

**RE: Land at Gobions Farm, Collier Row Road, Romford RM5 2BH**

**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)**

**ENFORCEMENT NOTICE**

- TO:**
1. The Owner of the said land and property.
  2. The Occupier of the said land and property.
  3. Mr Fowler, Gobions Farm, Collier Row Road, Romford RM5 2BH.
  4. Mr A Lambert, Corporate Assets Recycling, Gobions Farm, Collier Row Road, Romford RM5 2BH.
  5. The Crown Estate of 16 New Burlington Place, London W1S 2HX.
  6. Smiths Gore 23 Kings Hill Avenue, Kings Hill, West Malling, Kent ME19 4UA.

**ISSUED BY:** London Borough of Havering

1. **THIS IS A FORMAL NOTICE** which is issued by the London Borough of Havering ("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. The Council considers 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**

Land at Gobions Farm, Collier Row Road, Romford RM5 2BH, and shown edged bold black on the attached plan ("the Land").

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

Without planning permission, the material change of use of the Land from use for storage and distribution within Class B8 of the Town and Country Planning [Use Classes] Order 1987 (as amended), to use as recycling facility.

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 Land lies within the Metropolitan Green Belt. The unauthorised development has a materially harmful impact on the Metropolitan Green Belt. The unauthorised

development is detrimental to the visual amenity and character of the surrounding area in general and is harmful to the essential open nature of this part of the Metropolitan Green belt.

The unauthorised change of use has a materially harmful impact on occupiers of nearby properties by reason of increased levels of noise and airborne pollution.

The unauthorised development is contrary to NPPF, DC45, DC55 and DC61 of the Local Development Framework and policy 7.16 of the London Plan. There are not considered to be sufficient very special circumstances in this case to override the presumption against inappropriate development in the Green Belt.

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

- (i) Cease use of the Land as a recycling facility.

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

- (ii) Remove all vehicles, installations, machinery and equipment, associated with the unauthorised use, from the Land.

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

- (iii) Remove all material's that have been deposited on the Land in connection with the unauthorised use.

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

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6. **WHEN THIS NOTICE TAKES EFFECT**

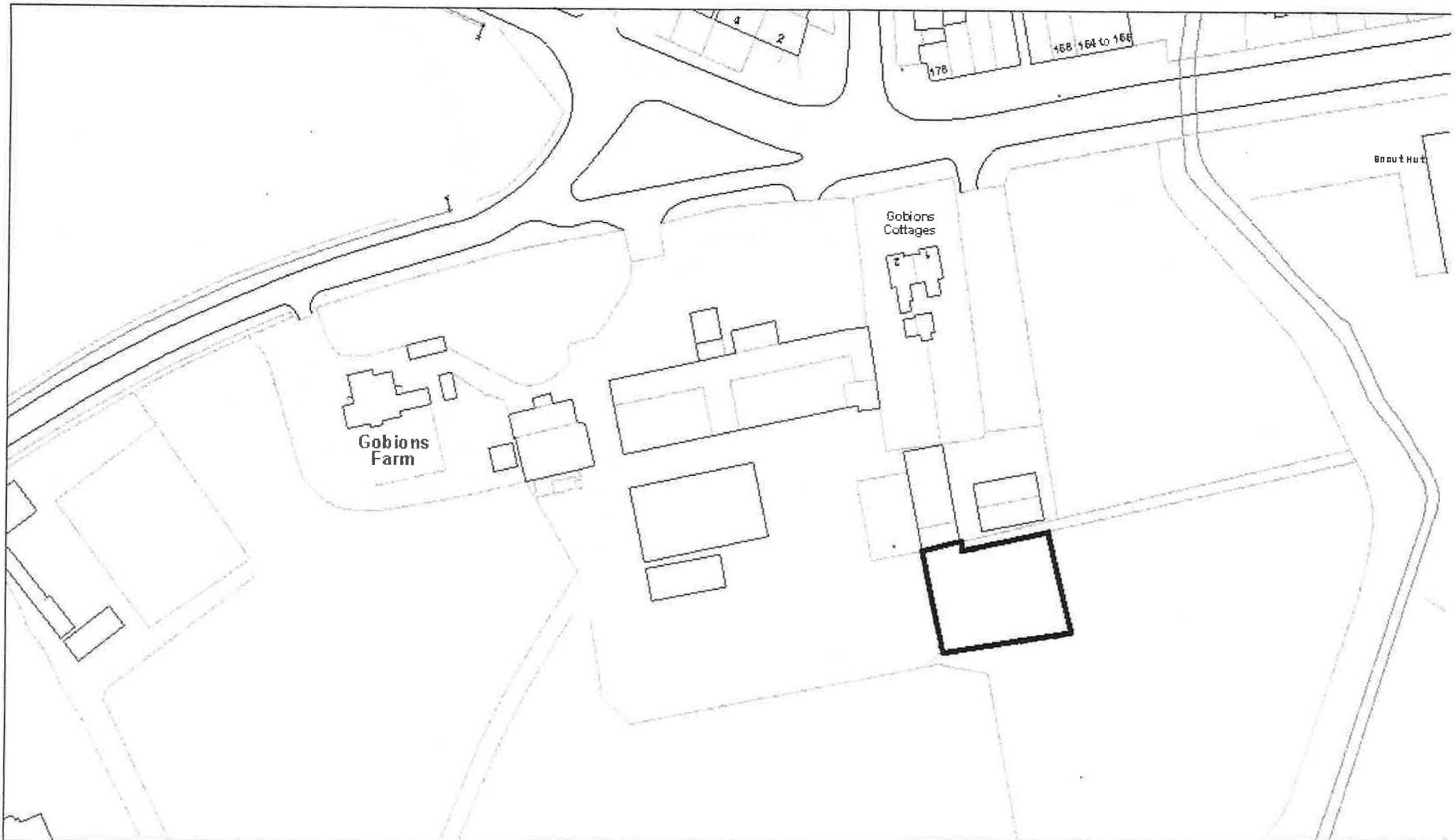
This Notice takes effect on 6 August 2012, unless an appeal is made against it beforehand

Dated: 28 June 2012

Signed:

A handwritten signature in black ink, appearing to read 'Wendy T. Healy', written in a cursive style.

Authorised Officer  
on behalf of London Borough of  
Havering  
Town Hall  
Main Road, Romford RM1 3BD

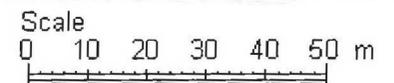


**Gobions Farm, Collier Row Road, Romford. RM5 2BH**



Map Reference: TQ4990NW  
Date: 15/06/2012

Scale @ A4  
1:1250



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

nlp<sub>g</sub>



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## **YOUR RIGHT OF APPEAL**

You can appeal against this Enforcement Notice to the Secretary of State by 6 August 2012. 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 6 August 2012 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 6 August 2012.

If you intend to appeal against this Notice you should follow the instructions given on the information sheet from the Planning Inspectorate which accompanies this Notice.

### **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 - then a fee of £335.00 is payable both to the Secretary of State and to the Council making the total fees payable £670.00. 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 and property.
2. The Occupier of the said land and property.
3. Mr Fowler, Gobions Farm, Collier Row Road, Romford RM5 2BH.
4. Mr A Lambert, Corporate Assets Recycling, Gobions Farm, Collier Row Road, Romford RM5 2BH.
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