

Land Rear of 81 Front Lane, Upminster, RM14 1XN
Enforcement case ref: ENF/142/21

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990 (As amended by the Planning and Compensation Act 1991 and the Planning and Compulsory Purchase Act 2004)

TEMPORARY STOP NOTICE

SERVED BY: London Borough of Havering
herein after referred to as “the Council”

To: Land Rear of 81 Front Lane, Upminster, RM14 1XL;

1. The Director, CTC FIT OUT LTD, 68 Heather Way, Romford, Essex, United Kingdom, RM1 4TA
 2. Carrie REYNOLDS, 68 Heather Way, Romford, Essex, United Kingdom, RM1 4TA
 3. Terry REYNOLDS, 68 Heather Way, Romford, Essex, United Kingdom, RM1 4TA
 4. GAVIN ROBERT PATCHETT, 42 Westbury Terrace, Upminster RM14 3LU.
 5. The Owner, Land Rear of 81 Front Lane, Upminster, RM14 1XL
 6. Carrie Reynolds, Rear of 81 Front Lane, Upminster, RM14 1XL
 7. Terry Reynolds, Rear of 81 Front Lane, Upminster, RM14 1XL
 8. BARCLAYS SECURITY TRUSTEE LIMITED, Business Lending Services, PO Box 16276, Birmingham B2 2XE.
1. On **29th April 2022**, the Council has issued this temporary stop notice alleging that there has been a breach of planning control on the land described in paragraph 4 below.
 2. This temporary stop notice is issued by the Council, in exercise of their power in section 171E of the 1990 Act, because they think that it is expedient that the activity specified in this notice should cease on the land described in paragraph 4 below. The Council now prohibits the carrying out of the activity specified in this notice. Important additional information is given in the Annex to this notice.
 3. **THE 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 Council consider that the works that

have taken place to date do not benefit from planning permission as conditions precedent No's 3, 4, 5, 6 and 9 have not been met.

Without complying with planning permission, the carrying out of Development and / or building works on the land outlined in black on the attached plan, contrary to conditions 3, 4, 5, 6 and 9 of planning Permission P1303.21 dated 26th November 2021.

Reasons:

Condition 3 is a Materials condition which reads as follows:

No above ground works shall take place in relation to any of the development hereby approved until samples of all materials to be used in the external construction of the building(s) are submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason:

Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of samples prior to commencement will ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and to comply with Policy 26 of the Havering Local Plan 2016-2031.

Condition 4 is a Cycle Storage condition which reads as follows:

No building shall be occupied or use commenced until cycle storage is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

Reason:

Insufficient information has been supplied with the application to demonstrate what facilities will be available for cycle parking. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use is in the interests of providing a wide range of facilities for non-motor car residents and sustainability and to ensure compliance with Havering Local Plan 2016-2031 Policy 24.

Condition 5 is a Refuse and recycling condition which reads as follows:

No building shall be occupied or use commenced until refuse and recycling facilities are provided in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling facilities shall be permanently retained thereafter.

Reason:

Insufficient information has been supplied with the application to judge how refuse and recycling will be managed on site. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of

changes of use will protect the amenity of occupiers of the development and also the locality generally and ensure that the development accords with Policies 26 and 35 of the Havering Local Plan 2016-2031

Condition 6 is a Landscaping condition which reads as follows:

Prior to any above ground works there shall have been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

Reason:

Insufficient information has been supplied with the application to judge the appropriateness of the hard and soft landscaping proposed. Submission of a scheme prior to commencement will ensure that the development accords with comply with Policy 26 of the Havering Local Plan 2016-2031. It will also ensure accordance with Section 197 of the Town and Country Planning Act 1990.

Condition 9 is a Landscaping condition which reads as follows:

No works shall take place in relation to any of the development hereby approved until a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers is submitted to and approved in writing by the Local Planning Authority. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.
- j) Wheel wash facilities including backup measures should primary means fail to prevent mud from being deposited on the highway

And the development shall be carried out in accordance with the approved scheme and statement.

Reason:

Insufficient information has been supplied with the application in relation to the proposed construction methodology. Submission of details prior to commencement will ensure that the method of construction protects residential amenity. It will also ensure that the development accords with Policy 26 of the Havering Local Plan 2016-2031.

In the event of non-compliance, Legal Services, in conjunction with the Team Leader, Planning Enforcement are authorised to take all further proceedings necessary. This includes:

- a) prosecution of any person contravening the requirements of the notice
- b) taking further formal action, including (but not limited to) the service of a Breach of Condition Notice, an Enforcement Notice, and / or a Stop Notice.

4. THE LAND TO WHICH THIS NOTICE RELATES

Land Rear of 81 Front Lane, Upminster, RM14 1XL shown edged black on the attached plan.

5. THE ACTIVITY TO WHICH THIS NOTICE RELATES

Building works on the Land

6. WHAT YOU ARE REQUIRED TO DO

- 1) To cease all building works and all building and engineering operations on the land.**

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **29th April 2022** when all the activity specified in this notice shall cease. This notice will cease to have effect on **27th May 2022**.

Dated: **29th April 2022**.

Signed: 
David Colwill
Team Leader, Planning Enforcement

On behalf of: London Borough of Havering, Town Hall, Main Road, Romford,
Essex, RM1 3BB

ANNEXE

WARNING:

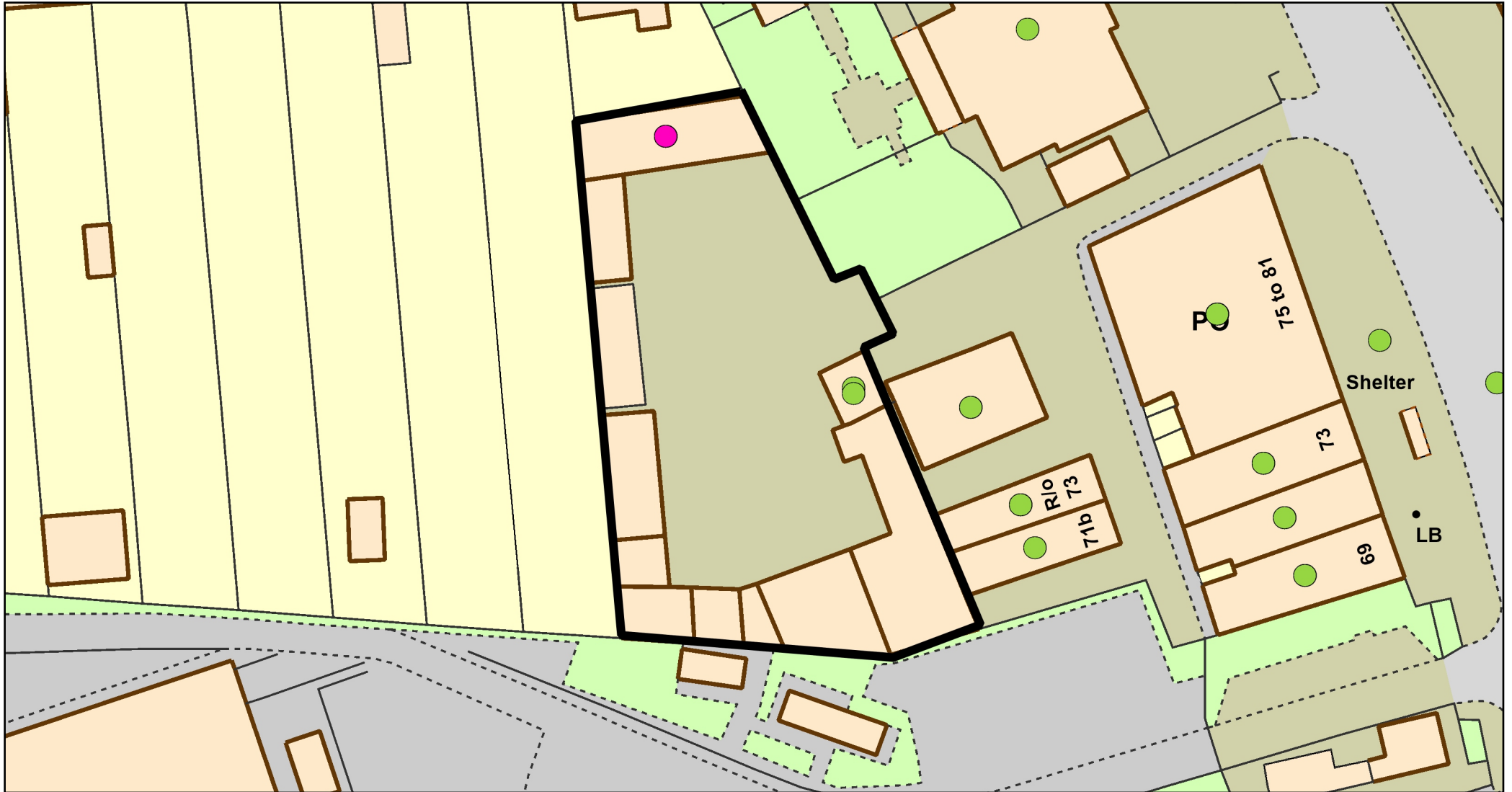
THIS NOTICE TAKES EFFECT ON THE DATE SPECIFIED IN PARAGRAPH 7.

THERE IS NO RIGHT OF APPEAL TO THE FIRST SECRETARY OF STATE AGAINST THIS NOTICE.

It is an offence to contravene a temporary stop notice after a site notice has been displayed or the temporary stop notice has been served on you. (Section 171G of the 1990 Act). If you then fail to comply with the temporary stop notice you will be at risk of **immediate prosecution** in the Magistrates' Court, for which the maximum penalty is unlimited on summary conviction for a first offence and for any subsequent offence. The fine on conviction on indictment is unlimited. If you are in any doubt about what this notice requires you to do, you should get in touch **immediately** with **George Atta-Adutwum, Deputy Team Leader Planning Enforcement**, Town Hall, Main Road, Romford, Essex, RM1 3BB, 01708 432157. If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review.

S.171G. Temporary stop notice: offences

- (1) A person commits an offence if he contravenes a temporary stop notice—
 - (a) which has been served on him, or
 - (b) a copy of which has been displayed in accordance with section 171E(5).
- (2) Contravention of a temporary stop notice includes causing or permitting the contravention of the notice.
- (3) An offence under this section may be charged by reference to a day or a longer period.
- (4) A person may be convicted of more than one such offence in relation to the same temporary stop notice by reference to different days or periods of time.
- (5) A person does not commit an offence under this section if he proves—
 - (a) that the temporary stop notice was not served on him, and
 - (b) that he did not know, and could not reasonably have been expected to know, of its existence.
- (6) A person convicted of an offence under this section is liable—
 - (a) on summary conviction, to an unlimited fine;
 - (b) on conviction on indictment, to a fine.
- (7) In determining the amount of the fine, the court must have regard in particular to any financial benefit, which has accrued or has appeared to accrue to the person convicted in consequence of the offence.



Land Rear of 81 Front Lane, Upminster, RM14 1XL



Scale: 1:500
 Date: 28 April 2022
 Size: A4



London Borough of Havering
 Town Hall, Main Road, Romford, RM1 3BD
 Tel: 01708 434343

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