

RE:14 RAINHAM ROAD, RAINHAM

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT NOTICE A

- TO:**
1. The Owner of the said land
 2. The Occupier of the said land
 3. Mr Mohinder Singh Choda, the Manse, 207 Lambourne Road, Chigwell Essex, IG7 6JP
 4. Mr E. Imeri, 73 St Margarets Road, Barking IG11 7JG
 5. The Operator of the Car Wash at Rainham Road Service Station, 14 Rainham Road, Rainham, Essex RM13 7RR
 6. Arjan Ametaj, 49 New Road, Rainham, Essex RM13 8DY
 7. Mr Mohinder Singh Choda, 14 Upney Lane, Barking, Essex IG11 9LW

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)(b) 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 former petrol filling station and associated land at 14 Rainham Road, Rainham Essex shown hatched black on the attached plan (Plan 1) RM13 7RR ("the Land").

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

Without planning permission breaching conditions granted by planning permission P0758.08 on appeal and detailed in the Planning Inspectorate Decision dated 3 August 2009, as follows:

Condition 2 : *"The washing and cleaning of vehicles shall not take place anywhere on the site except in the wash bay and the former garage forecourt building hereby approved"*

That the washing and cleaning of vehicles is taking place in other parts

of the site and not in the wash bay and the former garage forecourt building. In particular in the north east corner of the site where vacuuming, valeting and the finishing of vehicles is taking place.

Condition 4: *"Other than non-powered portable hand tools, no equipment shall be used for the washing and cleaning of vehicles except in full accordance with a scheme to be first submitted to and approved in writing by the local planning authority"*.

Details of other than non-powered hand tools were submitted and considered. However there were insufficient details supplied for the condition to be discharged. This decision was communicated to the applicant by a decision notice issued on 21 April 2010. No further details have been submitted. Industrial type vacuum cleaners are being operated and used in the north east corner of the site and are mainly operated under an unauthorised canopy.

Condition 6 : *"The building shall not be used for the purposes hereby permitted until parking spaces for both customers and staff have been marked out in the site in accordance with a scheme to be first submitted to and approved in writing by the local planning authority. The approved scheme shall be permanently retained for the parking of vehicle thereafter and for no other purpose."*

Details of parking spaces for customers and staff have been submitted to the Council in plan form number GN/01. This shows laid out parking areas for visitors to the north east of the site. On 31 March 2010 the Council issued a decision Notice part discharging this condition, accepting the plan GN/01 as the approved parking area. Storage of equipment including the placing of chairs is taking place in this area and the parking area is not marked out or permanently retained as required for the purpose of parking.

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.

In making its decision to issue this Notice the Council considered that the unauthorised development is contrary to the following policies of the Local Development Framework, Core Strategy and Development Control Policies DPD, DC 33 (Car Parking) DC 55 (Noise) and DC61 (Urban Design) and is in breach of the planning conditions imposed by the Inspector appointed by the Secretary of State.

WHAT YOU ARE REQUIRED TO DO

- (i) Cease the washing and cleaning of vehicles except in the wash bay and former garage forecourt building (as shown on the attached plan Plan 2) approved by planning permission (P0758.08 granted on appeal

and detailed as condition 2 in the Planning Inspectorate Decision dated 3 August 2009.

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

- (ii) Other than non-powered portable hand tools, cease the use of all other equipment used for the washing and cleaning of vehicles until a scheme has been submitted and approved in writing by the local authority and the cleaning and washing of vehicles shall be in full accordance with the approved scheme. (Condition 4, P0758.08)

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

- (iii) Cease the use of the building(as shown on the attached plan Plan 2) until parking spaces for customers and staff are marked out on the site in accordance with the approved scheme (Condition 6, P0758.08) submitted and approved on 31 March 2010 and shown on plan GN/01 attached and the approved spaces shall be retained thereafter for the parking of vehicles and no other use.

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

- (iv) Cease the use for storage of equipment and materials in the customer and staff parking areas (approved by Condition 6. P0758.08 on 31 March 2010) and shown on plan GN/01.

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

- (v) Remove all car washing, cleaning equipment and all other storage including chairs and return the area shown on GN/01 to car parking only. (Condition 6, P0758.08)

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

6. **WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 17th February 2014, unless an appeal is made against it beforehand

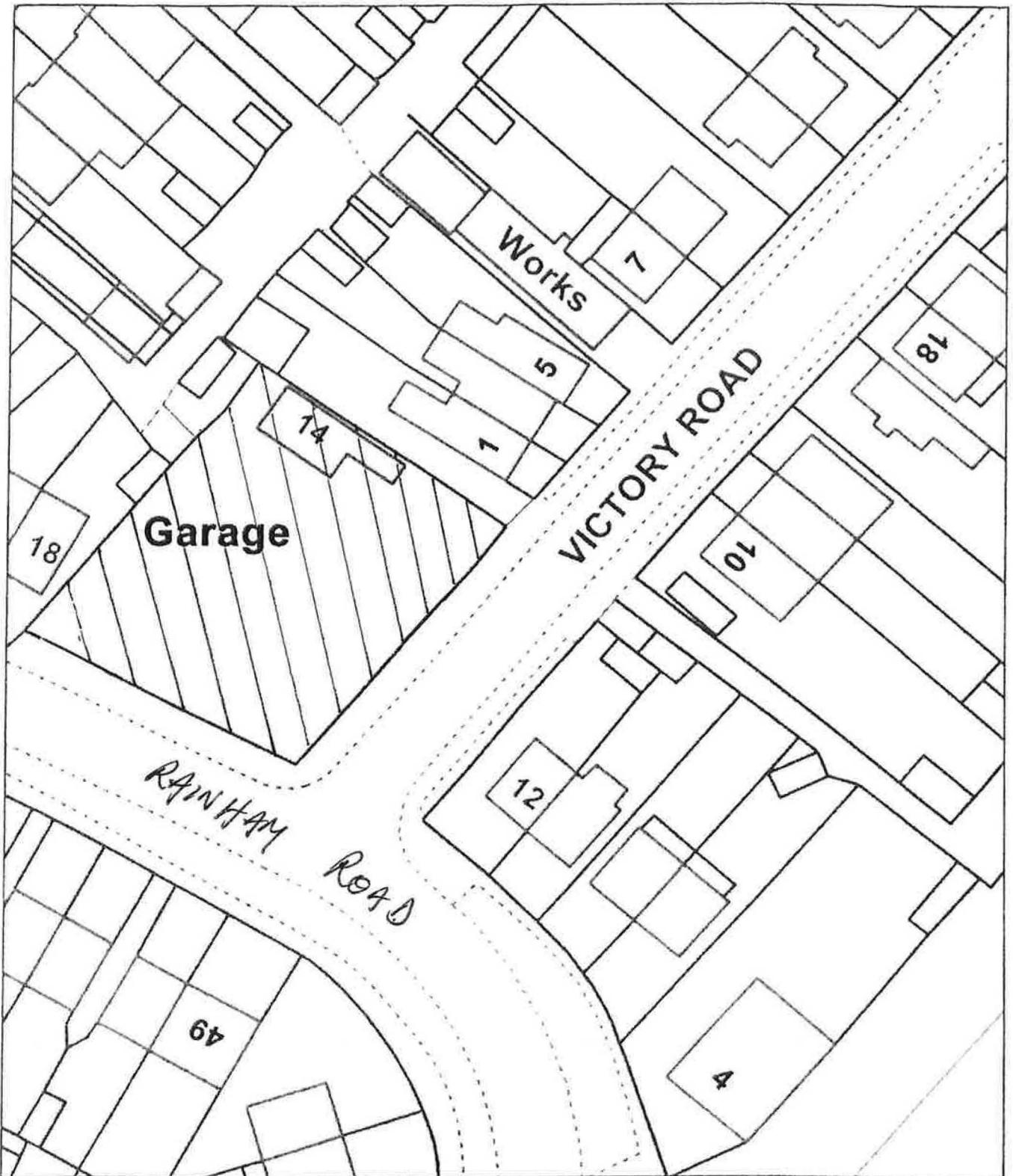
Dated: 15th January 2014

Signed:



Authorised Officer

On behalf of London Borough of Havering
Town Hall



14 RAINHAM ROAD

PLAN 1



nipg  Licensed Partner

Scale: 1:500
Date: 16 October 2013
Size: A4



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

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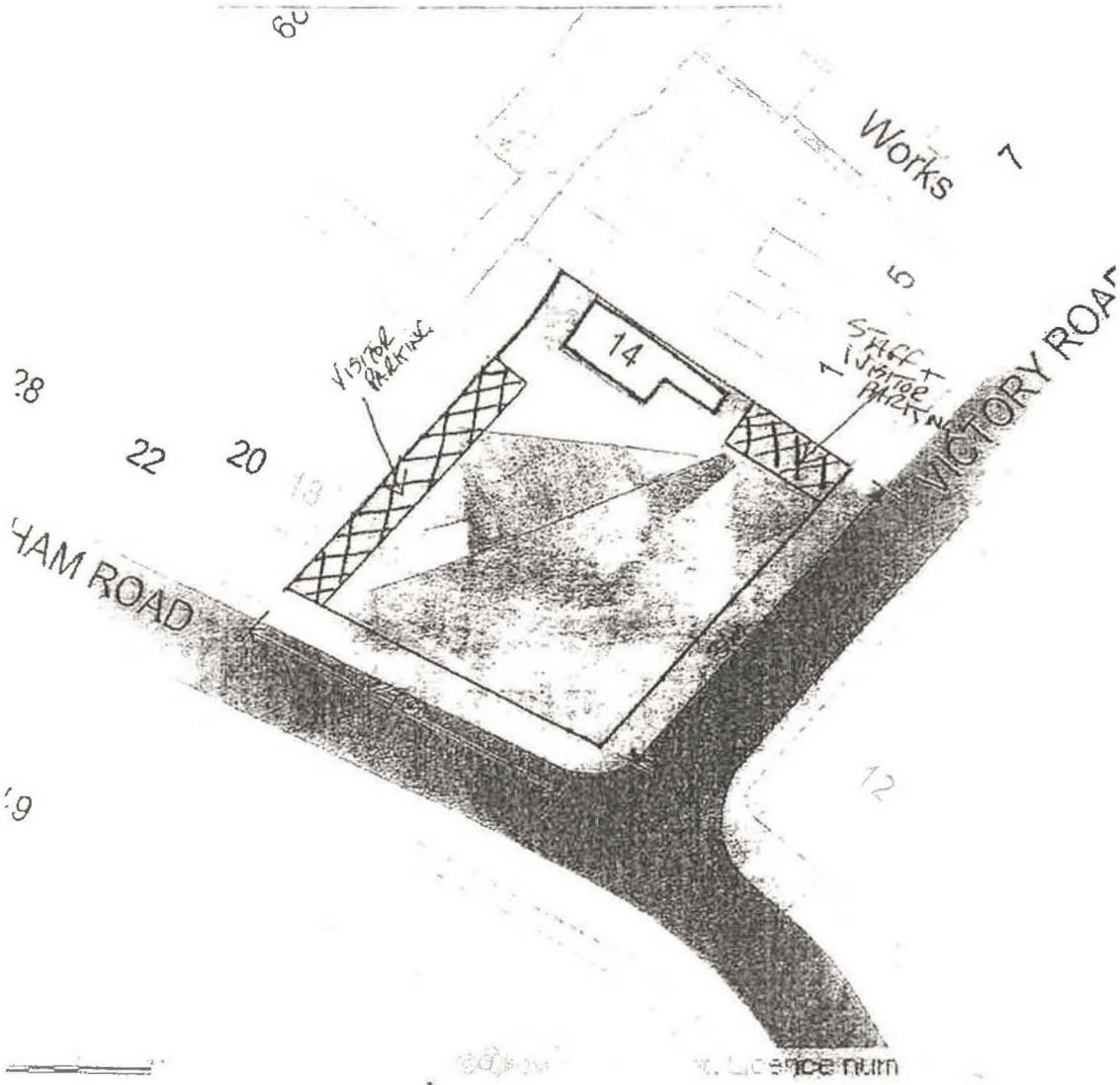
ANMETAS CAR WASH AT

14 RAINHAM ROAD, RAINHAM RM13 7RR

SCALE 1:500

REF: CN/01 SITE PLAN / LOCATION PLAN

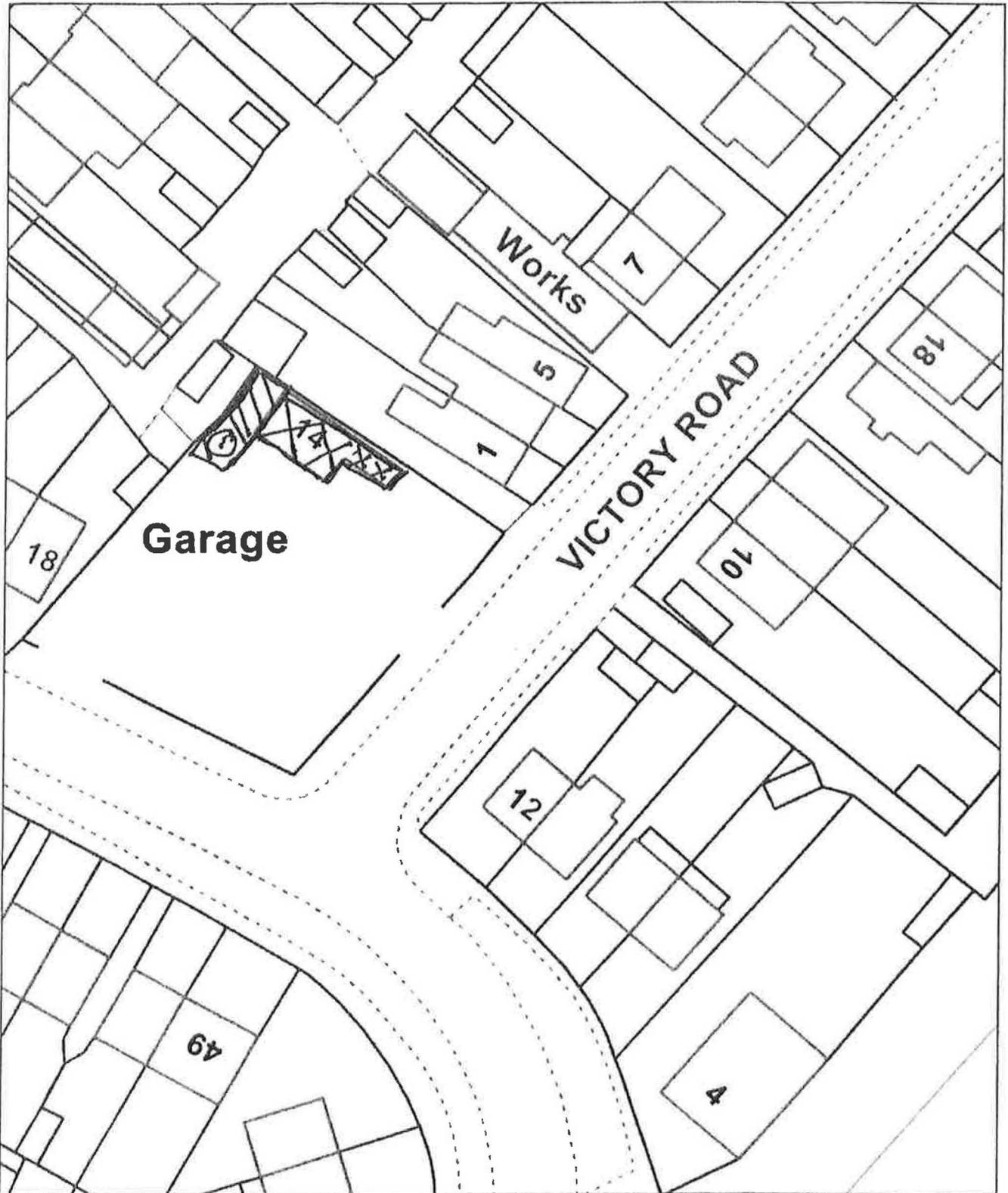
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Ordnance
Survey



Supplied by Streetwise Maps Ltd

Licence No: 100042435

PLAN 2



① = WASH BAY
 ⑭ = ORIGINAL BUILDING



nlpg
 Ordnance Survey
 Licensed Partner

Scale: 1:500
 Date: 16 October 2013
 Size: A4

0 5 10 15 metres

Havering
 LONDON BOROUGH

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

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 Ordnance Survey 100024327

Main Road
Romford RM1 3BD

YOUR RIGHT OF APPEAL

You can appeal against this Enforcement Notice to the Secretary of State by 17th February 2014. 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 17th February 2014 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 17th February 2014.

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 of the following grounds:-

- (a) That, in respect of any breach of planning control which may be constituted by the matters stated in this 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 served as required by Section 172;
- (f) That, steps required by the notice to be taken, or the activities required by the notice 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 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

If you intend to appeal against the notice on ground (a) – that planning permission should be granted for the unauthorised development – then a fee of £390.00 is payable to the Council. If the fee is 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 Mohinder Singh Choda, the Manse, 207 Lambourne Road, Chigwell
Essex, IG7 6JP
4. Mr E. Imeri, 73 St Margarets Road, Barking IG11 7JG
5. The Operator of the Car Wash at Rainham Road Service Station, 14
Rainham Road, Rainham, Essex
6. Arjan Ametaj, 49 New Road, Rainham, Essex RM13 8DY

RE:14 RAINHAM ROAD, RAINHAM

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

ENFORCEMENT NOTICE B

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ISSUED BY: London Borough of Havering

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2. **THE LAND AFFECTED**

The former petrol filling station and associated land at 14 Rainham Road, Rainham Essex RM13 7RR shown hatched black on the attached plan (Plan 1) ("the Land").

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

Without planning permission unauthorised development comprising of the stationing of a container and the construction of an outbuilding and canopy with supporting structure.

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.

In making its decision to issue this Notice the Council considered that the unauthorised development is contrary to the following policies of the Local Development Framework, Core Strategy and Development Control Policies DPD, DC61 (Urban Design).

WHAT YOU ARE REQUIRED TO DO

- (i) Remove from the Land the container, outbuilding and canopy and structure holding in place, the said canopy.

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

- (ii) Remove from the Land all waste materials and rubble resulting from compliance with (1) above.

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

6. WHEN THIS NOTICE TAKES EFFECT

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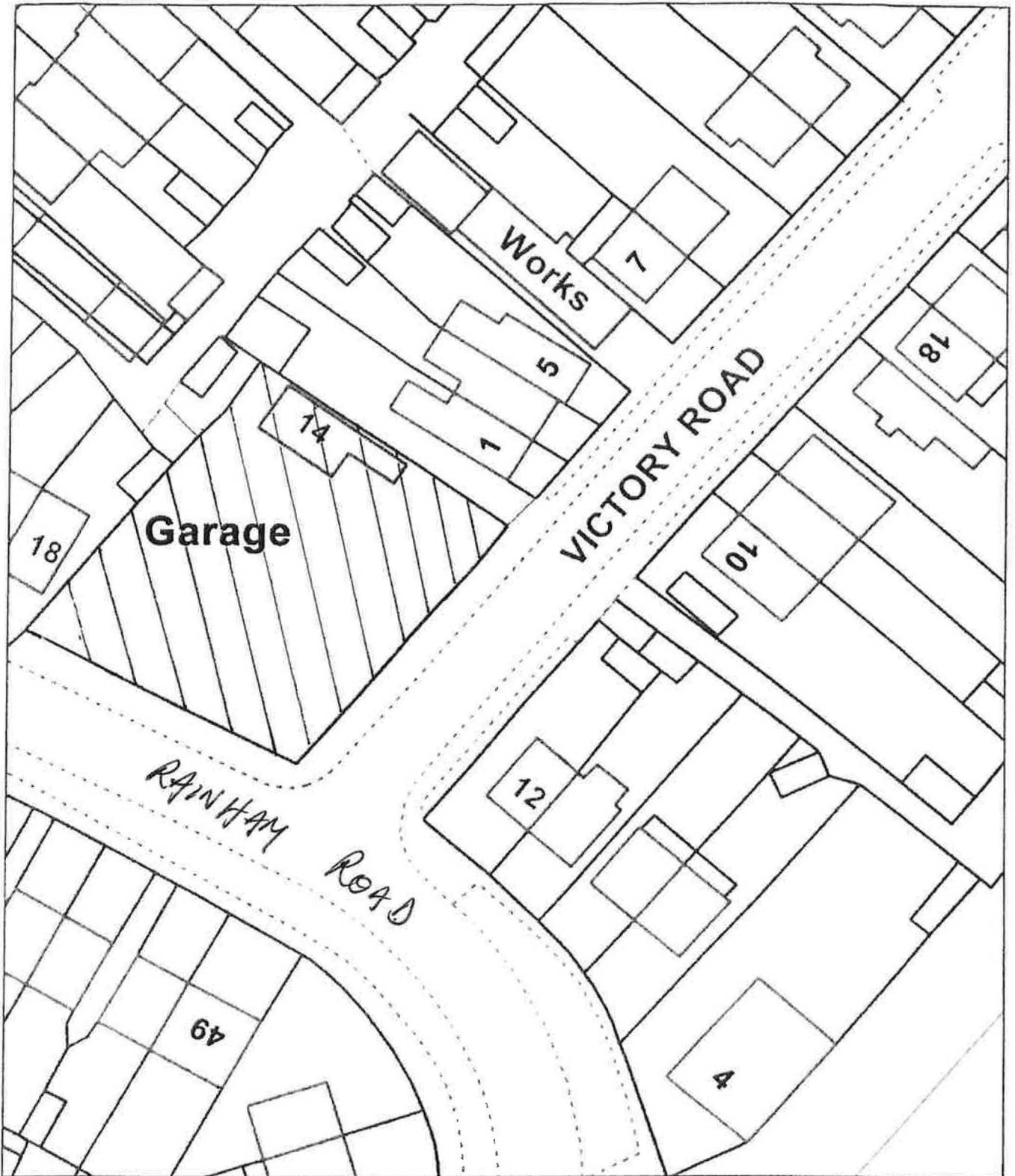
Dated: 15th January 2014

Signed:



Authorised Officer

On behalf of London Borough of Havering
Town Hall
Main Road
Romford RM1 3BD



14 RAINHAM ROAD

PLAN 1



nlpq



Scale: 1:500

Date: 16 October 2013

Size: A4

0 5 10 15 metres



Havering
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Town Hall, Main Road
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