 04128194) of 35 New Road, Rainham, Essex RM13 8DR.
  11. The Company Secretary HSBC Bank PLC (Company No. 14259) 40-54-47 of Sheffield Securities Processing Centre, P.O. Box 3924, Sheffield S1 9BD.
  12. The Company Secretary HSBC Bank PLC of 8 Canada Square, London, E14 5HQ.
  13. Mr Christopher Peel of the dwellinghouse on the land lying to the North West of Noak Hill, Romford known as Lakeview Park, Cummings Hall Lane, Noak Hill Road, Romford RM3 7LE.

14. Mr Alfred William Best of Mile House, Westwood Road, Windlesham, GU20 6LX
15. Mr Alfred William Best of Northaw Manor, Northaw Road West, Northaw, Hertfordshire EN6 4NT

**ISSUED BY:** London Borough of Havering

1. **THIS IS A FORMAL NOTICE** which is issued by the London Borough of Havering ("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. The Council considers 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 and buildings lying to the North West of Noak Hill, Romford known as Lakeview Park, Cummings Hall Lane, Noak Hill Road, Romford RM3 7LE (registered at the Land Registry under title No EGL163673) and shown outlined bold black on the attached plan ("the Land").

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

Without planning permission, the material change of use of the Land to residential use; the stationing of mobile homes on the Land for residential purposes; the construction of a prefabricated building, on the Land, on the same footprint as a former storage building; the formation of residential curtilages on the Land; the use of the Land for storage purposes unrelated to the authorised use of Lakeview Park as a residential caravan park.

## 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. The unauthorised use of the Land and the unauthorised development has a materially harmful impact on the Metropolitan Green Belt. The unauthorised use and development are detrimental to the visual amenity and character of the surrounding area in general and are harmful to the essential open nature of this part of the Metropolitan Green belt.

Both national and local planning policies provide for the protection of the Metropolitan Green Belt, the fundamental aim of Green Belts being to prevent urban sprawl by keeping land permanently open. There is a general presumption against inappropriate uses and development within the Green Belt except in very special circumstances.

The Council has not been made aware of any very special circumstances which would outweigh the harm to the Green belt. The Council considers that the change in the use of the Land; the formation of residential curtilages on the Land; and other residential paraphernalia on the Land constitutes inappropriate development in the

Metropolitan Green Belt and significantly reduces the openness of this part of the Green Belt.

The unauthorised use of the Land and unauthorised development on the Land are inappropriate, and by definition, harmful to the Green Belt and contrary to policies DC45 and DC61 of the Council's Local Development Framework Core Strategy and Development Control Policies Development Plan Document and the NPPF.

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

By Decision Notice dated 20 November 2009 the Planning Inspectorate granted planning permission (Application Reference APP/B5480/C/09/2102281) for the formation of a single dwelling house together with residential curtilage ("the Planning Permission"). The Planning Permission was personal to Christopher Peel and subject to planning conditions.

Condition 1 of the Planning Permission stated:

*'The use hereby permitted shall be carried on only by Mr Christopher Peel and the single dwellinghouse and curtilage area hereby permitted shall be occupied only by Mr Christopher Peel.'*

Condition 3 of the Planning Permission stated:

*'The use hereby permitted shall cease and the single dwellinghouse hereby permitted shall be demolished and removed from the land together with all equipment and materials brought onto the land for the purposes of such use and any materials resulting from the demolition within 28 days of the date of failure to meet any one of the requirements set out in (i) to (iv) below:-*

- i) Within 3 months of the date of this decision a scheme for firstly, the layout of the site including hard and soft landscaping and boundary treatment and a schedule of landscape maintenance for a minimum period of 5 years, secondly, the design of a fence to be erected between points X and Y on the attached plan, and thirdly, the design, external appearance and siting of an outbuilding not exceeding 12 cubic meters in volume shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.*
- ii) If within 11 months of the date of this decision the local planning authority refuse to approve the scheme or fail to give a decision within the prescribed period an appeal shall have been made to, and accepted as valid by, the Secretary of State.*
- iii) If an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State.*
- iv) The approved scheme shall have been carried out and completed in accordance with the approved timetable.'*

Condition 3 of the Planning Permission was breached and the Planning Permission has lapsed.

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

- (i) Cease the use of the Land for residential purposes.

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

- (ii) Cease the use of the Land for storage purposes unrelated to the authorised use of Lakeview Park as a residential caravan site.

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

- (iii) Remove from the Land all decking, machinery, equipment, apparatus, building materials, rubble, pre-fabricated buildings, mobile homes, caravans, vehicles and trailers in association with uses other than for storage related to the authorised use of Lakeview Park as a residential caravan site.

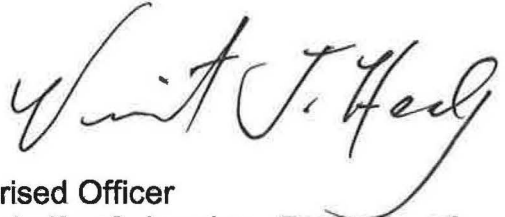
Time for compliance: 6 months from the effective date of this notice.

**6. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 21 October 2013, unless an appeal is made against it beforehand

Dated: 11 September 2013

Signed:

A handwritten signature in black ink, appearing to read 'W. J. Hedy', is written over the printed name of the authorised officer.

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 21 October 2013. 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 21 October 2013 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 21 October 2013.

If you intend to appeal against this Notice you should follow the instructions given on the information sheet from the Planning Inspectorate which accompanies this Notice.

### **GROUND OF APPEAL**

The grounds of appeal are set out in Section 174 of the Town and Country Planning Act 1990 (as amended) you may appeal 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**

If you intend to appeal against the notice on ground (a) - that planning permission should be granted for the unauthorised development - then a fee of £1,540.00 is payable to the Council. If the fee is 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.

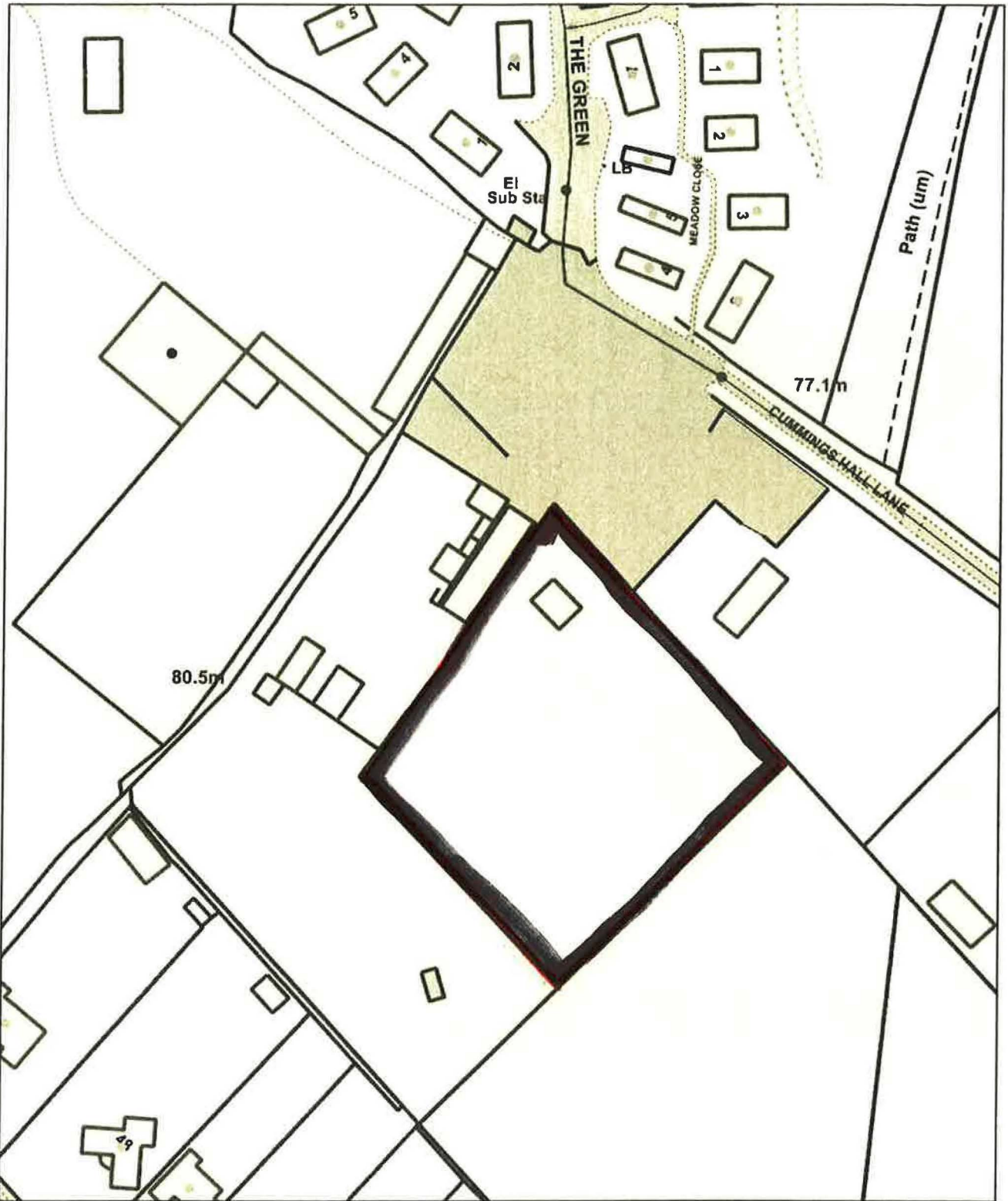
## **RECIPIENTS OF THE ENFORCEMENT NOTICE**

The names and addresses of all the persons on whom the Enforcement Notice has been served are:




1. The Owner of the said land and property
2. The Occupier of the said land and property
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4. 61 The Green, Lakeview Park, Cummings Hall Lane, Noak Hill Road, Romford RM3 7LR
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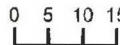



Lakeview N  
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**Scale: 1:1000**  
**Date: 13 June 2013**  
**Size: A4**

0 5 10 15 metres





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

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 Ordnance Survey 100024327