

RE: 'Small Acres' Folkes Lane Upminster

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 Land
 2. The Occupier of the Land
 3. Mr S Lockhart 'Small Acres' Folkes Lane Upminster Essex RM14 1TH

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 'Small Acres' Folkes Lane Upminster Essex RM14 1TH shown hatched black on the attached plan hereinafter referred to as "the Land".

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

Without the grant of planning permission, the erection of a storage building shown cross hatched black on the attached plan hereinafter referred to as "the Building".

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 building in question was substantially completed less than four years ago. The site lies within the approved Metropolitan Green Belt where, with certain exceptions which do not apply in this case, there is a strong presumption against any development. The building appears as an intrusion in this otherwise mainly open rural landscape. It is contrary to development plan policies and harmful to the visual amenities of the area. The Council refused a retrospective planning permission (P0861.04) for the retention of the building, on the grounds that the building is detrimental to the locality.

In making its decision to issue this Notice the Council considered that the unauthorised development is contrary to the following policies of the Havering Unitary Development Plan: policies ENV1 and GRB2. Planning Policy Guidance Note 2 (Green Belt) also applies.

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

- (i) Remove from the Land the building and all concrete foundations.

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

- (ii) Remove from the Land all building materials including concrete, bricks and rubble arising from compliance with the first requirement above.

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

- (iii) Replace topsoil on the site of the building on the Land and re-seed it with grass

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

6. **WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 21st March 2005, unless an appeal is made against it beforehand

Dated: 16th February 2005

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 21st March 2005. 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 21st March 2005 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.

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 21st March 2005. 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 the enclosed appeal forms.

PLANNING APPLICATION FEE

Should you 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:

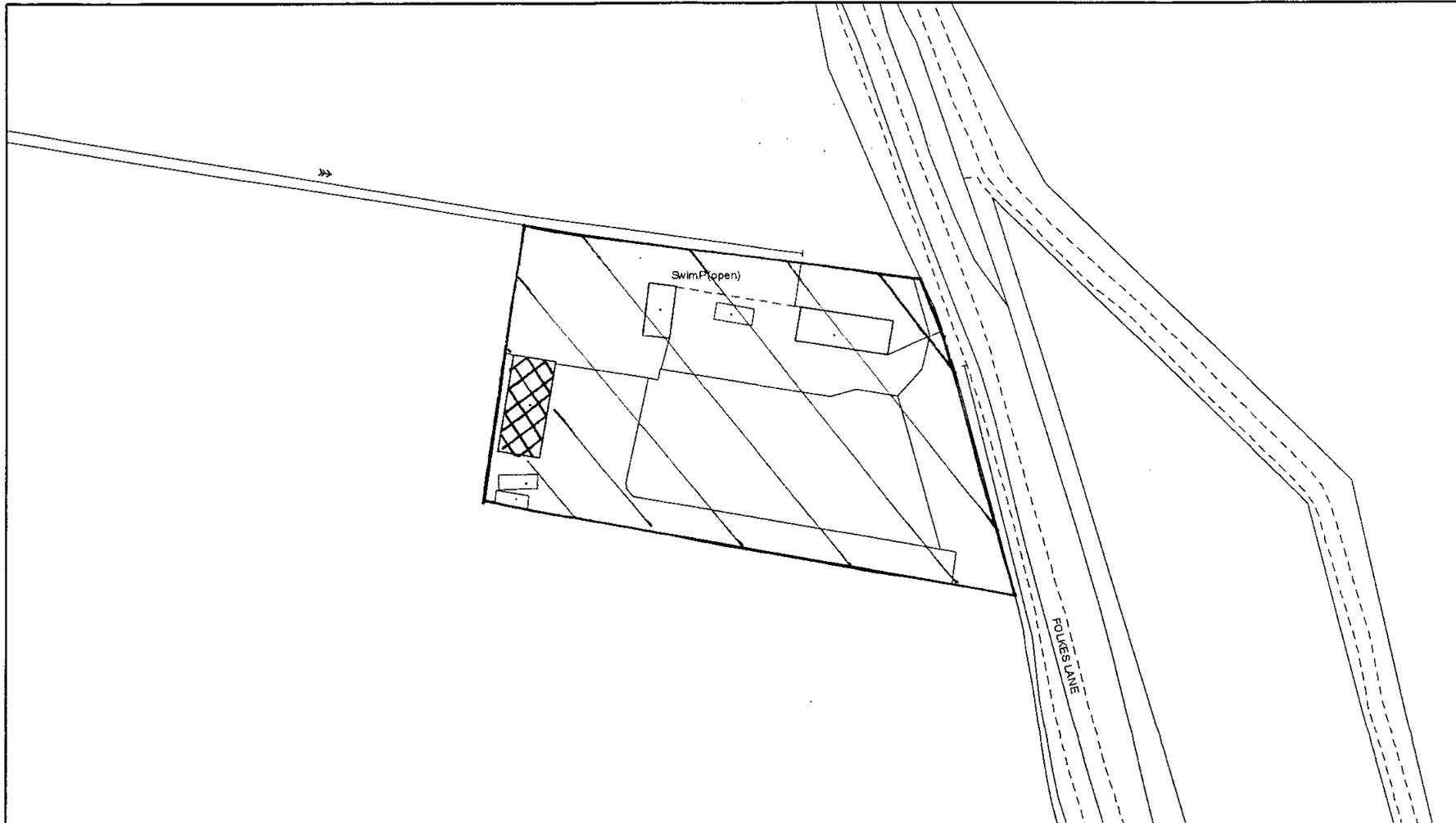
The Owner of the Land

The Occupier of the Land

Mr S Lockhart 'Small Acres' Folkes Lane Upminster Essex RM14 1TH



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London Borough of Havering 100024327



Map Reference: TQ5789SE

Date: 16/02/2005

Scale: 1:1000

Drawing No.:

