

**PINCHES, LAND ON THE EAST SIDE OF GERPINS LANE (PINCHES MOUNTAIN),
GERPINS LANE, UPMINSTER, RM14 2XR**

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT REFERENCE: ENF/489/09/UP

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 Pinches, Land on the East side of Gerpins Lane (Pinches Mountain), shown edged in black on the attached plan.

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

- (i) Without the benefit of planning permission, unlawful development comprising the laying of hard Surfaces;
- (ii) Without the benefit of planning permission, use of the land for residential use including the stationing mobile homes/caravans;
- (iii) Without the benefit of planning permission. The stationing of storage containers;
- (iv) Without the benefit of planning permission, the erection of gates and fencing;
- (v) Without the benefit of planning permission, formation of vehicle access and parking;
- (vi) Without the benefit of planning permission, the erection of a Chicken Coop and fencing;
- (vii) Without the benefit of planning permission, the installation of external lighting and associated development

4. REASONS FOR ISSUING THIS NOTICE

1. It appears to the Council that the above breach of planning control has occurred within the last ten 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 site is within the Metropolitan Green Belt, and the proposed development would not align with any of the relevant exceptions set out at Section 13 of the NPPF. The development would encroach into previously undeveloped space which is detrimental to openness and conflicts with the purposes of including land within the Green Belt. The site is not regarded to be Grey-Belt Land. The site is not in a sustainable location having regard to Paragraphs 110 and 115 of the Framework and would accordingly be inappropriate development. No compelling case has been presented which would demonstrate Very Special Circumstances which would outweigh the in principle and other harm identified including harm to openness and the purposes of including land within the Green Belt. The development is contrary to the objectives of the National Planning Policy Framework and Policy G2 of the London Plan 2021.
3. The scale of the residential use and extent of development, impact on openness spatially and visually would have a detrimental effect on the green character of the locality and visual amenity more generally. The redevelopment of the site would represent an unwelcome urbanisation of an otherwise open setting. The proposals are then in conflict with the objectives of Havering Local Plan 2016-2031 Policies 11 and 26 and the National Planning Policy Framework, in particular Para 135 which requires development add to the overall quality of the area and are sympathetic to local character.
4. By way of a Planning Policy Statement (PPS) issued by the Secretary of State on 31 August 2015, intentional unauthorised development (IUD) is a material consideration that should be weighed in the determination of planning applications. Works were carried out on the site before the planning application was submitted and therefore weigh against the grant of planning permission.
5. The development is considered to have a harmful impact on overland run off from surface water and thereby increase the flood risk within and adjacent to the site. As a result, the use does not comply with Policies 11 and 32 of the Havering Local Plan, Policies SI 12 and SI13 of the London Plan and the NPPF.
6. In the absence of satisfactory details regarding the condition of the ground and contamination from former landfill operations on the site, it cannot be concluded that the site is safe for residential use, contrary to Policy 34 of the Local Plan and Paragraph 196 of the NPPF.

7. The Council does not consider that planning permission should be granted because planning permission has already been refused under application P1089.25.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the use of the land for residential purposes;

AND

- (ii) Remove all the mobile homes/caravans from the site;

AND

- (iii) Remove all storage containers from the site;

AND

- (iv) Remove all hard surfaces, hard core, aggregates, building materials, rubble and debris from the site;

AND

- (v) Remove chicken coop and fencing;

AND

- (vi) Remove the external lighting and associated development

AND

- (vii) Remove all accumulated materials from the site when taking steps (i) to (vi)

6. TIME FOR COMPLIANCE

TWO MONTHS after the date when this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **13th April 2026**, unless an appeal is made against it beforehand

Dated: **13th March 2026**

Signed: 

Simon Thelwell

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

Nominated Officer to contact regarding this Notice: **Rachel McCrae**

Telephone Number: **01708 434293**

Email: rachel.mccrae@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 13th April 2026**. 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 **12th April 2026** 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) 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 13th April 2026**.

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 **£1176** 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

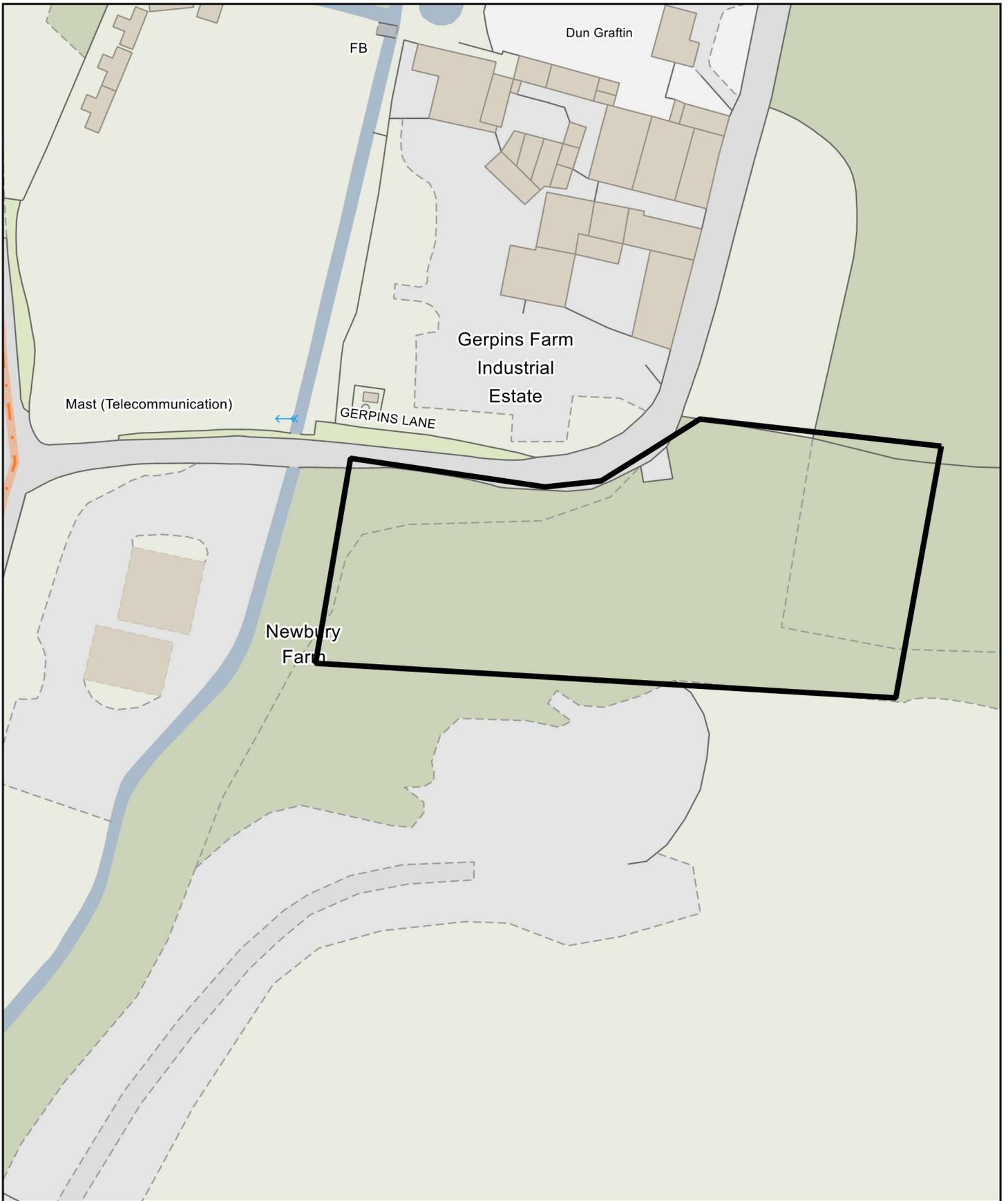
The grounds of appeal must be submitted to the Planning Inspectorate, either when giving notice of the appeal or within 14 days from the date on which the Planning Inspectorate sends you a notice so requiring, a statement in writing specifying the grounds on which the appeal against the Enforcement Notice is being made and stating briefly the facts on which you propose to rely, in support of each of those grounds.

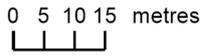
RECIPIENTS OF THE ENFORCEMENT NOTICE

The names and addresses of all the persons on whom the Enforcement Notice has been served are:

- (1) Brian Anthony Morris, Meadowside, Little Warley Hall Lane, Brentwood, Essex, CM13 3EN
- (2) Brian Anthony Morris, Pinches, Land at Gerpins Lane (Pinches Mountain), Gerpins Lane, Upminster, RM14 2XR
- (3) The Owner, Pinches, Land at Gerpins Lane (Pinches Mountain), Gerpins Lane, Upminster, RM14 2XR

- (4) The Occupiers, Pinches, Land at Gerpins Lane (Pinches Mountain), Gerpins Lane, Upminster, RM14 2XR
- (5) Mark Morris, Caravan 1 Gravel Pit, Gerpins Lane, Upminster, RM14 2XR
- (6) The Owner, Caravan 1 Gravel Pit, Gerpins Lane, Upminster, RM14 2XR
- (7) The Occupiers, Caravan 1 Gravel Pit, Gerpins Lane, Upminster, RM14 2XR
- (8) Marian Watts, Caravan 2 Gravel Pit, Gerpins Lane, Upminster, RM14 2XR
- (9) The Owner, Caravan 2 Gravel Pit, Gerpins Lane, Upminster, RM14 2XR
- (10) The Occupiers, Caravan 2 Gravel Pit, Gerpins Lane, Upminster, RM14 2XR
- (11) The Owner, Caravan 3 Gravel Pit, Gerpins Lane, Upminster, RM14 2XR
- (12) The Occupiers, Caravan 3 Gravel Pit, Gerpins Lane, Upminster, RM14 2XR
- (13) The Owners, Caravans, Pinches, Land at Gerpins Lane (Pinches Mountain), Gerpins Lane, Upminster
- (14) The Occupiers, Caravans, Pinches, Land at Gerpins Lane (Pinches Mountain), Gerpins Lane, Upminster



<p>PINCHES, GERPINS LANE, UPMINSTER ENF/489/09/UP</p>	<p>TQ5514083814</p> 
	<p>Scale: 1:1250 Date: 16 July 2025</p> 
 <p>London Borough of Havering Town Hall, Main Road Romford, RM1 3BD Tel: 01708 434343</p>	<p>© Crown copyright and database rights 2024 Ordnance Survey AC0000815231</p>

Enforcement appeal: information sheet for local planning authorities

Customer Support Team
Temple Quay House
2 The Square
Temple Quay
Bristol BS1
6PN

Direct Line: 0303 444 5000

Email: enquiries@planninginspectorate.gov.uk

1. THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can do it:-

- online at the [Appeals Casework Portal](#); or
- sending us enforcement appeal forms, which can be obtained by contacting us on the details above.

You MUST make sure that we RECEIVE your appeal BEFORE the effective date on the enforcement notice.

Please read the appeal guidance documents at <https://www.gov.uk/appeal-enforcement-notice/how-to-appeal>.

In exceptional circumstances you may give written notice of appeal by letter or email. You should include the name and contact details of the appellant(s) and either attach a copy of the Enforcement notice that you wish to appeal or state the following:

- the name of the local planning authority;
- the site address; and
- the effective date of the enforcement notice.

We MUST receive this BEFORE the effective date on the enforcement notice. This should immediately be followed by your completed appeal forms.