

**LAND AT THE FORMER BROOK STREET PETROL FILLING STATION,
COLCHESTER ROAD, ROMFORD**

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990
(As amended by the Planning and Compensation Act 1991 and the Planning
and Compulsory Purchase Act 2004)**

TEMPORARY STOP NOTICE

SERVED BY: London Borough of Havering
herein after referred to as "the Council".

**To: Mr John O'Donoghue, land at the former Brook Street Petrol Filling
Station, Colchester Road, Romford**

The Owners of the Land to which this Notice relates

The Occupiers of the Land to which this Notice relates

1. On **19 April 2010** the Council has issued this temporary stop notice alleging that there has been breaches of planning control on the land described in paragraph 4 below.

2. This temporary stop notice is issued by the Council, in exercise of their power in section 171E of the 1990 Act, because they think that it is expedient that the activities specified in this notice should cease on the land described in paragraph 4 below. The Council now prohibits the carrying out of the activities specified in this notice. Important additional information is given in the Annex to this notice.

3. THE REASONS FOR ISSUING THIS NOTICE

Planning permission has not been granted for a change of use of the land for residential purposes or to use the land for any other purpose. Any operational development or change of use that has taken place is not appropriate in the Green Belt and has resulted in significant harm to the openness and visual amenity of the area. Residential use of the site is not appropriate as the site may be contaminated and it is subject to high levels of noise disturbance. Any further development or change of use of the land would exacerbate that harm.

4. THE LAND TO WHICH THIS NOTICE RELATES

Land at the former **Brook Street Petrol Filling Station, Colchester Road, Romford** shown edged red on the attached plan.

5. THE ACTIVITY TO WHICH THIS NOTICE RELATES

Without planning permission,

- (i) operational development of the land including erection of gates, walls or fences in excess of 1 metre adjacent to the highway or 2 metres elsewhere
- (ii) change of use of the land for residential purposes by stationing of more caravans, mobile homes or portable buildings used for such purposes

6. WHAT YOU ARE REQUIRED TO DO

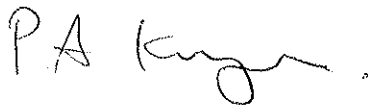
- 1) Not to undertake any operational development on the land, including erection of gates, walls or fences in excess of 1 metre adjacent to the highway or 2 metres elsewhere.
- 2) Not to bring onto the land any additional caravans, mobile homes or portable buildings for residential purposes or used in conjunction with such purposes. For the avoidance of doubt the following were on the site at the time of service of this notice – 1 mobile home.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **19 April 2010** when all the activity specified in this notice shall cease. This notice will cease to have effect on **17 May 2010**

Dated: 19 April 2010

Signed:



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

Nominated Officer - Simon Thelwell
Planning Control Manager
(Projects and Compliance)

Telephone Number 01708 432685

ANNEX

WARNING

THIS NOTICE TAKES EFFECT ON THE DATE SPECIFIED IN PARAGRAPH 7.

THERE IS NO RIGHT OF APPEAL TO THE FIRST SECRETARY OF STATE AGAINST THIS NOTICE.

It is an offence to contravene a temporary stop notice after a site notice has been displayed or the temporary stop notice has been served on you. (Section 171G of the 1990 Act). If you then fail to comply with the temporary stop notice you will be at risk of **immediate prosecution** in the Magistrates' Court, for which the maximum penalty is £20,000 on summary conviction for a first offence and for any subsequent offence. The fine on conviction on indictment is unlimited. If you are in any doubt about what this notice requires you to do, you should get in touch **immediately** with Simon Thelwell, Planning Control Manager, Mercury House, Romford RM1 3SL 01708 432685. If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review.

S.171G. Temporary stop notice: offences

- (1) A person commits an offence if he contravenes a temporary stop notice—
 - (a) which has been served on him, or
 - (b) a copy of which has been displayed in accordance with section 171E(5) .
- (2) Contravention of a temporary stop notice includes causing or permitting the contravention of the notice.
- (3) An offence under this section may be charged by reference to a day or a longer period of time.
- (4) A person may be convicted of more than one such offence in relation to the same temporary stop notice by reference to different days or periods of time.
- (5) A person does not commit an offence under this section if he proves—
 - (a) that the temporary stop notice was not served on him, and
 - (b) that he did not know, and could not reasonably have been expected to know, of its existence.
- (6) A person convicted of an offence under this section is liable—
 - (a) on summary conviction, to a fine not exceeding £20,000;
 - (b) on conviction on indictment, to a fine.
- (7) In determining the amount of the fine the court must have regard in particular to any financial benefit which has accrued or has appeared to accrue to the person convicted in consequence of the offence.



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Town Hall, Main Road
Romford, RM1 3BD
Tel: 01708 434343

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