CHAFFORD PARK FARM, AVELEY ROAD, UPMINSTER RM14 2TE

<u>PLOT A</u>

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT REFERENCE: ENF/168/18

ENFORCEMENT NOTICE

ISSUED BY: London Borough of Havering (herein after referred to as "the Council")

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 known as **CHAFFORD PARK FARM**, **AVELEY ROAD**, **UPMINSTER RM14 2TE**, shown edged in black on the attached plan and registered under Land Registry Title Number NGL41985.

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission:

- i. Within the last 10 years the unauthorised material change of uses of 'Plot A' (shown hatched on the attached plan) from use connected with the servicing, repair, rebuilding, dismantling, spraying and parking of motor vehicles to a use as a scaffolding yard including storage and maintenance of scaffolding equipment and administration offices for the business.
- ii. Within the last 4 years, unauthorised operational development of Plot A (shown hatched on the attached plan) in the form of the erection of sheds and fencing using metal corrugated sheets exceeding 5m high, racking erected using scaffolding poles and corrugated sheets, the siting of metal containers, and siting of portable buildings

4. REASONS FOR ISSUING THIS NOTICE

1. It appears to the Council that the above breaches of planning control relating material change of use of the land have occurred within the last TEN years; and

Breaches of planning control relating to erection of sheds, buildings, boundary walls, erection of storage racks, placement of containers and enclosures took place within the last FOUR years.

- 2. The land is located in the Metropolitan Green Belt. The unauthorised uses of the land for the purposes alleged have had a significant impact on the openness of the Green Belt. The alleged breaches of planning control are materially harmful to the visual amenity and open character of the surrounding area. The changes of use and erection of buildings represent inappropriate development in the Green Belt and fails to preserve the openness of the Green Belt and conflicts with the purposes of including land in the Green Belt.
- 3. In making its decision to issue these Notices, the Council contends that the unauthorised uses of the land are contrary to the provisions of the National Planning Policy Framework (NPPF 2019), The Core Strategy and Development Control Policies Development Plan Document CP14, (Green Belt), DC45 (Green Belt), and DC61 (Urban Design) as well as London Plan Policies D1 (London's form, Character and capacity for growth), D3 (Optimising site capacity through the design led approach and G2 (Green Belt)

The Council does not consider that planning permission should be granted for the development because conditions attached to any consent cannot remedy the breach.

5. WHAT YOU ARE REQUIRED TO DO

- i. Cease the use of the land shown as Plot A on the attached plan hatched in black from use as a scaffolding contractors yard AND
- ii. Remove all sheds, buildings erected using scaffolding poles and corrugated sheets; AND
- iii. Remove all racks erected using scaffolding poles to store scaffolding materials; AND
- iv. Remove metal containers stacked on top of each other used as offices and for storage of scaffolding materials, building materials and equipment in association with the scaffolding business; AND
- v. Remove the enclosures made from corrugated sheets exceeding 3m in height and hard surfacing within the enclosure; AND
- vi. Remove from the site all scaffolding poles, boards and scaffolding equipment including machinery; AND
- vii. Remove from the site all metals containers and all porta-cabins used as offices; AND
- viii. Reduce height of boundary fence fronting Aveley Road to a maximum height of 2 metres; AND

ix. Remove from the site all building materials and debris associated with carrying out the above steps.

6. TIME FOR COMPLIANCE

THREE MONTHS after the date when this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 29th July 2021, unless an appeal is made against it beforehand

Dated: **24th June 2021**

finn Thebueld

Signed: ... Jum Simon Thelwell

Authorised Officer on behalf of London Borough of Havering, Mercury House, Mercury Gardens, Romford, RM1 3SL

Nominated Officer to contact regarding this Notice: Onkar Bhogal Telephone Number: 01708 431587 Email: <u>Onkar.bhogal@havering.gov.uk</u>

THE RIGHT TO APPEAL

Those with a legal or equitable interest in the land or who is a relevant occupier can appeal against this Enforcement Notice to the Planning Inspectorate acting on behalf of the Secretary of State before **29th July 2021.** Further details are given in the attached explanatory note.

WHAT HAPPENS IF AN APPEAL IS NOT RECEIVED

If an appeal is not received against this Enforcement Notice, it will take effect on **29th July 2021** 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) can be viewed online at <u>https://www.legislation.gov.uk</u> **THE RIGHT TO APPEAL**

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 Planning Inspectorate before **29th July 2021.**

If an appeal against this Notice is intended, the instructions given on the information sheet from the Planning Inspectorate which accompanies this Notice should be followed.

GROUNDS OF APPEAL

The grounds of appeal are set out in Section 174 of the Town and Country Planning Act 1990 (as amended) you may appeal on one or more of the following grounds:

- 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, 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 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

Should you wish to appeal on ground (a) - that planning permission should be granted for the unauthorised development or use, then a fee of **£924** is payable to the Council when the appeal is lodged. If this fee is not paid, the planning merits of the appeal will not be considered by the Planning Inspector.

STATEMENT ON GROUNDS OF APPEAL

The grounds of appeal must be submitted to the Planning Inspectorate, either when giving notice of the appeal or within 14 days from the date on which the Planning Inspectorate sends you a notice so requiring, a statement in writing specifying the grounds on which the appeal against the Enforcement Notice is being made 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:

Robert Henry Pope Ashley Farm, Claytye Road, North Ockendon, Essex RM14 3PL

Robert Henry Pope Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

Trace Wastell (Director) Havering Demolition and Recycling Limited Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

Elizabeth Anne Wastell (Director) Havering Demolition and Recycling Limited Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

The Directors Havering Demolition and Recycling Limited Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

The Owner / Occupiers SMS Scaffolding Services Limited (Co. Reg. 06632502) Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

Carrol Claire SMS Scaffolding Services Limited (Co. Reg. 06632502) 30 Offord Grove, Offord Grove, Leavesden, Watford Herts WD25 7NE

Sean Patrick McCarthy SMS Scaffolding Services Limited (Co. Reg. 06632502) 30 Offord Grove, Offord Grove, Leavesden, Watford Herts WD25 7NE

The Owner / Occupiers Scaffolding Yard to the Rear of SMS Scaffolding Services Limited Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE The Owner / Occupiers Scaffolding Yard to front of SMS Scaffolding Services Limited Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

The Owners Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

The Occupiers Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

CHAFFORD PARK FARM, AVELEY ROAD, UPMINSTER RM14 2TE

<u>PLOT B</u>

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT REFERENCE: ENF/168/18

ENFORCEMENT NOTICE

ISSUED BY: London Borough of Havering (herein after referred to as "the Council")

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 known as **CHAFFORD PARK FARM**, **AVELEY ROAD**, **UPMINSTER RM14 2TE**, shown edged in black on the attached plan and registered under Land Registry Title Number NGL41985.

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission:

- i. Within the last 10 years, the unauthorised change of use of Plot 'B' (shown hatched on the plan) from use connected with or ancillary to the servicing, repair, rebuilding, dismantling, spraying and parking of motor vehicles to a use as demolition business yard/premises including storage and maintenance of demolition plant, machinery and equipment, storage buildings, porta loos, parking of HGVs, trucks and cars, storage/deposit of building materials, rubble and administration offices of the business.
- ii. Within in the last 4 years the operational development with Plot 'B' (shown hatched on the plan) comprising siting of containers, and portable buildings.

4. REASONS FOR ISSUING THIS NOTICE

1. It appears to the Council that the above breaches of planning control relating material change of use of the land have occurred within the last TEN years; and

Breaches of planning control relating to erection of sheds, buildings, boundary walls, erection of storage racks, placement of containers and enclosures took place within the last FOUR years.

- 2. The land is located in the Metropolitan Green Belt. The unauthorised uses of the land for the purposes alleged have had a significant impact on the openness of the Green Belt. The alleged breaches of planning control are materially harmful to the visual amenity and open character of the surrounding area. The changes of use and erection of buildings represent inappropriate development in the Green Belt and fails to preserve the openness of the Green Belt and conflicts with the purposes of including land in the Green Belt.
- 3. In making its decision to issue these Notices, the Council contends that the unauthorised uses of the land are contrary to the provisions of the National Planning Policy Framework (NPPF 2019), The Core Strategy and Development Control Policies Development Plan Document CP14, (Green Belt), DC45 (Green Belt), and DC61 (Urban Design) as well as London Plan Policies D1 (London's form, Character and capacity for growth), D3 (Optimising site capacity through the design led approach and G2 (Green Belt)

The Council does not consider that planning permission should be granted for the development because conditions attached to any consent cannot remedy the breach.

5. WHAT YOU ARE REQUIRED TO DO

i. Cease the use of the land as Civil Engineering and demolition contractors yard including servicing and maintenance of plant machinery shown as Plot B on the attached plan shown hatched in black and from use for storage of metal containers stacked two containers high, porta cabins used as offices and other metal containers stacked on top of each other used to store goods, storage of building materials, highway safety barriers including mechanical equipment, storage of Metal roll on – roll of containers, skips, heavy duty demolition machinery, metal grabs used for demolition machinery, propane gas bottles, building rubble, wooden pallets, timber, metal gates, parking of HGV vehicles and other vehicles used in connection with demolition business;

AND

ii. Remove from the site all metal containers stacked two containers high, porta cabins used as offices, other metal containers stacked on top of each other used to store goods, building materials, highway safety barriers including mechanical equipment, JCB's, metal roll on – roll of containers, skips, heavy duty demolition machinery, metal grabs used for demolition machinery, propane gas bottles, plastic tanks, fork lift trucks, building rubble, wooden pallets, timber, metal gates including heras fencing, HGV vehicles and other vehicles from the open spaces used in connection with demolition business

6. TIME FOR COMPLIANCE

THREE MONTHS after the date when this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 29th July 2021, unless an appeal is made against it beforehand

Dated: 24th June 2021

Jim Thelmell

Signed: … みい Simon Thelwell

Authorised Officer on behalf of London Borough of Havering, Mercury House, Mercury Gardens, Romford, RM1 3SL

Nominated Officer to contact regarding this Notice: Onkar Bhogal Telephone Number: 01708 431587 Email: <u>Onkar.bhogal@havering.gov.uk</u>

THE RIGHT TO APPEAL

Those with a legal or equitable interest in the land or who is a relevant occupier can appeal against this Enforcement Notice to the Planning Inspectorate acting on behalf of the Secretary of State before **29th July 2021.** Further details are given in the attached explanatory note.

WHAT HAPPENS IF AN APPEAL IS NOT RECEIVED

If an appeal is not received against this Enforcement Notice, it will take effect on **29th July 2021** 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) can be viewed online at <u>https://www.legislation.gov.uk</u> **THE RIGHT TO APPEAL**

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 Planning Inspectorate before **29th July 2021.**

If an appeal against this Notice is intended, the instructions given on the information sheet from the Planning Inspectorate which accompanies this Notice should be followed.

GROUNDS OF APPEAL

The grounds of appeal are set out in 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, 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 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

Should you wish to appeal on ground (a) - that planning permission should be granted for the unauthorised development or use, then a fee of **£924** is payable to the Council when the appeal is lodged. If this fee is not paid, the planning merits of the appeal will not be considered by the Planning Inspector.

STATEMENT ON GROUNDS OF APPEAL

The grounds of appeal must be submitted to the Planning Inspectorate, either when giving notice of the appeal or within 14 days from the date on which the Planning Inspectorate sends you a notice so requiring, a statement in writing specifying the grounds on which the appeal against the Enforcement Notice is being made 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:

Robert Henry Pope Ashley Farm, Claytye Road, North Ockendon, Essex RM14 3PL

Robert Henry Pope Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

Trace Wastell (Director) Havering Demolition and Recycling Limited Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

Elizabeth Anne Wastell (Director) Havering Demolition and Recycling Limited Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

The Directors Havering Demolition and Recycling Limited Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

The Owner / Occupiers SMS Scaffolding Services Limited (Co. Reg. 06632502) Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

Carrol Claire SMS Scaffolding Services Limited (Co. Reg. 06632502) 30 Offord Grove, Offord Grove, Leavesden, Watford Herts WD25 7NE

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The Owner / Occupiers Scaffolding Yard to the Rear of SMS Scaffolding Services Limited Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE The Owner / Occupiers Scaffolding Yard to front of SMS Scaffolding Services Limited Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

The Owners Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

The Occupiers Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

CHAFFORD PARK FARM, AVELEY ROAD, UPMINSTER RM14 2TE

<u>PLOT C</u>

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT REFERENCE: ENF/168/18

ENFORCEMENT NOTICE

ISSUED BY: London Borough of Havering (herein after referred to as "the Council")

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 known as **CHAFFORD PARK FARM**, **AVELEY ROAD**, **UPMINSTER RM14 2TE**, shown edged in black on the attached plan and registered under Land Registry Title Number NGL41985.

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission:

- i. Within the last 10 years the unauthorised change of uses of Plot C (shown hatched on the plan) from a use connected with servicing, repair, rebuilding, dismantling, spraying and parking of motor vehicles to a use as a scaffolding yard including storage and maintenance of scaffolding equipment and administration offices for the business.
- ii. Within the last 4 years, unauthorised operational development of Plot C (shown hatched on the attached plan) in the form of the erection of sheds and fencing using metal corrugated sheets exceeding 5m high, racking erected using scaffolding poles and corrugated sheets, the siting of metal containers including porta-cabins.

4. REASONS FOR ISSUING THIS NOTICE

1. It appears to the Council that the above breaches of planning control relating material change of use of the land have occurred within the last TEN years; and

Breaches of planning control relating to erection of sheds, buildings, boundary walls, erection of storage racks, placement of containers and enclosures took place within the last FOUR years.

- 2. The land is located in the Metropolitan Green Belt. The unauthorised uses of the land for the purposes alleged have had a significant impact on the openness of the Green Belt. The alleged breaches of planning control are materially harmful to the visual amenity and open character of the surrounding area. The changes of use and erection of buildings represent inappropriate development in the Green Belt and fails to preserve the openness of the Green Belt and conflicts with the purposes of including land in the Green Belt.
- 3. In making its decision to issue these Notices, the Council contends that the unauthorised uses of the land are contrary to the provisions of the National Planning Policy Framework (NPPF 2019), The Core Strategy and Development Control Policies Development Plan Document CP14, (Green Belt), DC45 (Green Belt), and DC61 (Urban Design) as well as London Plan Policies D1 (London's form, Character and capacity for growth), D3 (Optimising site capacity through the design led approach and G2 (Green Belt)

The Council does not consider that planning permission should be granted for the development because conditions attached to any consent cannot remedy the breach.

5. WHAT YOU ARE REQUIRED TO DO

- i. Cease use of the land shown as Plot C on the attached plan hatched in black from use as a scaffolding contractors yard involving industrial processes relating to the greasing of scaffolding poles, general maintenance and repairs of scaffolding poles, boards and scaffolding equipment and storage of scaffolding equipment including poles & boards; AND
- ii. Remove all sheds, buildings erected using scaffolding poles and corrugated sheets; AND
- iii. Remove all racks erected using scaffolding poles to store scaffolding materials; AND
- iv. Remove metal containers stacked on top of each other used as offices and for storage of scaffolding materials, building materials and equipment in association with the scaffolding business; AND
- v. Remove the enclosure made from corrugated sheets exceeding 3m in height and hard surfacing within the enclosure; AND
- vi. Remove from the site all scaffolding poles, boards and scaffolding equipment including machinery; AND
- vii. Remove from the site all metals containers and all porta-cabins used as offices; AND

- viii. Reduce height of boundary fence fronting Aveley Road to a maximum height of 2 metres; AND
- ix. Remove from the site all building materials and debris associated with carrying out the above steps.

6. TIME FOR COMPLIANCE

THREE MONTHS after the date when this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 29th July 2021, unless an appeal is made against it beforehand

Dated: 24th June 2021

finn Thebuell

Signed: ... J

Simon Thelwell Authorised Officer on behalf of London Borough of Havering, Mercury House, Mercury Gardens, Romford, RM1 3SL

Nominated Officer to contact regarding this Notice: Onkar Bhogal Telephone Number: 01708 431587 Email: <u>Onkar.bhogal@havering.gov.uk</u>

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EXPLANATORY NOTES

STATUTORY PROVISIONS

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GROUNDS OF APPEAL

The grounds of appeal are set out in Section 174 of the Town and Country Planning Act 1990 (as amended) you may appeal on one or more of the following grounds:

- 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, 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 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

Should you wish to appeal on ground (a) - that planning permission should be granted for the unauthorised development or use, then a fee of **£924** is payable to the Council when the appeal is lodged. If this fee is not paid, the planning merits of the appeal will not be considered by the Planning Inspector.

STATEMENT ON GROUNDS OF APPEAL

The grounds of appeal must be submitted to the Planning Inspectorate, either when giving notice of the appeal or within 14 days from the date on which the Planning Inspectorate sends you a notice so requiring, a statement in writing specifying the grounds on which the appeal against the Enforcement Notice is being made 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:

Robert Henry Pope Ashley Farm, Clay Tye Road, North Ockendon, Essex RM14 3PL

Robert Henry Pope Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

Trace Wastell (Director) Havering Demolition and Recycling Limited Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

Elizabeth Anne Wastell (Director) Havering Demolition and Recycling Limited Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

The Directors Havering Demolition and Recycling Limited Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

The Owner / Occupiers SMS Scaffolding Services Limited (Co. Reg. 06632502) Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

Carrol Claire SMS Scaffolding Services Limited (Co. Reg. 06632502) 30 Offord Grove, Offord Grove, Leavesden, Watford Herts WD25 7NE

Sean Patrick McCarthy SMS Scaffolding Services Limited (Co. Reg. 06632502) 30 Offord Grove, Offord Grove, Leavesden, Watford Herts WD25 7NE

The Owner / Occupiers Scaffolding Yard to the Rear of SMS Scaffolding Services Limited Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE The Owner / Occupiers Scaffolding Yard to front of SMS Scaffolding Services Limited Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

The Owners Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

The Occupiers Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

CHAFFORD PARK FARM, AVELEY ROAD, UPMINSTER RM14 2TE

<u>PLOT D</u>

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT REFERENCE: ENF/168/18

ENFORCEMENT NOTICE

ISSUED BY: London Borough of Havering (herein after referred to as "the Council")

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 known as **CHAFFORD PARK FARM**, **AVELEY ROAD**, **UPMINSTER RM14 2TE**, shown edged in black on the attached plan and registered under Land Registry Title Number NGL41985.

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission:

- i. Within the last 10 years the unauthorised change of uses of Plot D (shown hatched on the plan) from a use ancillary to the servicing, repair, rebuilding, dismantling, spraying and parking of motor vehicles to a use as a scaffolding yard including storage and maintenance of scaffolding equipment.
- ii. Within the last 4 years, unauthorised operational development of Plot D (shown hatched on the attached plan) in the form of the erection of racking using scaffolding poles and enclosure using heras fencing.

4. REASONS FOR ISSUING THIS NOTICE

1. It appears to the Council that the above breaches of planning control relating material change of use of the land have occurred within the last TEN years; and Breaches of planning control relating to erection of sheds, buildings, boundary walls, erection of storage racks, placement of containers and enclosures took place within the last FOUR years.

- 2. The land is located in the Metropolitan Green Belt. The unauthorised uses of the land for the purposes alleged have had a significant impact on the openness of the Green Belt. The alleged breaches of planning control are materially harmful to the visual amenity and open character of the surrounding area. The changes of use and erection of buildings represent inappropriate development in the Green Belt and fails to preserve the openness of the Green Belt and conflicts with the purposes of including land in the Green Belt.
- 3. In making its decision to issue these Notices, the Council contends that the unauthorised uses of the land are contrary to the provisions of the National Planning Policy Framework (NPPF 2019), The Core Strategy and Development Control Policies Development Plan Document CP14, (Green Belt), DC45 (Green Belt), and DC61 (Urban Design) as well as London Plan Policies D1 (London's form, Character and capacity for growth), D3 (Optimising site capacity through the design led approach and G2 (Green Belt)

The Council does not consider that planning permission should be granted for the development because conditions attached to any consent cannot remedy the breach.

5. WHAT YOU ARE REQUIRED TO DO

- i. Cease use of the land shown as Plot D on the attached plan hatched in black from use as a scaffolding contractors yard involving industrial processes relating to the greasing of scaffolding poles, general maintenance and repairs of scaffolding poles, boards and scaffolding equipment and storage of scaffolding equipment including poles & boards; AND
- ii. Remove all racks erected using scaffolding poles to store scaffolding materials; AND
- iii. Remove the enclosure erected using heras fencing corrugated sheets exceeding 2 m in height and hard surfacing within the enclosure; AND
- iv. Remove from the site all scaffolding poles, boards and scaffolding equipment including machinery; AND
- v. Reduce height of boundary fence fronting Aveley Road to a maximum height of 2 metres; AND
- vi. Remove from the site all building materials and debris associated with carrying out the above steps.

6. TIME FOR COMPLIANCE

THREE MONTHS after the date when this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 29th July 2021, unless an appeal is made against it beforehand

Dated: 24th APRIL 2021

in Thebuell

Signed: ... A

Simon Thelwell Authorised Officer on behalf of London Borough of Havering, Mercury House, Mercury Gardens, Romford, RM1 3SL

Nominated Officer to contact regarding this Notice: Onkar Bhogal Telephone Number: 01708 431587 Email: <u>Onkar.bhogal@havering.gov.uk</u>

THE RIGHT TO APPEAL

Those with a legal or equitable interest in the land or who is a relevant occupier can appeal against this Enforcement Notice to the Planning Inspectorate acting on behalf of the Secretary of State before **29th July 2021.** Further details are given in the attached explanatory note.

WHAT HAPPENS IF AN APPEAL IS NOT RECEIVED

If an appeal is not received against this Enforcement Notice, it will take effect on **29th July 2021** 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) can be viewed online at <u>https://www.legislation.gov.uk</u> **THE RIGHT TO APPEAL**

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 Planning Inspectorate before **29th July 2021.**

If an appeal against this Notice is intended, the instructions given on the information sheet from the Planning Inspectorate which accompanies this Notice should be followed.

GROUNDS OF APPEAL

The grounds of appeal are set out in 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, 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 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

Should you wish to appeal on ground (a) - that planning permission should be granted for the unauthorised development or use, then a fee of **£924** is payable to the Council when the appeal is lodged. If this fee is not paid, the planning merits of the appeal will not be considered by the Planning Inspector.

STATEMENT ON GROUNDS OF APPEAL

The grounds of appeal must be submitted to the Planning Inspectorate, either when giving notice of the appeal or within 14 days from the date on which the Planning Inspectorate sends you a notice so requiring, a statement in writing specifying the grounds on which the appeal against the Enforcement Notice is being made 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:

Robert Henry Pope Ashley Farm, Claytye Road, North Ockendon, Essex RM14 3PL

Robert Henry Pope Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

Trace Wastell (Director) Havering Demolition and Recycling Limited Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

Elizabeth Anne Wastell (Director) Havering Demolition and Recycling Limited Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

The Directors Havering Demolition and Recycling Limited Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

The Owner / Occupiers SMS Scaffolding Services Limited (Co. Reg. 06632502) Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

Carrol Claire SMS Scaffolding Services Limited (Co. Reg. 06632502) 30 Offord Grove, Offord Grove, Leavesden, Watford Herts WD25 7NE

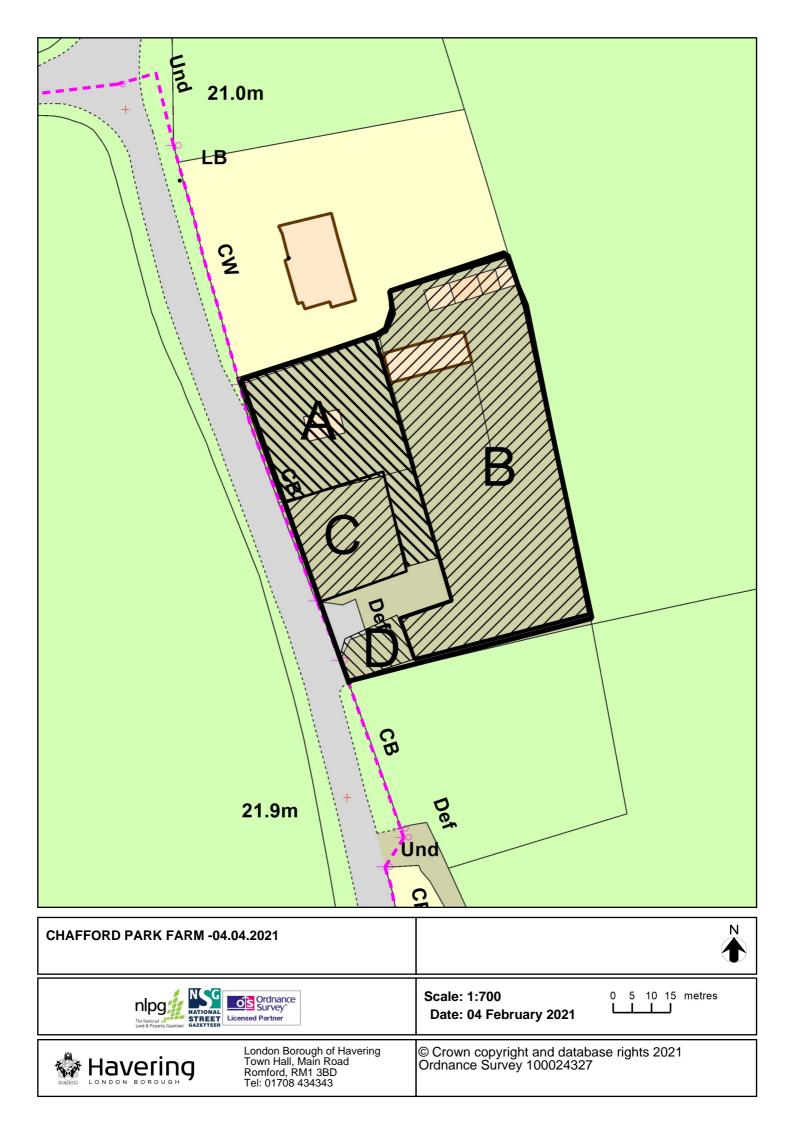
Sean Patrick McCarthy SMS Scaffolding Services Limited (Co. Reg. 06632502) 30 Offord Grove, Offord Grove, Leavesden, Watford Herts WD25 7NE

The Owner / Occupiers Scaffolding Yard to the Rear of SMS Scaffolding Services Limited Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

The Owner / Occupiers Scaffolding Yard to front of SMS Scaffolding Services Limited Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

The Owners Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE

The Occupiers Chafford Park Farm, Aveley Road, Upminster, Essex RM14 2TE





CST Room 3/13 Temple Quay House 2 The Square Temple Quay Bristol BSI 6PN Direct Line 0303-444 5000 Email enquiries@pins.gsi.gov.uk

THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can do it:-

- on-line at the Appeals Casework Portal <u>https://acp.planninginspectorate.gov.uk/</u> or
- sending us enforcement appeal forms, which can be obtained by contacting us on the details above.

You MUST make sure that we receive your appeal before the effective date on the enforcement notice.

Please read the appeal guidance documents at <u>https://www.gov.uk/appeal-enforcement-notice/how-to-appeal</u>

In exceptional circumstances you may give notice of appeal by fax or letter. You should include:-

- the name of the local planning authority;
- the site address;
- the effective date of the enforcement notice.

We MUST receive this BEFORE the effective date on the enforcement notice. This should **immediately** be followed by your completed appeal forms.