

**LAND TO THE NORTH OF THE SOUTHEND ARTERIAL ROAD, SITUATED TO THE EAST OF BP CONNECT, SOUTHEND ARTERIAL ROAD, HORNCHURCH, RM11 3UJ**

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

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

**ENFORCEMENT REFERENCE: ENF/285/21**

## **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 **LAND TO THE NORTH OF THE SOUTHEND ARTERIAL ROAD, SITUATED TO THE EAST OF BP CONNECT, SOUTHEND ARTERIAL ROAD, HORNCHURCH, RM11 3UJ**, shown edged in black on the attached plan and is registered under Land Registry Title Numbers EGL42252, EGL235750, EGL228366, EGL284579, EGL281316, and NGL145349.

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

Without planning permission, the laying of a hard surface (for the creation of a road).

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

1. It appears to the Council that the above breach of planning control has occurred within the last four years and that 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. The development, by reason of the introduction of a permanent access route across an existing pedestrian access, would hinder the safe access and operation of Paige’s’ Wood. This in turn would impact the existing uses (including recreation) within the Metropolitan Green Belt, and the Thames Chase Community Forest. The development is therefore contrary to the National Planning Policy Framework (July 2021), Policies GG3, D3, D4, D8, G2, G4, G6 and G7 of the London Plan

(March 2021), and Policies CP17, DC22, DC45, and DC61 of the London Borough of Havering Local Development Framework Core Strategy and Development Control Policies Development Plan Document 2008.

3. It is considered that the introduction of the hard surfacing, by reason of it being situated within the Metropolitan Green Belt, the Ingreborne Valley Metropolitan Site of Importance for Nature Conservation (SNIC), and the Thames Chase Community Forest has the potential to adversely impact biodiversity within these protected areas through the permanent loss of existing vegetation and negatively impacting various flora and fauna in the immediate area. The development therefore has an unacceptable impact on the Metropolitan Green Belt, the Ingreborne Valley Metropolitan Site of Importance for Nature Conservation (SNIC), and the Thames Chase Community Forest. The development is also considered contrary to the National Planning Policy Framework (July 2021), Policies GG3, D3, D4, D8, G2, G4, G6 and G7 of the London Plan (March 2021), and Policies CP17, DC22, DC45, and DC61 of the London Borough of Havering Local Development Framework Core Strategy and Development Control Policies Development Plan Document 2008.
4. The Council does not consider that planning permission should be granted due to the adverse impact on the Metropolitan Green Belt, the Ingreborne Valley Metropolitan Site of Importance for Nature Conservation (SNIC), and the Thames Chase Community Forest.

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

- (i) Remove all of the hard surfacing and all associated development, including any hard-core and / or any other substrate and all other imported material within the hatched area on the attached plan;

**AND**

- (ii) Remove all other debris, rubbish or other materials accumulated as a result of taking step (i) above;

**AND**

- (iii) Reinstate the land as to how it was prior to the development occurring, including levelling out of the excavated area with soil of a similar type and condition to that of the non-excavated areas.

## **6. TIME FOR COMPLIANCE**

**2 MONTHS** after the date when this Notice takes effect.

## 7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **24<sup>th</sup> August 2021**, unless an appeal is made against it beforehand.

Dated: **27<sup>th</sup> July 2021**

Signed: 

DAVID COLWILL

Authorised Officer on behalf of London Borough of Havering, Mercury House, Mercury Gardens, Romford, RM1 3SL

Nominated Officer to contact regarding this Notice: **Sam Cadman**

Telephone Number: 01708 433 758 Email: [sam.cadman@haverling.gov.uk](mailto:sam.cadman@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> August 2021**. 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> August 2021** 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.**

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## 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> August 2021**.

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 **£468** 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. BP Oil UK Limited (Co. Regn. No. 446915) of Witan Gate House, 500-600 Witan Gate, Central Milton Keynes MK9 1ES

2. BP Oil UK Limited, Chertsey Road, Sunbury On Thames, Middlesex, TW16 7BP
3. B P Connect, Southend Arterial Road, Hornchurch, RM11 3UJ.
4. Sunbury Secretaries Limited; Cornwall Court, 19 Cornwall Street, Birmingham, United Kingdom, B3 2DT
5. William George Warren Harland; Chertsey Road, Sunbury On Thames, Middlesex, TW16 7BP
6. Hanna Hofer, Chertsey Road, Sunbury On Thames, Middlesex, TW16 7BP
7. Peter James Mather; Chertsey Road, Sunbury On Thames, Middlesex, TW16 7BP
8. Ryan James McDonough; 1 Grena Road, Richmond, Greater London, United Kingdom, TW9 1XU
9. White Bungalow, Southend Arterial Road, Hornchurch, RM1 3UJ
10. The Owner / Occupier; Mount Pleasant Farm, Southend Arterial Road, Hornchurch (RM11 3UJ)
11. Alice May O'callaghan; Overstrand, Woodham Road, Battlesbridge, Nr Wickford, Essex SS11 7QL
12. Jacqueline Hazel Tebbutt; 49 Main Road, Romford RM2 5EB
13. Henry Albert Tebbutt; 49 Main Road, Romford RM2 5EB
14. Cleanaway Havering Riverside Trust; Veolia ES Cleanaway, Havering Riverside Trust, Rainham House, Manor Way, Rainham, RM13 8RH
15. The Mayor and Burgesses Of The London Borough of Havering of The London Borough of Havering, Legal Services, Town Hall, Main Road, Romford, RM1 3BD
16. The Mayor and Burgesses Of The London Borough of Havering of The London Borough of Havering, DX138120, Romford 4



land to the north of the Southend Arterial Road, situated to the east of B P Connect, Southend Arterial Road, Hornchurch, RM11 3UJ



Scale: 1:1250  
Date: 15 June 2021  
Size: A4



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

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