



HILLINGDON

LONDON

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

ENFORCEMENT NOTICE Operational Development

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

RE: The Great Western, Dawley Road, Hayes, UB3 1NF
REF: HS/ENF/023680

ISSUED BY: The Council of the London Borough of Hillingdon ("the Council")

1. **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to them 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 Great Western, Dawley Road, Hayes, UB3 1NF ("the Land") as shown edged red on the attached plan.
3. **THE BREACH OF PLANNING CONTROL ALLEGED**

Without planning permission, the unauthorised erection of a side canopy structure at The Great Western P.H., Dawley Road, Hayes, UB3 1NF (shown in the approximate position hatched in blue on the site plan) ("the breach").
4. **REASONS FOR ISSUING THIS NOTICE**
 - a) Under the provisions of Section 55 (1) of the Town and Country Planning Act 1990 (as amended) the side canopy structure constitutes development for which planning permission has not been granted.
 - b) The canopy, due to its size, design and proximity to No. 2A Shepiston Lane, results in increased noise, activity and disturbance from customers, including late into the evening, to the detriment of the amenities of the occupiers of the property. The development is therefore considered to be contrary to Policy DMHB 11 of the Local Plan: Part 2 - Development Management Policies (2020), paragraph 130 (f) of the NPPF(2021) and Policies D3 and D14 of the London Plan (2021).
 - c) It appears to the Council that the above breach of planning control has occurred within the last four years, the development in question has been substantially completed less than four years ago.

- d) The Council does not consider that planning permission should be given, because planning conditions could not overcome these objections to the development.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Demolish and remove the side canopy structure shown in the approximate position hatched in blue on the site plan.
- (ii) Remove from the land all debris, items, fixtures and fittings, plant and machinery resulting from compliance with point (i) above.

6. TIME FOR COMPLIANCE:

Two (2) calendar months after this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **18 June 2024** unless an appeal is made against it beforehand.

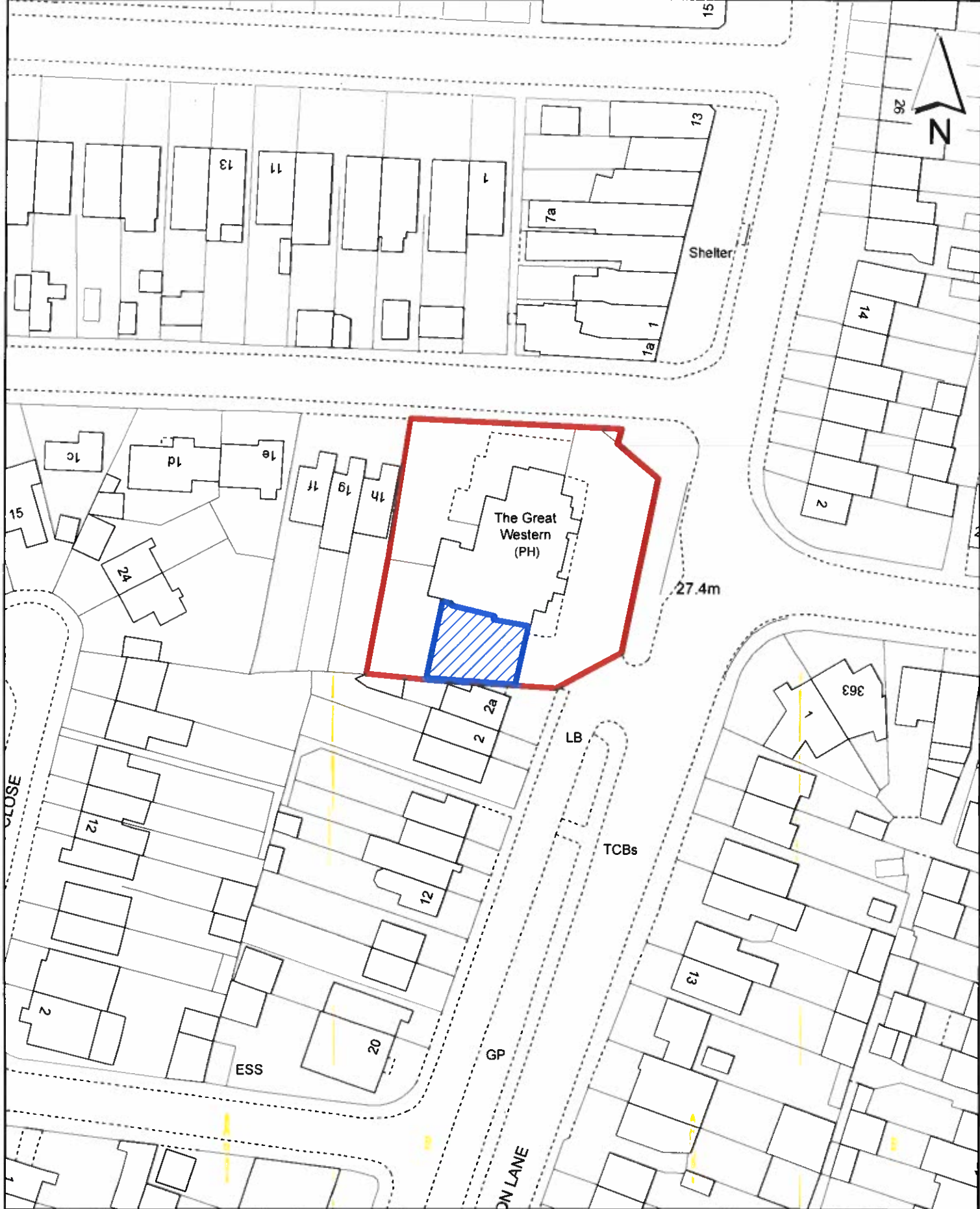
DATED: 7 May 2024



Signed:

.....
GLEN EGAN
Acting Head of Legal Services
THE COUNCIL'S AUTHORISED OFFICER

On behalf of: London Borough of Hillingdon
Civic Centre
Uxbridge
UB8 1UW



Notes Site Boundary Scale 1:800 © Crown copyright and database rights 2020 Ordnance Survey	Site Address The Great Western P.H., Dawley Road, Hayes, UB3 1NF		Residents Services Planning Section  HILLINGDON LONDON
	Description ENF/382/23	Date April 2024	



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IMPORTANT - FEE NOTE

The Great Western, Dawley Road, Hayes, UB3 1NF

THE RIGHT TO APPEAL

The right of appeal is only granted to those with a legal or equitable interest in the land or who are a relevant occupier at both the time the notice is served and the time of appeal. The appeal must be received, or posted in time to be received, by the Planning Inspectorate before **18 June 2024**. If you want to appeal against the notice then you can obtain the necessary appeal form either:-

- On-line at the Planning Casework Service area of the Planning Portal (www.planningportal.gov.uk/pcs); or
- By contacting the Planning Inspectorate directly on 0303 444 5000 or by e-mailing them at enquiries@pins.gsi.gov.uk

The appeal form must include a statement of the grounds of appeal and the facts upon which it is based.

DEEMED PLANNING APPLICATIONS

If you appeal against an enforcement notice under section 174 (2) (a) of the Town and Country Planning Act 1990 – namely that planning permission ought to be granted – the mechanism for resolving the issue is a 'deemed application'. This is an application deemed to have been made for planning permission to carry out whatever activity or change of land-use had earlier been found unlawful by the local planning authority.

It is important that if you want the planning merits of the development to be considered – known as the "deemed planning application" – you must plead ground (a) and pay the fee for that application to the local planning authority when making your appeal. If this is not done, the planning merits and any subsequent ground (a) appeal (Ground (a) – that planning permission should be granted or the condition or limitation referred to in the enforcement notice should be removed) cannot be considered by the Inspector. The appeal will only be determined on the grounds of appeal as submitted on the appeal form.

Please note that if ground (a) is not pleaded at the very beginning the Inspectorate will not delay the processing of the appeal.

You should set out all grounds for making the appeal and provide supporting facts for each ground when making the appeal.

If you want to make a deemed application for planning permission the total fee payable is set out in the Fee Schedule, which is attached to this note. The payment must be paid directly to the London Borough of Hillingdon.

As with any other types of application, there is likely to be significant work involved in processing and determining a deemed application, so a fee is normally payable. The fee is double that which would be payable for a corresponding planning application made at the time the enforcement notice was issued. Therefore, please ensure when you are considering the attached Fee Schedule to double the amount listed for these reasons.

If you choose to pay by debit or credit card then please call our contact centre on 01895 250230, quoting the Council's reference number and address in which the alleged breach has taken place. For further information on the fee payable please contact Planning Services on 01895 250230 or by emailing us at planning@hillingdon.gov.uk

If you formally withdraw your appeal at least 21 days before the date set for an inquiry, hearing or (in the case of appeals determined by written representations) a site visit by the planning inspectorate any fee you have paid will be refunded. If you withdraw your appeal later than this your fee will not be refunded. The date that your appeal will be deemed to have been withdrawn will be the date that written notice of withdrawal is received by the Planning Inspectorate.

Should the Inspector decline jurisdiction, dismiss the relevant appeal or allow the relevant appeal and quash the relevant enforcement notice any fee paid in respect of the deemed application may be refunded to you.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Enforcement Notice, it will take effect on **18 June 2024** 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(s) 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.

THIS NOTICE HAS BEEN SERVED ON:

1. Owner/Occupier of The Great Western, Dawley Road, Hayes, UB3 1NF
2. Multani Estate Management Limited (Co. Regn. No. 11379219) care of 202 Western Road Southall UB2 5ED
3. Lloyds Bank PLC (Co. Regn. No. 2065) Dept. No.3282 of Pendeford Securities Centre, Pendeford Business Park, Wobaston Road, Wolverhampton WV9 5HZ
4. Multani Estate Management Limited (Co. Regn. No. 11379219) of 7b North Park, Riching Park, Iver, Buckinghamshire, SL0 9DH
5. Great Western Pubs PVT Ltd (Co. Regn. No.14325491) of The Great Western, Dawley Road, Hayes, UB3 1NF
6. Great Western Pubs PVT Ltd (Co. Regn. No.14325491) of 6a Hillside Road, Southall, UB1 2PD