

## **ENFORCEMENT NOTICE B**

### **PARK FARM, EASTERN AVENUE EAST, ROMFORD RM3 7NR**

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

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

**ENFORCEMENT REFERENCE: ENF/648/20**

### **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 **PARK FARM, EASTERN AVENUE EAST, ROMFORD RM3 7NR**, shown edged in black on the attached plan and is registered under Land Registry Title Number BGL 158117.

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

Without planning permission:

- i. Within the last 4 years, unauthorised operational development of formation of bunds approximately 2m high on the northern, western and southern sides of site. (Shown in yellow on the attached plan).
- ii. Within the last 4 years, unauthorised operational development of boundary fence between 1.8 – 2m high and gates using bricks and timber frames (Lattice fencing) on the eastern and southern sides of the site. (Shown in red on the attached plan).
- iii. Within the last 4 years, unauthorised operational development of access road constructed concrete on the east of Plot D running north to south between Park Farm and Meadow Farm. (Shown grey on the attached plan).
- iv. Within the last 4 years, unauthorised operational development increasing land levels by importation of building materials and rubble to undeveloped land to south of the bungalow in Plot D identified on the attached site plan

- v. Within the last 4 years, the erection of street lamps marked X in Plot D identified on the attached plan in the undeveloped land within the site.

#### **4. REASONS FOR ISSUING THIS NOTICE**

- (1) It appears to the Council that the above breaches of planning control have occurred within the last FOUR years. Steps should be taken to remedy the breach by Section 173 4(a) or to remedy any injury to amenity which has been caused by the breach.
- (2) 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 2021).
- (3) The formation of bunds, erection of street lamps, erection of boundary fences, increase of land levels and construction of roads represents 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. The land is located in the Metropolitan Green Belt. The scale/nature of the unauthorised operational development has 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. These developments conflict with the purposes of including land in the Green Belt contrary to Local Plan Policies 18, 19, 20, 24, 26, 27, 29, 31, 32 and London Plan Policies D1, G2, G3, G4, SI 12 and the policy in National Planning Policy Framework 2021.
- (4) The laying of hard surfacing, construction of road using concrete and raising of land levels lacks suitable drainage. No assessment is available regarding flood risk issues and therefore conflicts with Local Plan Policy 32 and the policy contained within the National Planning Policy Framework 2021.
- (5) The Council does not consider that planning permission should be granted for the development because conditions attached to any consent cannot remedy the breach.

#### **2. WHAT YOU ARE REQUIRED TO DO**

##### **BUNDS**

- i. Remove from the land bunds shown in yellow on the attached site plan from the northern, western and southern sides of the site; AND
- ii. Remove from the site all building materials and debris associated with carrying out the above steps.

## **BOUNDARY FENCE**

- i. Remove boundary fences and gates made from timber and bricks shown in red on the attached plan from the eastern and southern sides of the site;  
AND
- ii. Remove from the land all building materials and debris associated with carrying out the above steps.

## **LAND LEVELS AND STREET LAMPS**

- i. Reduce the land levels in Plot D shown on the attached plan to before the development took place.
- ii. Remove all street lamps marked **X** erected in Plot D on the attached plan.
- iii. Remove from the site all building materials, street lamps and debris associated with carrying out the above steps.

## **ACCESS ROAD BETWEEN PARK FARM AND MEADOW FARM**

- i. Remove the access road made using concrete shown in grey from running north to south the east of Plot D shown on the attached site plan ; AND
- ii. Remove from the site all building materials and debris associated with carrying out the above step.


## **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 **24<sup>th</sup> June 2022**, unless an appeal is made against it beforehand

Dated: **27<sup>th</sup> May 2022**

Signed: 

Simon Thelwell

Authorised Officer on behalf of London Borough of Havering, Town Hall, Main Road, Romford, RM1 3BB  
Nominated Officer to contact regarding this Notice: Onkar Bhogal  
Telephone Number: 01708 431587 Email: [Onkar.bhogal@haverling.gov.uk](mailto:Onkar.bhogal@haverling.gov.uk)

## **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 **24<sup>th</sup> June 2022**. 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 **24<sup>th</sup> June 2022** 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 <https://www.legislation.gov.uk>

### **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 **24<sup>th</sup> June 2022**.

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.

### **GROUND 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:

1. The Owners  
Park Farm  
Eastern Avenue East, Romford Essex RM3 7NR
  
2. The Occupiers  
Park Farm  
Eastern Avenue East, Romford Essex RM3 7NR
  
3. The Occupiers  
Bungalow

Park Farm  
Eastern Avenue East, Romford Essex RM3 7NR

4. SS Scaffolding Ltd at PLOT A  
The Occupiers  
Park Farm  
Eastern Avenue East, Romford Essex RM3 7NR
5. Scaffolding Yard at PLOT B  
The Occupiers  
Park Farm  
Eastern Avenue East, Romford Essex RM3 7NR
6. Parking area at PLOT C  
The Occupiers  
Park Farm  
Eastern Avenue East, Romford Essex RM3 7NR
7. Land at PLOT D  
The Occupiers  
Park Farm  
Eastern Avenue East, Romford Essex RM3 7NR
8. Sebba Hafeez Rafeeq  
74 Aldersbrook Road  
Manor Park London E12 5DL
9. Mr S Rafeeq  
74 Aldersbrook Road  
Manor Park London E12 5DL

## PARK FARM, EASTERN AVENUE EAST, ROMFORD



- A- Scaffolding Yard, 2 storage sheds exceeding 5m in height, metal palisade fencing exceeding 2m, metal containers, racking erected using scaffolding poles, storage of scaffolding poles and boards, storage palettes, building materials, storage of plastic tanks - site occupied by SS Scaffolding Limited. Scaffolding yard in Blue is immune by age from enforcement proceedings
- B- Scaffolding Yard- storage shed measuring approximately 9m x 6m x 5m high and another shed approximately 5m high erected using scaffolding poles, erection of racking for storage of scaffolding poles and boards, plant machinery, metal containers and other building materials, storage of timber, 3m high corrugated sheet metal fencing. Area shown in Pink is immune by age from enforcement proceedings
- C- Creation hard surfacing enclosed in 700mm high bund now used for parking area and construction of access road 6m using concrete.
- D- Increase of land levels by importation building materials and rubble.

**X-** Approximate position of street lamps



Bund over 2m in height



Construction of road approximately 8m wide road using concrete – north to south between Park Farm and Recycling Centre



Boundary Fence and gates between 1.8m to 2m



Public footpath

# Enforcement appeal: information sheet for local planning authorities

Customer Support Team  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1  
6PN

Direct Line: 0303 444 5000

Email: [enquiries@planninginspectorate.gov.uk](mailto:enquiries@planninginspectorate.gov.uk)

## 1. THIS IS IMPORTANT

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

- online at the [Appeals Casework Portal](#); 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 <https://www.gov.uk/appeal-enforcement-notice/how-to-appeal>.

In exceptional circumstances you may give written notice of appeal by letter or email. You should include the name and contact details of the appellant(s) and either attach a copy of the Enforcement notice that you wish to appeal or state the following:

- the name of the local planning authority;
- the site address; and
- 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.