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RE: LAND AT REAR OF 99/133 BENETS ROAD, HORNCHURCH

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 Gerry Barlow of 57 Elmer Gardens, Rainham, Essex. RM13 7BT
 4. Mr David Rayment of 57 Elmer Gardens, Rainham, Essex. RM13 7BT

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 the rear of 99/133 Benets Road Hornchurch shown edged black on the attached plan ("the Land").

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

Without planning permission there has been an unauthorised change of use to: the storage of, and within, steel haulage containers and the open storage of waste building materials and scaffolding.

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 site lies within the Metropolitan Green Belt.

The unauthorised use is not one recognised as appropriate within the Green Belt and it is harmful to its function, character and appearance. The use is also detrimental 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 consider that the unauthorised use is contrary to the following policies of the Havering Unitary Development Plan: policies ENV1 and GRB2 and their counterpart policies in the Local Development Framework and also Planning Policy Guidance 2: Green Belts.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease using the Land for the purposes of storage

Time for compliance: 3 months from the effective date of this notice.

- (ii) Remove from the Land all of the steel haulage containers

Time for compliance: 3 months from the effective date of this notice.

- (iii) Remove from the Land all waste building materials, rubble and scaffolding associated with the unauthorised use of the Land for storage

Time for compliance: 3 months from the effective date of this notice.

- (iv) Restore the Land to its former condition prior to the commencement of the unauthorised use by reseedling with grass and tree planting

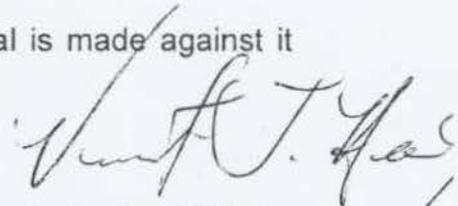
Time for compliance: 6 months from the effective date of this notice.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 12 October 2007, unless an appeal is made against it beforehand

Dated: 7 September 2007

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 12 October 2007. 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 12 October 2007 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 12 October 2007. 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.

GROUNDINGS 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 page 2 - 5 the enclosed appeal forms.

PLANNING APPLICATION FEE

Should wish to appeal on ground (a) - that planning permission should be granted for the unauthorised use - then a fee of £265 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.

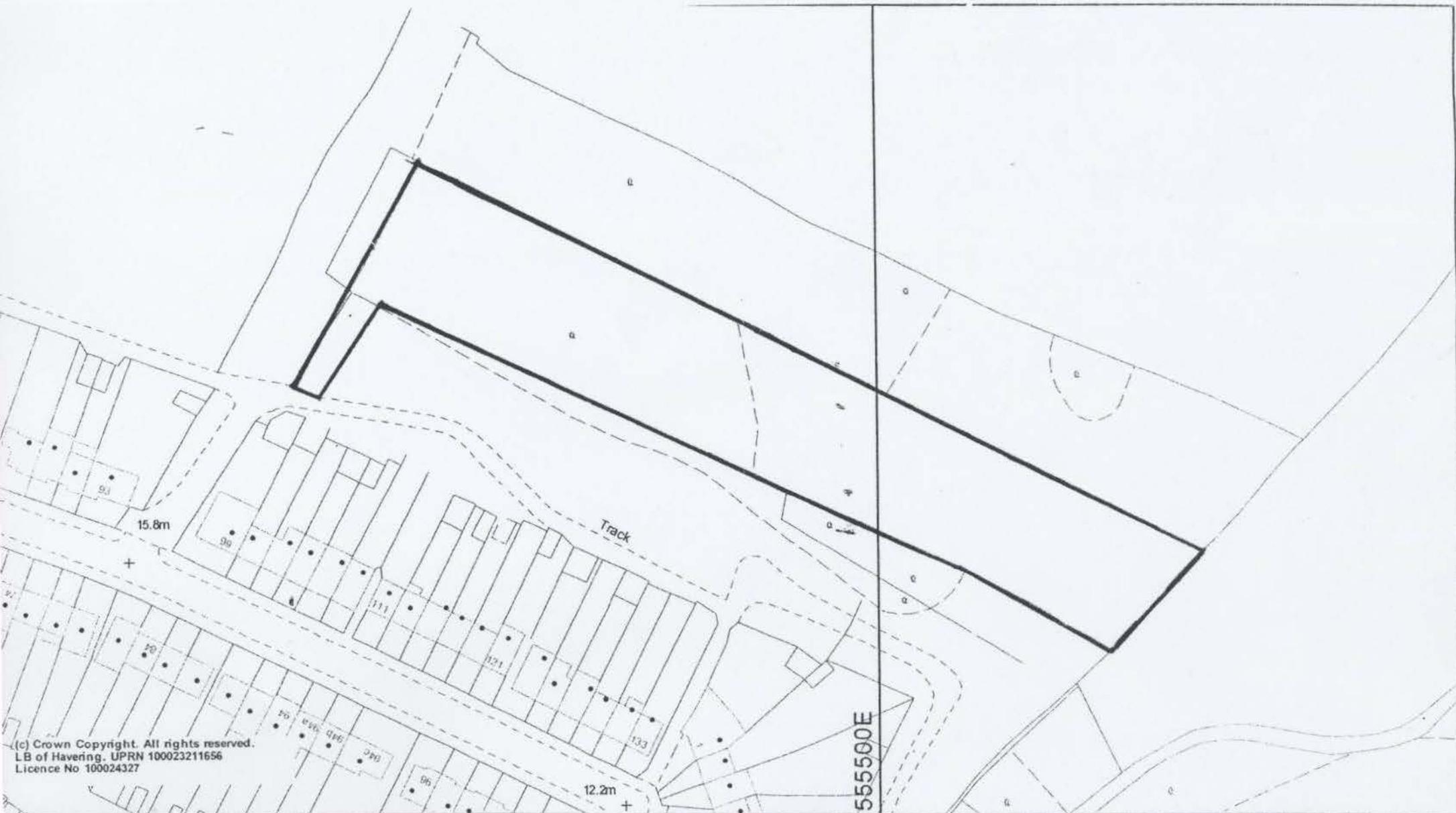
STATEMENT ON GROUNDS OF APPEAL

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 Gerry Barlow 57 of Elmer Gardens, Rainham, Essex. RM13 7BT
4. Mr David Rayment of 57 Elmer Gardens, Rainham, Essex. RM13 7BT



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Land rear of Benets Road Hornchurch



Map Reference:
 TQ5587SW
 Scale: 1:1000

Date: 11/06/2007



nlpg NATIONAL STREET GAZETTEER Ordnance Survey



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 Planning Department
 Mercury House, Mercury Gardens
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