



## Memo

	<b>Date</b>	<b>29<sup>th</sup> October 2002</b>
<b>From</b>	<b>Head of Law</b>	<b>My Reference</b> IWB/TP2810
	<b>Extension</b>	<b>2465</b>
<b>To</b>	<b>Development Control, Mercury House</b>	<b>Your Reference</b> JF
	<b><u>Local Land Charges</u></b> ✓	

### **47 Herbert Road, Emerson Park, Hornchurch - Enforcement**

On the 15<sup>th</sup> February 2002 the Council issued an Enforcement Notice in respect of car sales at 47 Herbert Road.

Following cessation of the car sales the owners of the property have entered into a unilateral planning obligation prohibiting commercial car sales and storage in future. I enclose a copy of the obligation for your files.

In the light of the obligation and the cessation of the use the Council has formally withdrawn the enforcement notice. Please will you amend your records to record this and the existence of the planning obligation.

I also enclose for the Development Control officer a short questionnaire about this departments handling of the case and would be obliged if you could spend a few minutes completing it and returning it to me.

*W. J. F. 29/10/02*  
Head of Law

**RE: 47 HERBERT ROAD, EMERSON PARK, HORNCHURCH, ESSEX**

**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. Mr D J Woods, 47 Herbert Road, Emerson Park, Hornchurch, Essex
  4. Mrs L D Woods, 47 Herbert Road, Emerson Park, Hornchurch, Essex
  5. Motorland UK Ltd, 209 Station Lane, Hornchurch, Essex

**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 dwelling and associated land at 47 Herbert Road, Emerson Park, Hornchurch shown hatched black on the attached plan.

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

Without planning permission a material change of use of the said land to a mixed residential / vehicles sales/ vehicle storage use

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. The unauthorised use is not suitable for this residential area. It disturbs the neighbours through noise, traffic movement and visual intrusion in such an area. The Council do not consider that planning permission should be given, because planning conditions could not overcome these problems.

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

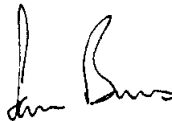
- (i) Stop using the land for vehicle sales  
Time for compliance: one month from the effective date of this notice.
- (ii) Stop using the land for vehicle storage  
Time for compliance: one month from the effective date of this notice.
- (iii) Remove from the land all machinery, vehicles, goods and installations brought onto the land for the purpose of vehicle sales and/or vehicle storage  
Time for compliance: one month from the effective date of this notice

**6. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 29<sup>th</sup> March 2002, unless an appeal is made against it beforehand

Dated: 15<sup>th</sup> February 2002

Signed:



Authorised Officer

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

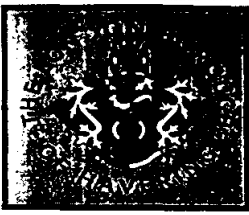
**YOUR RIGHT OF APPEAL**

You can appeal against this Notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before 29<sup>th</sup> March 2002. The enclosed booklet "Enforcement Appeals - A guide to Procedure" sets out your rights. Read it carefully. You may use the enclosed appeal forms. One is for you to send to the Secretary of State if you decide to appeal. The other is for you to keep as a duplicate for your own records. You should also send the Secretary of State the spare copy of this Enforcement Notice which is enclosed.

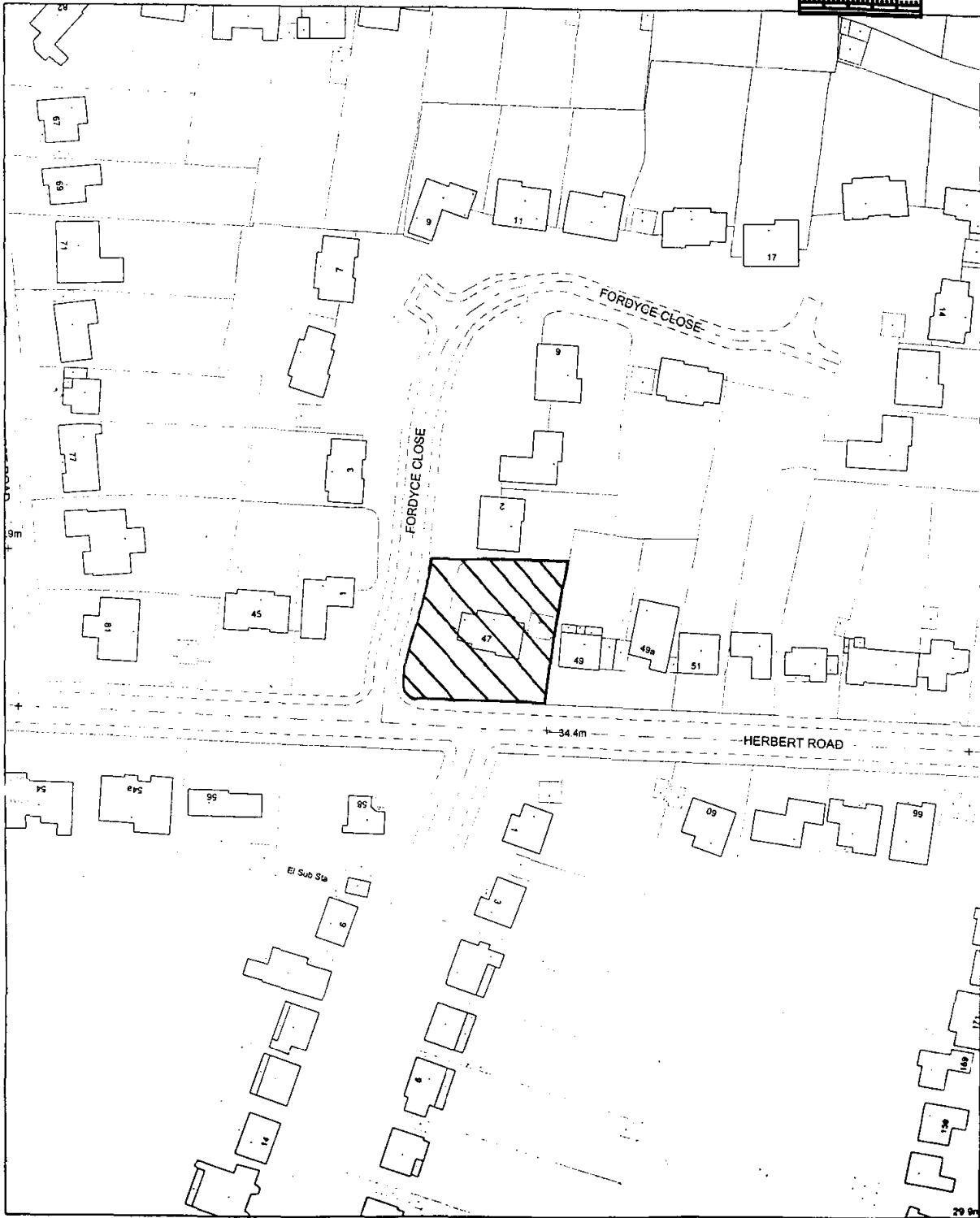
**WHAT HAPPENS IF YOU DO NOT APPEAL**

If you do not appeal against this Enforcement Notice, it will take effect on 29<sup>th</sup> March 2002 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.**



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MAP REFERENCE: TQ5587NW

DATE: 15/02/2002  
TIME: 09:52

SCALE: 1:1250