

**RE: Land corner of St Mary's Lane and The Chase, Upminster
(former Ruskins site)**

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 M Dobson, Rectory Cottage, The Chase, Cranham, Upminster
 4. Butte Ltd c/o Talfourds Solicitors, Crown House, 40 North Street, Hornchurch, RM11 1EW
 5. Mr T Sullivan, Clearall Trading Ltd, The Barn, St Mary's Lane, Upminster, RM14
 6. Northshore Holdings Limited c/- Chevron Management Limited, Mooreland House, Tile Barn Lane, Rettendon, Chelmsford.
 7. Leopold Joseph & Sons (Guernsey) Limited c/- Leopold Joseph & Sons Limited, 29 Gresham Street, London EC2V 7EA

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 corner of St Mary's and the Chase, Upminster (former Ruskins site) shown cross-hatched on the attached plan.

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

Without planning permission the formation of a hard-compacted surfaced area.

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 hardsurfacing is considered visually intrusive and harmful to the rural character of the Green Belt and is contrary to national guidance set out in PPG2 and Policy GRB2 of the Havering Unitary Development Plan 1993.

The development is inappropriate development in the Green Belt in accordance with national planning guidance in PPG2 and is by definition harmful. In the absence of very special circumstances to justify inappropriate development the development is contrary to national guidance in PPG2.

The Council do not consider that planning permission should be given, because planning conditions could not overcome these problems and in making its decision to issue this Notice the Council considered that the unauthorised development is contrary to policy.

5. WHAT YOU ARE REQUIRED TO DO

Remove from the land the surfaced area at the front of the site and reinstate the area to grass.

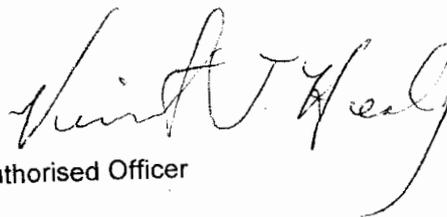
Time for compliance: 1 month from the effective date of this notice.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 22nd November 2004, unless an appeal is made against it beforehand

Dated: 13th October 2004

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 22nd November 2004. 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 22nd November 2004 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 22nd November 2004. 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.

GROUNDS OF APPEAL

The grounds of appeal are set out in Section 174 of the Town and Country Planning Act 1990 and are also set out on pages 2-5 of the enclosed appeal forms.

PLANNING APPLICATION FEE

Should wish to appeal on ground (a) - that planning permission should be granted for the unauthorised development - then a fee of £110 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 M Dobson, Rectory Cottage, The Chase, Cranham, Upminster
4. Butte Ltd c/o Talfourds Solicitors, Crown House, 40 North Street, Hornchurch, RM11 1EW
5. Mr T Sullivan, Clearall Trading Ltd, The Barn, St Mary's Lane, Upminster, RM14
6. Northshore Holdings Limited c/- Chevron Management Limited, Mooreland House, Tile Barn Lane, Rettendon, Chelmsford.
7. Leopold Joseph & Sons (Guernsey) Limited c/- Leopold Joseph & Sons Limited, 29 Gresham Street, London EC2V



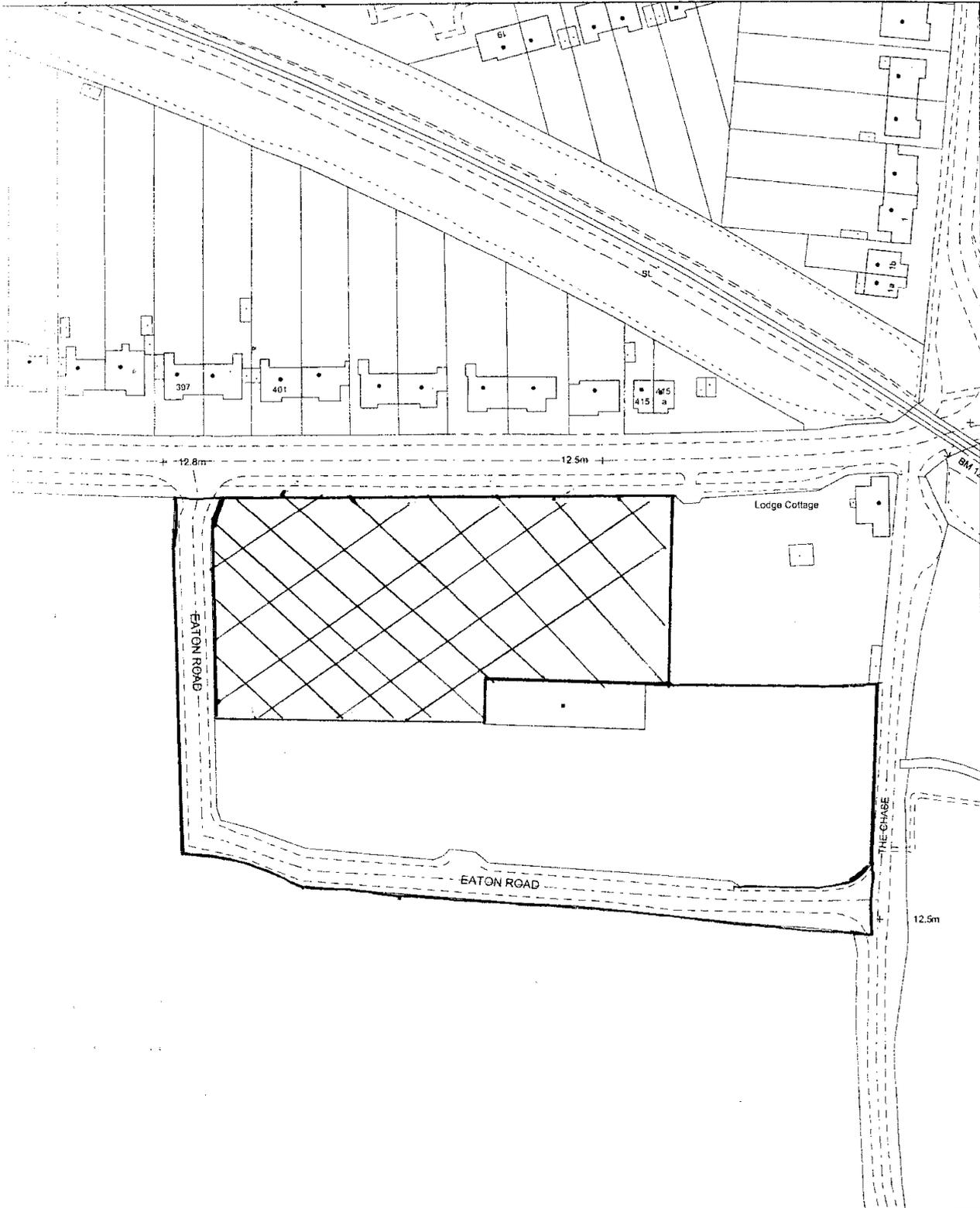
Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office (c) Crown copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Havering LA086428 2002

PLAN



6/10/04

DATE: 03/09/2003



MAP REFERENCE: TQ5786NW

Drawing No.

SCALE: 1:1250