

RE: 12 ARDLEIGH GREEN ROAD, HORNCHURCH, RM11 2LW

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

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 at 12 Ardleigh Green Road, Hornchurch, RM11 2LW, as shown edged in black on the attached plan.

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

Without planning permission, the material change of use of the outbuilding to a dog grooming parlour.

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" and that steps should be taken to remedy the breach by Section 173 4(a) or to remedy any amenity or injury which has been caused by the breach.

The material change of use of the outbuilding to a dog grooming parlour is considered to be unacceptable in principle due to its location within a residential area and contrary to policies CP3, DC11, DC24 and DC69 of the Havering Core Strategy, and the Proposals Map (North) 2008 DPD.

The material change of use of the outbuilding to a dog grooming parlour is deemed to have a detrimental impact on the living conditions of the occupants of the main dwelling, and is contrary to policies DC3 and DC61 of the Havering Core Strategy, the Residential Extensions and Alterations 2011 SPD, as well as policy 7.15 of the London Plan.

The material change of use of the outbuilding to a dog grooming parlour is deemed to be unsuitable in this location and is of detriment to the surrounding occupiers through noise and disturbance as well as the Emerson Park area as a whole. This development is therefore contrary to policies DC61, DC69 of the

Havering Core Strategy, the Emerson Park Policy Area SPD, and policy 7.4 of the London Plan.

The material change of use of the outbuilding to a dog grooming parlour creates undue pressure on the use and operation of the dwelling, particularly in relation to lack of sufficient provision of parking for both the dwelling and business use and is therefore considered to be contrary to policy DC33 of the Havering Core Strategy.

The Council does not consider that planning permission should be granted for the development because conditions attached to any consent would not overcome these problems.

5. WHAT YOU ARE REQUIRED TO DO

- (1). Cease the use of the outbuilding as a dog grooming parlour and return the outbuilding to its lawful use as ancillary to the main dwelling.
- (2). Remove; all facilities in connection with the use of the outbuilding as a dog grooming parlour, to the satisfaction of the local planning authority.
- (3). Remove; all advertisements that promote the use of the property for a dog groomers, including (but not limited to) any signage at the property, and any digital promotions (including any online and social media advertisements).
- (4). Remove; all materials and debris from the site associated with requirements (2) and (3).

Time for compliance with steps (1), (2), (3) and (4) above: 2 months from the effective date of this notice.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **14th July 2016**, unless an appeal is made against it beforehand.

Dated: 9th June 2016

Signed:



Authorised Officer

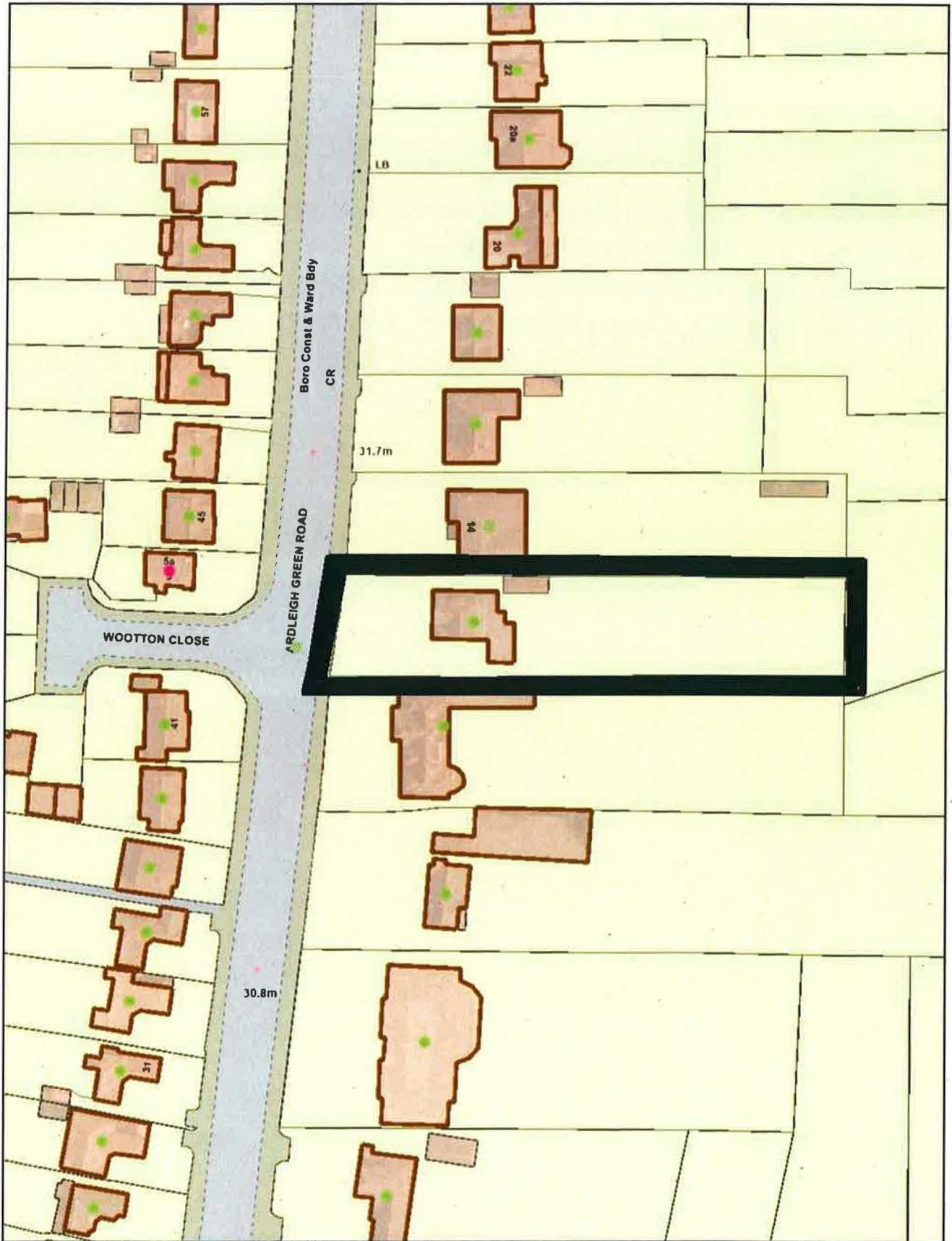
on behalf of London Borough of Havering
Town Hall
Main Road
Romford RM1 3BD

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 / Occupier; 12 Ardleigh Green Road, Hornchurch, RM11 2LW
- 2) Mr Christopher Pugh and Mrs Karen Pugh; 12 Ardleigh Green Road, Hornchurch, RM11 2LW
- 3) Emma Pugh; WAGS Dog Groomers, 12 Ardleigh Green Road, Hornchurch, RM11 2LW
- 4) Woolwich; PO Box 8575, Leciester, LE18 9AW
- 5) Barclays Bank PLC; care of Barclays Mortgages, P.O. Box HK444, Leeds, LS11 8DD
- 6) Barclays Bank PLC; 1 Churchill Place, London, E14 5HP

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EXPLANATORY NOTES

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 **14th July 2016**.

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.

GROUNDINGS 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

Should wish to appeal on ground (a) - that planning permission should be granted for the unauthorised development - then a fee of **£385.00** is payable both to the Secretary of State and to the Council, making the total fees payable **£770.00** 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 you a notice so requiring, 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.

YOUR RIGHT OF APPEAL

You can appeal against this Enforcement Notice to the Secretary of State by the **14th July 2016**. 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 **14th July 2016** 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.