



London Borough of Havering  
Ballard Chambers

**LEGAL SERVICES**

**Lindsay Payaneeandee**  
Telephone: 432468  
Fax: 432482

**MEMO**

My Ref: LP/cb

Your Ref:

Date: 8<sup>th</sup> April 2005

**From: Assistant Chief Executive  
Legal and Democratic Services**

**To: Land Charges**

**RE: Town & Country Planning Act 1990  
S.172 ENFORCEMENT NOTICE  
LAND AT TYRE WAREHOUSE REAR OF 122 UPMINSTER ROAD  
HORNCHURCH RM12 6PL.**

I write to inform you that the Council is withdrawing the Enforcement Notice served on the above mentioned property.

**Lindsay Payaneeandee**  
For and on behalf of  
C Dooley  
Assistant Chief Executive  
Legal and Democratic Services



INVESTOR IN PEOPLE

**RE: Tyre Warehouse rear of 122 Upminster Road Hornchurch RM12 6PL**

**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 Jaswinder Singh Bahia  
34 Wentworth Road, Southall, Middlesex. UB2 5TS
  4. Mr Richard Jones  
Tyre Warehouse, rear of 122 Upminster Road, Hornchurch, RM12 6PL
  5. National Westminster Bank PLC of South London Securities, 3<sup>rd</sup> Floor ,  
National Westminster House , P.O. Box No. 1065, Lewisham, London SE13 5JY

**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 Tyre Warehouse rear of 122 Upminster Road Hornchurch RM12 6PL shown edged in black on the attached plan.

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

Without planning permission, the erection of an extension to the existing outbuilding to form an office space and the erection of a canopy to form a tyre store.

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 unauthorised extension to the outbuilding and the canopy in question were substantially completed less than four years ago. The unauthorised developments are of obtrusive design and appearance when seen openly from the side road. Combined with other structures on the site they create an overdevelopment of the site. It is contrary to development plan policies and harmful to the visual amenities of the area. The Council do not consider that planning permission should be given, because planning conditions could not overcome these problems.

In making its decision to issue this Notice the Council considered that the unauthorised use is contrary to the following policies of the Havering Unitary Development Plan : Policy ENV1 which is the Council's general environmental policy which seeks to ensure that all development and use is compatible with its surrounding environment.

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

- (i) Remove the office extension to existing outbuilding.

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

- (ii) Remove the canopy.

Time for Compliance: three months from the effective date of this notice

- (iii) Remove from the land all building materials, installation, equipment and rubble arising from compliance with the requirements above, and restore the land to its former condition before the breach occurred

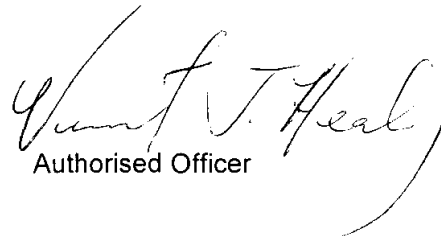
Time for compliance: three months from the effective date of this notice

**6. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 29<sup>th</sup> April 2005, unless an appeal is made against it beforehand

Dated: 21<sup>st</sup> March 2005

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 Enforcement Notice to the Secretary of State by the 29<sup>th</sup> April 2005. 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

29<sup>th</sup> April 2005 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 29<sup>th</sup> April 2005. The enclosed booklet "Enforcement Appeals - A guide to Procedure" sets out your rights. Read it carefully. If you appeal you should use the enclosed appeal forms. Two copies are 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 a copy of the Enforcement Notice.

#### **GROUND OF APPEAL**

The grounds of appeal are set out in Section 174 of the Town and Country Planning Act 1991 and are also set out on pages 2 - 5 the enclosed appeal forms.

#### **PLANNING APPLICATION FEE**

Should you wish to appeal on ground (a) - that planning permission should be granted for the unauthorised development - then a fee of £ 795 is payable both to the Secretary of State and to the Council. 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 him a notice so requiring him, 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.

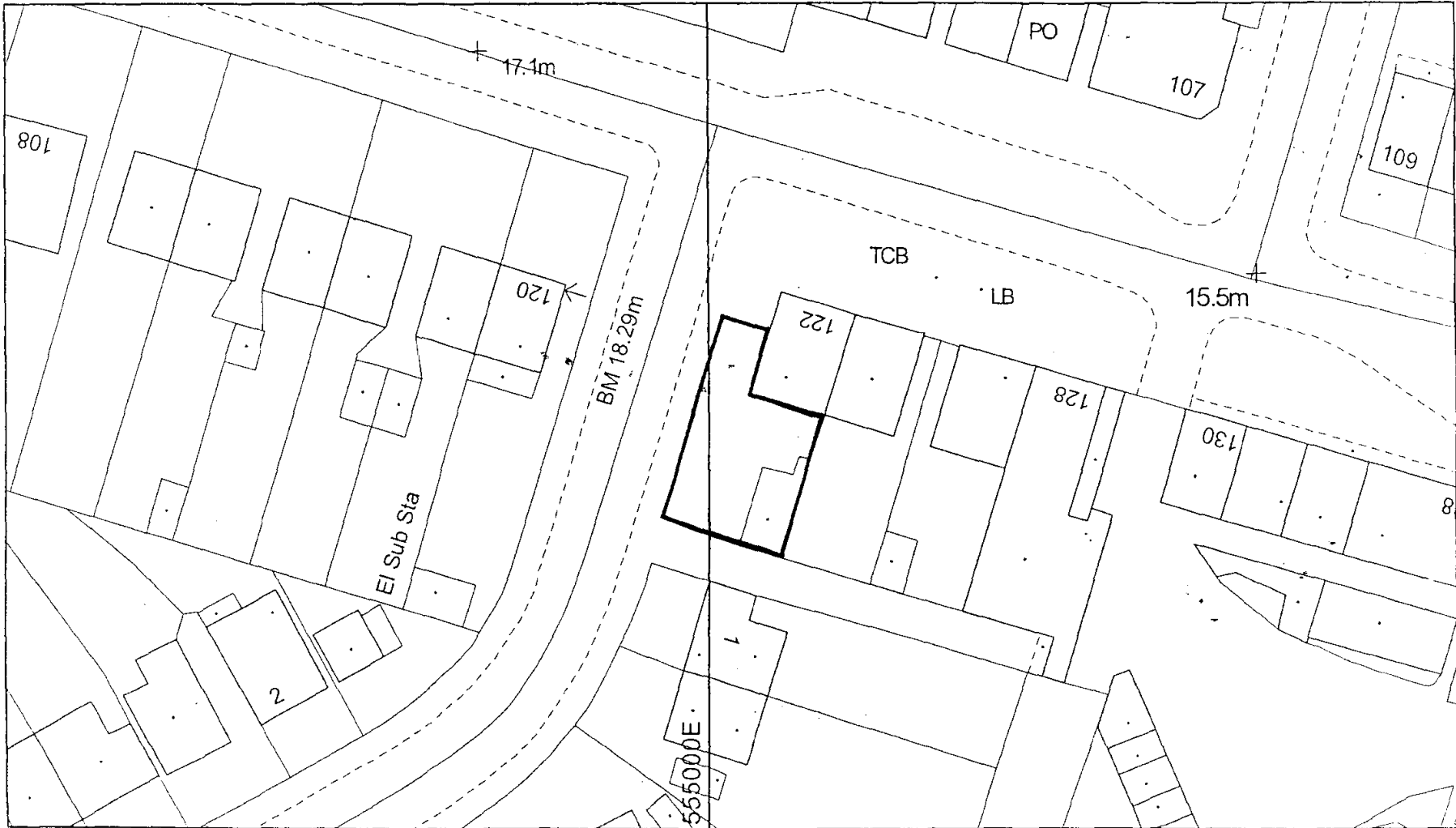
#### **RECIPIENTS OF THE ENFORCEMENT NOTICE**

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. Mr Jaswinder Singh Bahia  
34 Wentworth Road, Southall, Middlesex. UB2 5TS
4. Mr Richard Jones  
Tyre Warehouse, rear of 122 Upminster Road, Hornchurch, RM12 6PL
5. National Westminster Bank PLC of South London Securities, 3<sup>rd</sup> Floor,  
National Westminster House, P.O. Box No 1065, Lewisham, London  
SE13 5JY



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London Borough of Havering 100024327



Map Reference: TQ5586NW

Date: 02/12/2004

Scale: 1:500

Drawing No.:

