

**RE: Welstead Place, Benskins Lane, Church Road, Noak Hill, Romford RM4  
1LB**

**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. Mrs Denise Hiller also known as Denise Linda Tylor, Welstead Place, Benskins Lane, Church Road, Noak Hill, Romford RM4 1LB

**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 known as Welstead Place, Benskins Lane, Noak Hill (registered under title number NGL71329) and shown edged in bold black on the attached plan ("the Land")

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

Without planning permission, the stationing of 2 mobile homes on the Land without the benefit of planning permission (outlined in red on the attached plan and marked "Mobile Home (1) and Mobile Home (2)) hereinafter referred to collectively as the "Mobile Homes".

Without planning permission, the laying of pipework and the erection of decking around Mobile Home (1) and the laying of pipework around Mobile Home (2).

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control intensification of the use of the Land by virtue of the stationing of 2 additional mobile homes on the Land has occurred within the last ten years and the unauthorised operational development associated with the above breach namely the laying of pipework and the erection of decking around Mobile Home (1) and the laying of pipework around Mobile Home (2) has occurred within the last four years.

The land lies within the Metropolitan Green Belt. National Planning Policy Framework states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, or any other harm is clearly outweighed by other considerations.

It is an aim of Green Belt policy to keep land open in the context that it is free of development. It is considered that the Mobiles Homes, the laying of pipework and the erection of decking around Mobile Home (1) are out of keeping with the largely rural environment and detracts from the character and appearance of the surrounding area. The development has a materially harmful impact on the openness of the green belt.

In summary, the Council's view is that the Mobile Homes and/ or the laying of pipework and the erection of decking around Mobile Home (1) are inappropriate development contrary to the provisions of policy DC45 (Appropriate Development in the Green Belt) and 7.16 of the London Plan and national guidance in National Planning Policy Framework.

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

- (i) Remove from the land, mobile homes 1 and 2 currently stationed on the land as shown on the attached plan.

Time for compliance: 3 months from the effective date of this notice.

- (ii) Remove from the land all, materials and equipment associated with the unauthorised development including the decking and pipe work associated with mobile home 1 and the pipework associated with mobile home 2.

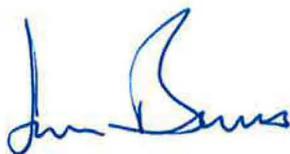
Time for compliance: 3 months from the effective date of this notice

#### **6. WHEN THIS NOTICE TAKES EFFECT**

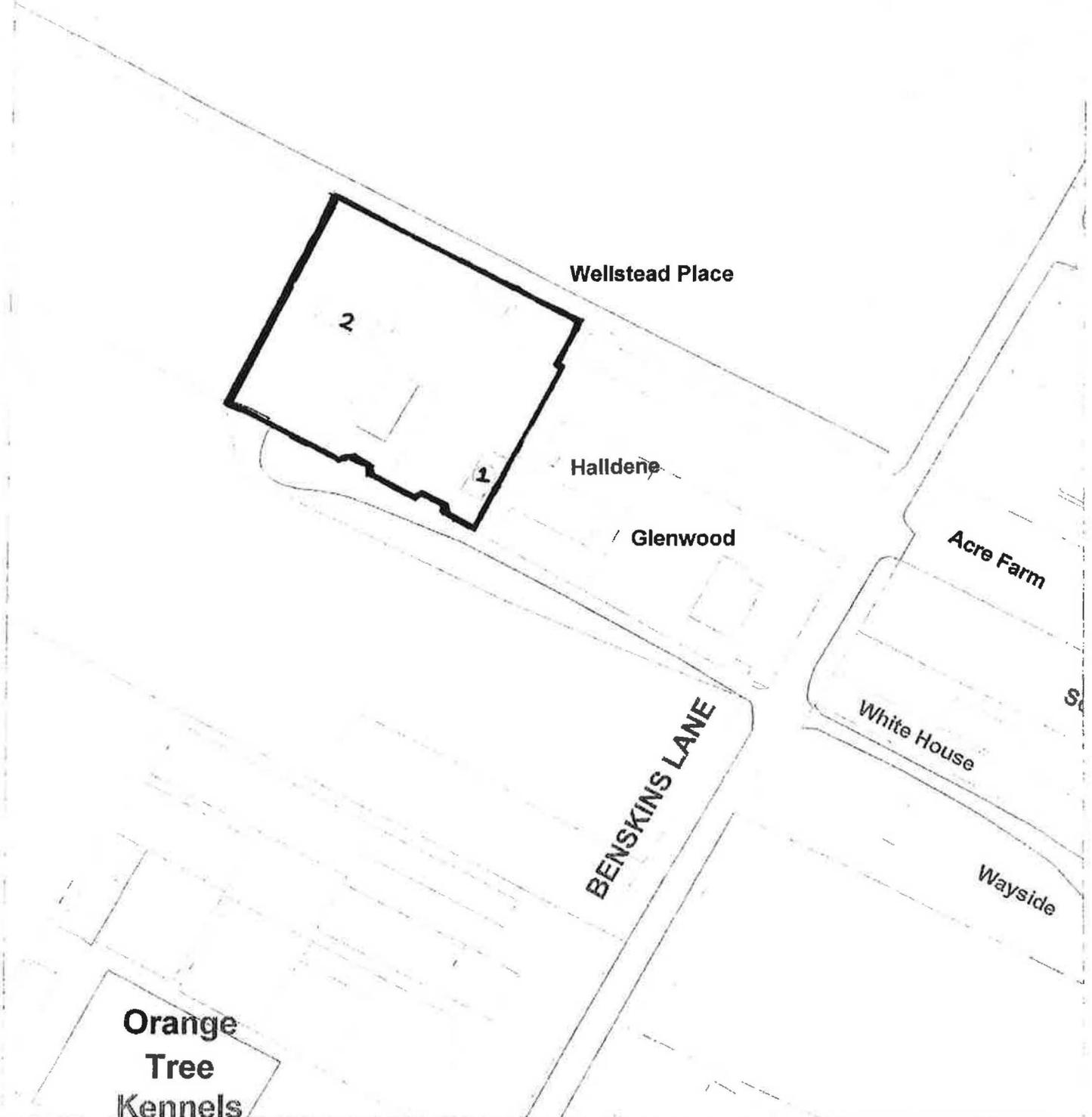
This Notice takes effect on 10 July 2013, unless an appeal is made against it beforehand

Dated: *22<sup>nd</sup> May* 2013

Signed:



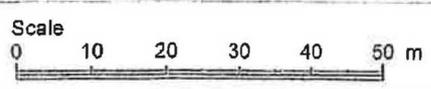
Authorised Officer  
on behalf of London Borough of Havering  
Town Hall  
Main Road  
Romford RM1 3BD



<b>Wellstead Place</b>	Map Reference: TQ5394SE
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 <small>National Planning Guidance</small>	 <small>NATIONAL STREET</small>	 <small>Ordnance Survey Licensed Partner</small>
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Scale @ A4 1:1000  
Date: 20/11/2012



 <b>Havering</b> <small>LONDON BOROUGH</small>	London Borough of Havering Town Hall, Main Road Romford, RM1 3BD Tel: 01708 434343
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## **YOUR RIGHT OF APPEAL**

You can appeal against this Enforcement Notice to the Secretary of State by the 10 July 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 10 July 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 10 July 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 £770.00 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, 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
2. The Occupier of the said land
3. Mrs Denise Hiller also known as Denise Linda Tylor, Welstead Place, Benskins Lane, Church Road, Noak Hill, Romford, Essex RM4 1LB