

A

**RE: The Building and associated land at 179 – 181 Cherry Tree Lane Rainham
RM13 8TU**

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. Stephen Leonard Wright , 9 The Lodge , 21 Farthing Fields , London E1W 3QQ .
 4. Halifax PLC , Pendeford Business Park , Wobaston Road , Wolverhampton WV9 5HZ .

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 building and associated land at 179 – 181 Cherry Tree Lane Rainham shown edged in black on the attached Plan .

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

Without planning permission material change of use of the said land for :

- (1) storage of building materials , equipment and machinery
- (2) the parking of commercial vehicles

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 developments require planning permission. The relevant policy is ENV1 of the Unitary Development Plan which

seeks that all development is environmentally compatible with its surroundings. No planning permission has been applied for despite the owner being advised to do so regarding the unauthorised material change of use. The degree of visual harm to the streetscene and residential amenity is significant. It is considered unlikely that planning permission would be granted were a retrospective planning permission made.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the unauthorised storage of building materials, equipment and machinery on the land

Time for compliance: 1 month from the effective date of this notice

- (ii) Cease the parking of any commercial vehicle on the land

Time for compliance: 1 month from the effective date of this notice

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 1st December 2006, unless an appeal is made against it beforehand

Dated: *27th October* 2006

Signed:

Vincent J. Healy
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 1st December 2006. 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 1st December 2006 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 1st December 2006 . 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 1990 and are also set out on pages 2 - 5 of the enclosed appeal forms.

PLANNING APPLICATION FEE

Should wish to appeal on ground (a) - that planning permission should be granted for the unauthorised development - then a fee of £225 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.

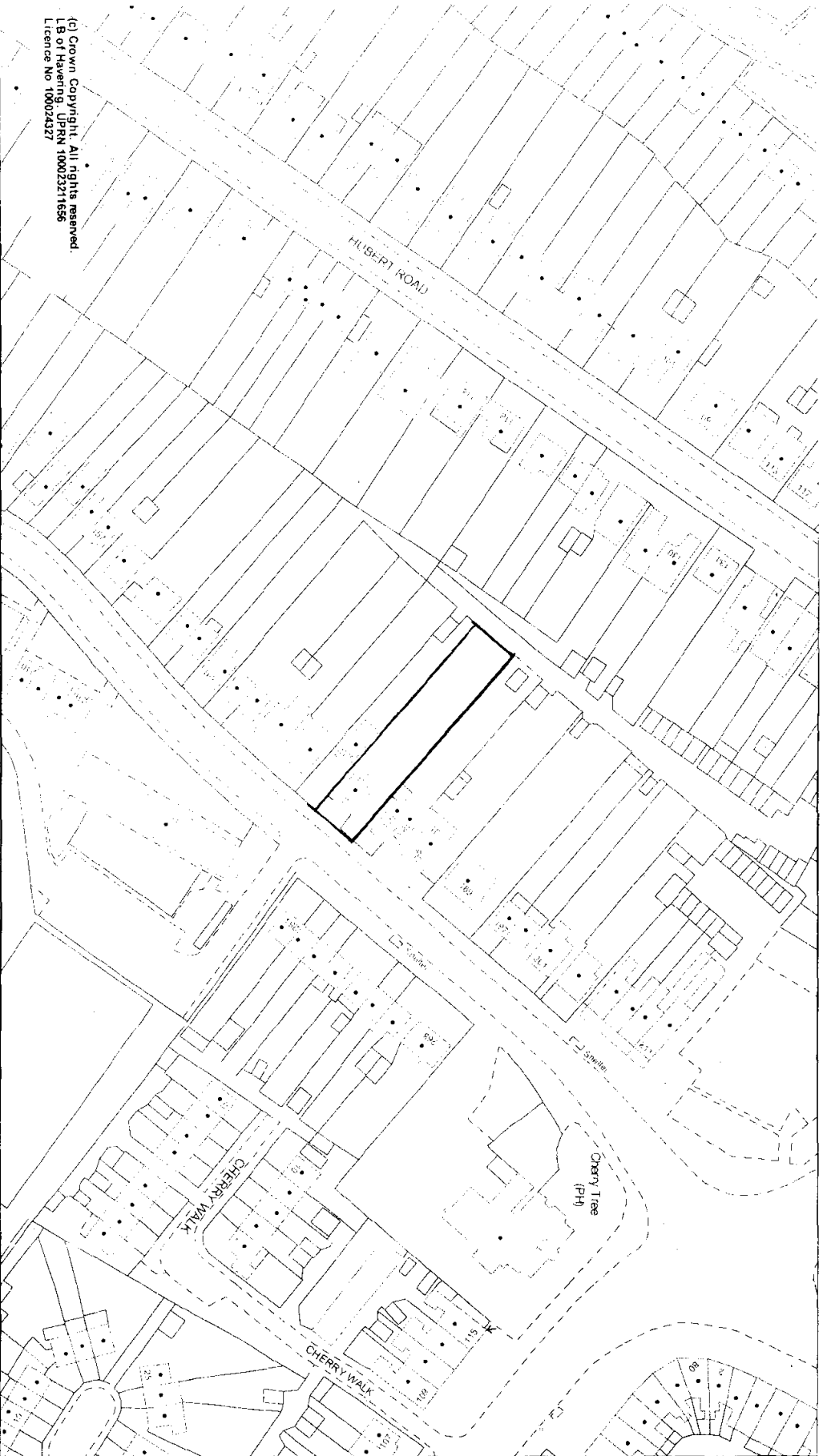
STATEMENT ON GROUNDS OF APPEAL

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:

- TO:**
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179 - 181 Cherry Tree Lane

London Borough of Havering
 Planning Department
 Mercury House, Mercury Gardens
 Romford, RM1 3SL
 Tel: 01708 434343



Map Reference TQ5183SE
 Scale: 1:1250



Date: 12/09/2006

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B

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2. **THE LAND AFFECTED**

The building and associated land at 179 – 181 Cherry Tree Lane Rainham shown edged in black on the attached Plan .

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

Without planning permission, the laying down of a hard surface in the rear garden area 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 unauthorised development require planning permission. The relevant policy is ENV1 of the Unitary Development Plan which seeks that all development is environmentally compatible with its surroundings. No planning permission has been applied for despite the owner being advised to do so regarding the unauthorised development. The degree of visual harm to the streetscene and residential amenity is significant.

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

- (i) Remove the hard surface area in the rear garden as shown hatched black on the attached plan

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

- (ii) Remove all building materials and rubble arising from compliance with the above requirement

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

- (iii) Remove all unauthorised scaffolding structures

Time for compliance : one month from the effective date of the notice

- (iv) Restore the rear garden area by replanting and reseeding

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

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Dated: 27th October 2006

Signed:



Authorised Officer

on behalf of London Borough of Havering
Town Hall
Main Road
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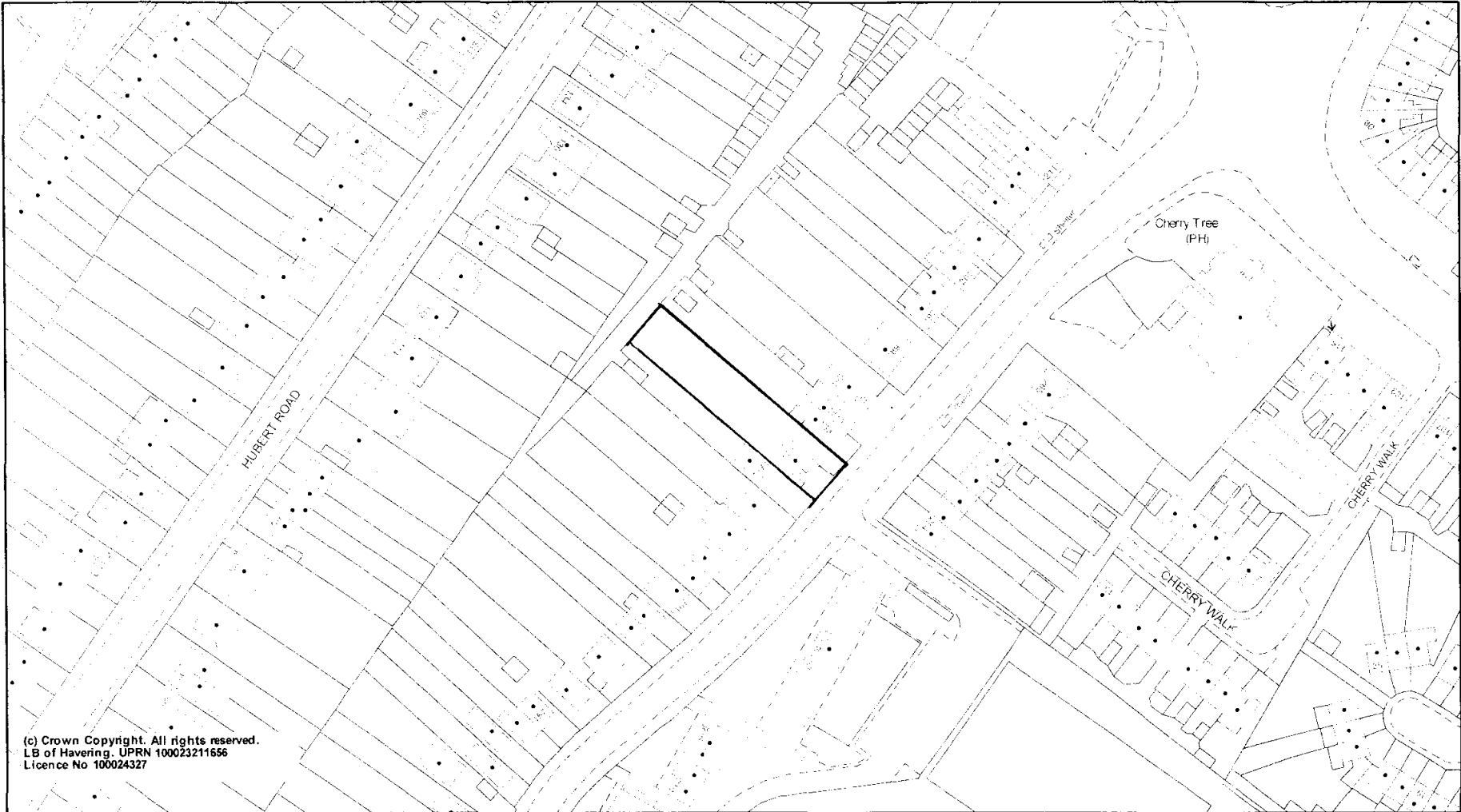
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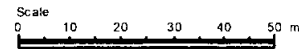
179 - 181 Cherry Tree Lane



Map Reference: TQ5183SE

Date: 12/09/2006

Scale: 1:1250



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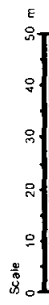
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