

RE: ROM Tyres, R/O 68 Dagenham Road, Rush Green, Essex, RM7 0DA

**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 property to the rear of 68 Dagenham Road, Rush Green, RM7 0DA;
2. ROM Tyres, to the rear 68 Dagenham Road, Rush Green, RM7 0DA;
3. The Occupier of the property to the rear of 68 Dagenham Road, Rush Green, RM7 0DA;
4. Norman William Endacott, 3 Farm Close, Hutton, Brentwood, Essex;
5. Keith John Hubbard, End House, Castle Acre, Kings Lynn, Norfolk

**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**

R/O 68 Dagenham Road, Rush Green, RM7 0DA shown edged black on the attached plan (the "Land").

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

X Without planning permission, the erection of a structure to roof over the service yard to the rear of 68 Dagenham Road . X

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 construction of an extensive roofing area over the service yard is unacceptable as it causes material harm to the streetscene and visual amenity of the surrounding area, by its intrusive size, form and design. This is



contrary to policy ENV1 of the London Borough of Havering Unitary Development Plan.

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

- (i) Remove the roof and supporting structure and return the land to its original condition as an open yard prior to the erection of the unauthorised roof and supporting structure.

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

- (ii) Remove all materials brought on to the land in connection with the unauthorised roof structure and all rubble and materials arising from its removal.

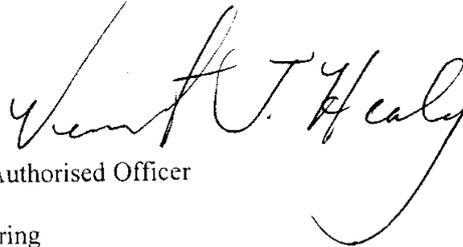
Time for compliance: 1 month from the effective date of this notice.

**6. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 17<sup>th</sup> February 2006, unless an appeal is made against it beforehand

Dated: 13<sup>th</sup> January 2006

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 17<sup>th</sup> February 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 17<sup>th</sup> February 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 17<sup>th</sup> February 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 1991 and are also set out on pages 2-5 of the enclosed appeal forms.

**PLANNING APPLICATION FEE**

Should you wish to appeal on ground (a) - that planning permission should be granted for the unauthorised use - then a fee of £135 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 property to the rear of 68 Dagenham Road, Rush Green, RM7 0DA;

2. ROM Tyres, to the rear of 68 Dagenham Road, Rush Green, RM7 0DA
3. The Occupier of the said property to the rear of 68 Dagenham Road, Rush Green, RM7 0DA;
4. Norman William Endacott, 3 Farm Close, Hutton, Brentwood, Essex;  
and
5. Keith John Hubbard, End House, Castle Acre, Kings Lynn, Norfolk