

RE: Land at Chanlin, Broxhill Road, Havering – atte – Bower, Romford, RM4 1QH

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT NOTICE A

- TO:**
1. The Owner of the said land
 2. The Occupier of the said land
 3. Gary William Hodgson, Chanlin, Broxhill Road, Havering – atte – Bower, Romford, Essex RM4 1QH
 4. Caroline Denise Hodgson, Chanlin, Broxhill Road, Havering – atte – Bower, Romford, Essex RM4 1QH.

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 Chanlin, Broxhill Road, Havering –atte – Bower, Romford RM4 1QH shown edged black in bold on the attached plan (hereinafter called “ the Land “).

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

Without planning permission, the construction of hardstanding on the said land, which would include the area situated under the mobile home, shown hatched black 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 relevant policies of the London Development Framework is DC45, which deals with appropriate development within the Metropolitan Green Belt. PPG2 is also relevant. Policy DC61 is the Council's general environmental policy which seeks to ensure that all change of use is compatible with

its surrounding environment. Policy DC45 is the Council policy which presumes against harmful inappropriate development within the Green Belt. Policy DC45 is consistent with the Government's advice on Green Belts(PPG2) which similarly identifies appropriate development for the purposes of either DC45 or PPG2. Green Belt policy and guidance confirm that planning permission should only be given if such identified harm is clearly outweighed by very special circumstances. DC 61 is also relevant in that the development would detract from the visual amenities of the Green Belt. There is a general presumption against inappropriate development in the Green Belt. The development is unacceptable contrary to guidance in PPG2 and policy DC46. The guidance in PPG2 is that inappropriate development can only be justified if there are very special circumstances such that the harm to the Green Belt is clearly outweighed by other considerations. No such circumstances have been put forward by the applicant in this case to justify a departure from policy. In these circumstances it is considered that the development is objectionable in principle as it would be materially harmful to the openness and character of the Green Belt.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Remove the hardstanding shown hatched black from the Land

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

- (ii) Remove from the Land all rubble, machinery, apparatus, equipment, brought onto the Land in association with the unauthorised hardstanding and resulting from compliance with requirement (i) above

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

- (iii) Reinstate the Land to its former rural condition as one appropriate for Green Belt use

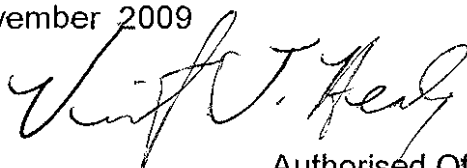
Time for compliance : 3 months from the effective date of this notice

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 5th January 2010 unless an appeal is made against it beforehand

Dated: 26th November 2009

Signed:



Authorised Officer

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

EXPLANATORY NOTES

STATUTORY PROVISIONS

A copy 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 5th January 2010.

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

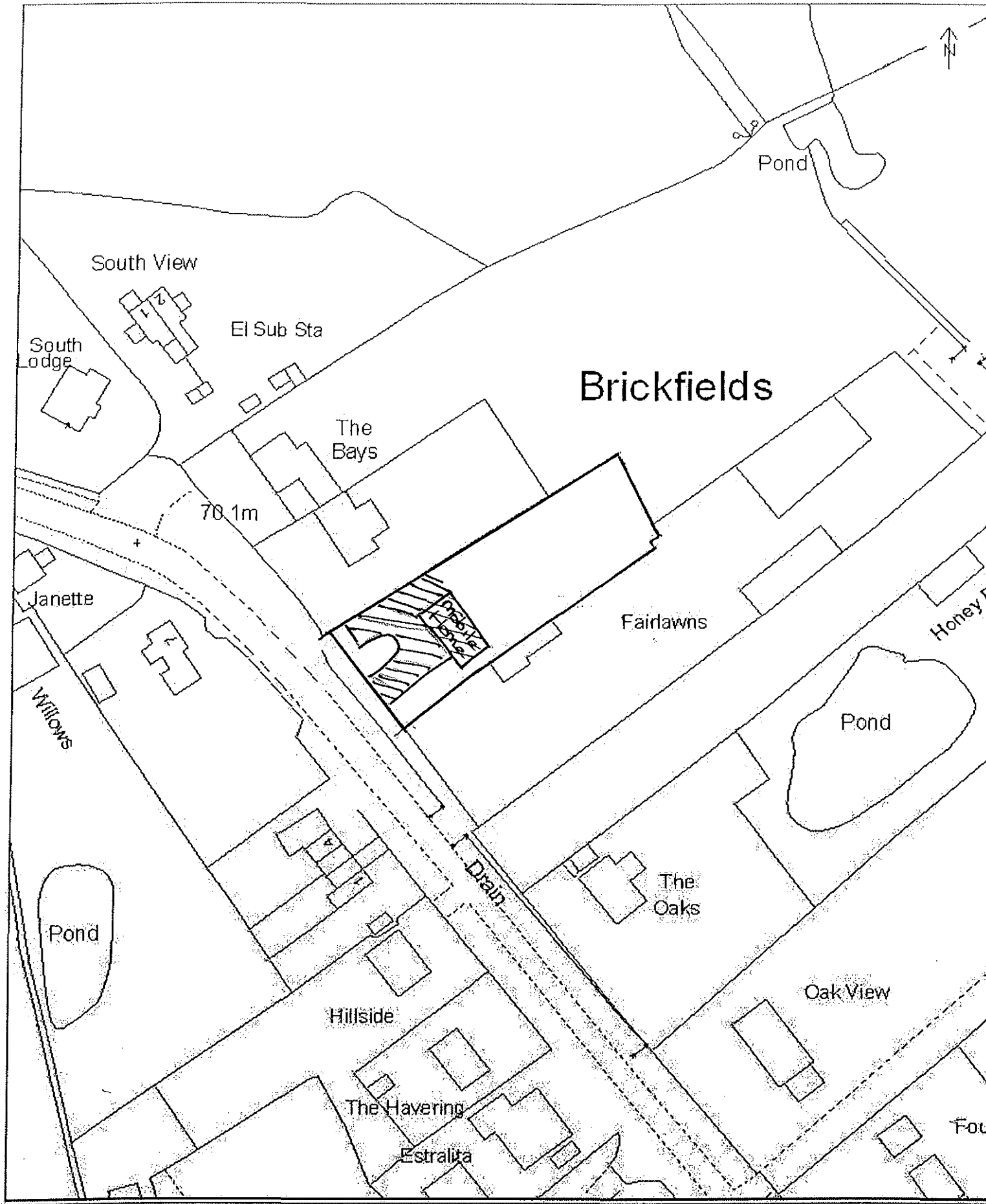
GROUND OF APPEAL

Under section 174 of the Town and Country Planning Act 1990 (as amended) you may appeal on one or more of the following grounds :-

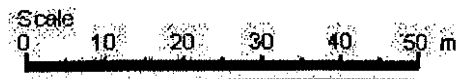
- (a) that, in respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged;
- (b) that those matters have not occurred;
- (c) that those 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 the 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



Chanlin



Havering
LONDON BOROUGH



Scale @ A4 1:1000

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

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