



Owner/Occupier  
Adhya Shakti Mataji Temple  
55 Waterside Estate High Street  
Cowley  
Middlesex  
UB8 2DX

**IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY**

Our Ref: 53160/296

Your Ref:

Date: 2 April 2013

Dear Sir/Madam,

**Re: TOWN AND COUNTRY PLANNING ACT 1990 ( AS AMENDED) SECTION 172 ENFORCEMENT NOTICE, UNAUTHORISED STATIONING OF A PORTACABIN TYPE STORAGE STRUCTURE TO THE FRONT OF THE BUILDING, THE LAND AT ADHYA SHAKTI MATAJI TEMPLE, 55 WATERSIDE ESTATE HIGH STREET, COWLEY, MIDDLESEX, UB8 2DX**

1. The Council have issued 1 enforcement notice reference number ENF/53160/296 relating to the above land and I now serve on you a copy of that notice in view of your interest in the land. (Copies of the notice are also being served on others who, it is understood, have interests in the land).
2. Unless an appeal is made to the Secretary of State, as described below, the notice will take effect on **7 MAY 2013** and you must then ensure that the required steps for which you may be held responsible are taken within the period(s) specified in the notice.

3. There is a right of appeal to the Secretary of State (at The Planning Inspectorate) against the notice. Unless an appeal is made, as described below, the notice will take effect on **7 MAY 2013** and you must then ensure that the required steps, for which you may be held responsible, are taken within the period(s) specified in the notice.
4. Please see the enclosed information sheet from The Planning Inspectorate which tells you how to make an appeal. Your appeal must be received by the Planning Inspectorate before the date given in Paragraph 2 above as the date when the notice takes effect i.e.: **7 MAY 2013** You must send the third copy of the appeal form to the London Borough of Hillingdon.
5. If you decide that you want to appeal against the enforcement notice you must ensure that you send your appeal soon enough so that normally it will be delivered by post/electronic transmission to the Secretary of State (at The Planning Inspectorate) before **7 MAY 2013**
6. Under 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 or, 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 the 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.

7. Not all of these grounds may be relevant to you.
8. If you appeal under Ground (a) of Section 174(2) of the Town and Country Planning Act 1990 this is the equivalent of applying for planning permission for the development alleged in the notice and you will have to pay a fee as detailed on the attached form. Half the fee will be have to be in the form of a cheque made payable to the London Borough of Hillingdon and the other to the Planning Inspectorate (made payable to the Department for Communities and Local Government). Joint appellants need only pay one set of fees.
9. If you decide to appeal, when you submit the appeal, you should state in writing the ground(s) on which you are appealing against the enforcement notice and you should state briefly the facts on which you intend to rely in support of each of those grounds. If you do not do this when you make your appeal the Secretary of State will send you a notice requiring you to do so within 14 days.

Yours faithfully



**RAJESH ALAGH**  
Borough Solicitor

Enclosed: 1 Notice Fee Note, Information Sheet.



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## 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:** Adhya Shakti Mataji Temple, 55 Waterside Estate, High Street, Cowley, Middlesex UB8 2DX

**REF:** 53160/296

ISSUED BY: The Council of the London Borough of Hillingdon

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

*Land at Adhya Shakti Mataji Temple, 55 Waterside Estate, High Street, Cowley, Middlesex UB8 2DX, the "Premises" shown outlined in red on the site plan.*

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

(i) The unauthorised stationing of a portacabin type storage structure to the front of the building - the "Portacabin type structure" shown hatched in blue on the site plan - without the benefit of Planning Permission.

#### 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 stationing of the Portacabin type structure and operation as an extension to the main building (temple) constitutes a development for which planning permission has not been granted.
- b) The Planning Inspectorates Appeal decision of the 28 July 2009 reference: APP/R5510/C/09/2097949 to allow a temporary stationing of the Portacabin type structure in the car park of the Property was conditioned. The condition states: "The use

hereby permitted shall be discontinued and the land restored to its former condition within two years from the date of this decision".

- c) The intended reason for stationing the Portacabin type structure in the front car park of the Premises was for storage in relation to the construction of a rear extension to the main building, granted planning permission reference: 64184/APP/2008/3114 on 5 January 2009. The Portacabin type structure is now permanently connected with water, electrical and waste drainage services to the main building (temple) as an unauthorised extension, currently operating as a kitchen/community room, for which express planning permission has neither been sought nor granted.
- d) The stationing of the commercial Portacabin type structure to the front of the building in a prominent position on a very busy highway by reason of its size, siting and design represents an obtrusive form of development that is detrimental to the street scene, and the character and appearance of the surrounding area generally. In addition the close proximity of the Portacabin type structure to the boundaries of the Premises results in a visually intrusive development which fails to harmonise with or compliment the appearance of the existing local area and the amenity space of the immediately adjacent public recreation ground, Therefore the development would be contrary to policies BE13, BE15, R9 and OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).
- e) The owner(s) of the Property have failed to comply with condition 1 of the grant of planning permission reference: 64184/APP/2011/2428 approved on 11 September 2012 which states: "Within 3 months of the development hereby approved shall the portacabin be removed from the site in accordance with plan ARP/01284 Rev. B received 21 August 2012".
- f) The Portacabin type structure does not benefit from deemed planning permission under Town and Country Planning (General Permitted Development) Order as an extension to the main building.
- g) It appears to the Council that the continued ongoing enforcement action under the provisions of section 4 of the Planning and Compensation Act 1991 inserting section 171B(4)(b) of the main Act. and failure to comply with condition 1 of planning permission reference: 64184/APP/2011/2428 has occurred within the last four (4) years.

## 5. WHAT YOU ARE REQUIRED TO DO

- (i) Remove the Portacabin type structure from the land.
- (ii) Remove from the land all debris, items, fixtures and fittings, building materials, plant and machinery resulting from compliance with point (i) above.

*Time for compliance : three (3) calendar month after this Notice takes effect.*

## 6. WHEN THIS NOTICE TAKES EFFECT

*This Notice takes effect on 7 May 2013, unless an appeal is made against it beforehand.*

*Dated : 2 April 2013*

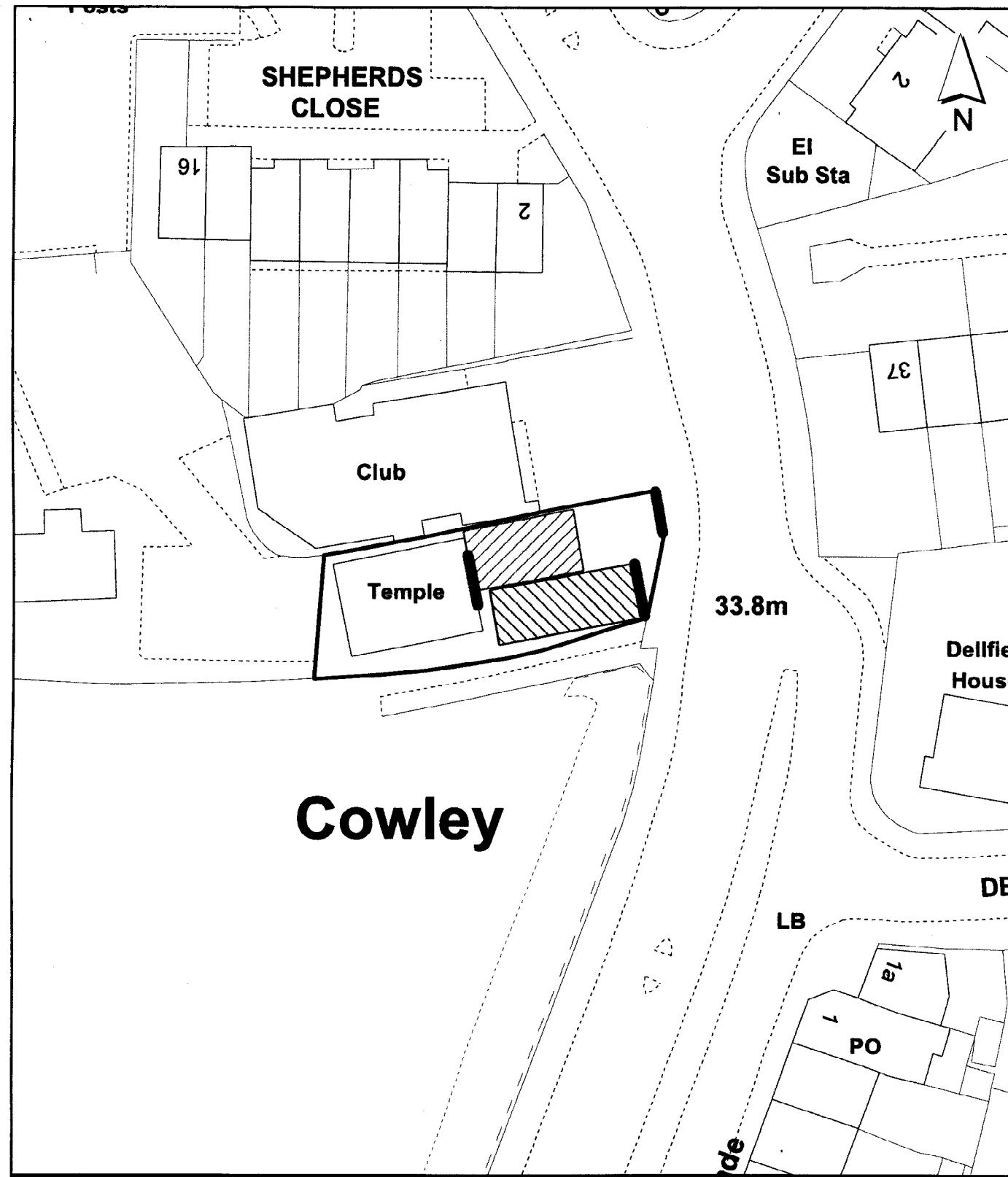


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Signed : .....  
RAJESH ALAGH  
Borough Solicitor  
THE COUNCIL'S AUTHORISED OFFICER

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



Notes	Site Address	LONDON BOROUGH OF HILLINGDON Residents Services
Site boundary For identification purposes only.	<b>Adhya Shakti Mataji Temple</b> <b>High Street, Cowley</b>	Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111
Planning Application Ref:	Scale	
	<b>ENF/33/08</b>	<b>1:500</b>
Planning Committee	Date	
	<b>February</b> <b>2013</b>	 <b>HILLINGDON</b> LONDON



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## IMPORTANT - FEE NOTE

46 Dawlish Drive, Ruislip, Middlesex, HA4 0SD

### YOUR RIGHT OF APPEAL

You have a right of appeal against this Enforcement Notice, but any appeal must be received, or posted in time to be received, by the Planning Inspectorate on or before **7 May 2013**. 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](http://www.planningportal.gov.uk/pcs)); or
- By contacting the Planning Inspectorate directly on 0117 3726372 or by e-mailing them at [enquiries@pins.gsi.gov.uk](mailto: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. 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 are paying by cheque then please make it payable to the 'London Borough of Hillingdon' and send to:

London Borough of Hillingdon  
Planning Department  
Civic Centre  
High Street



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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 **7 May 2013** 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. The Owner/Occupier of Adhya Shakti Mataji Temple of 55 Waterside Estate  
High Street, Cowley, Middlesex, UB8 2DX**
- 2. Jaswant Rai Gangji Maicha (Trustee of Navratri Garba Charity) of Adhya  
Shakti Mataji Temple, 55 Waterside Estate High Street, Cowley, Middlesex,  
UB8 2DX**
- 3. Jaswant Rai Gangji Maicha of 359a New Kings Road, London, SW6 4RJ**
- 4. Trineal Chandra Maicha (Trustee of Navratri Garba Charity) of 55 Waterside  
Estate High Street, Cowley, Middlesex, UB8 2DX**
- 5. Trineal Chandra Maicha of 123 Eastcourt Road, London SW6 7HB**

6. Pravin Kumar Maicha of 55 Waterside Estate High Street, Cowley, Middlesex,  
UB8 2DX
7. Pravin Kumar Maicha of 7 Lady Margaret Road, Southall, Middlesex, UB1  
2PJ
8. Neal Lodhia of 55 Waterside Estate High Street, Cowley, Middlesex, UB8  
2DX
9. Neal Lodhia of 273 Boston Road, London, Middlesex, W7 2AT

## **Scale of Fees**

*(with effect from 22<sup>nd</sup> November 2012)*

### **APPLICATIONS FOR PLANNING PERMISSION**

#### **Operations**

##### **1. The erection of dwellinghouses (other than development within category 6 below).**

- (a) Where the application is for outline planning permission and
- (i) the site area does not exceed 2.5 hectares, £385 for each 0.1 hectare (or part thereof) of the site area;
  - (ii) the site area exceeds 2.5 hectares, £9,527 and an additional £115 for each 0.1 hectare (or part thereof) in excess of 2.5 hectares, subject to a maximum in total of £125,000.
- (b) in other cases
- (i) where the number of dwellinghouses to be created by the development is 50 or fewer, £385 for each dwellinghouse;
  - (ii) where the number of dwellinghouses to be created by the development exceeds 50, £19,049, and an additional £115 for each dwellinghouse in excess of 50 dwellinghouses, subject to a maximum in total of £250,000.

##### **2. The erection of buildings (other than buildings in categories 1, 3, 4, 5 or 7).**

- (a) Where the application is for outline planning permission and
- (i) the site area does not exceed 2.5 hectares, £385 for each 0.1 hectare (or part thereof) of the site area;
  - (ii) the site area exceeds 2.5 hectares, £9,527, and an additional £115 for each 0.1 hectare (or part thereof) in excess of 2.5 hectares, subject to a maximum in total of £125,000.
- (b) in other cases
- (i) where no floor space is to be created by the development, £195;
  - (ii) where the area of gross external floor space to be created by the development does not exceed 40 square metres, £195;
  - (iii) where the area of the gross external floor space to be created by the development exceeds 40 square metres, but does not exceed 75 square metres, £385;
  - (iv) where the area of the gross external floor space to be created by the development exceeds 75 square metres, but does not exceed 3,750 square metres, £385 for each 75 square metres (or part thereof) of that area;
  - (v) where the area of gross external floor space to be created by the development exceeds 3,750 square metres, £19,049, and an additional £115 for each 75 square metres (or part thereof) in excess of 3,750 square metres, subject to a maximum in total of £250,000.

##### **3. The erection, on land used for the purposes of agriculture, of buildings to be used for agricultural purposes (other than buildings in category 4):**

- (a) Where the application is for outline planning permission and
- (i) the site area does not exceed 2.5 hectares, £385 for each 0.1 hectare (or part thereof) of the site area;
  - (ii) the site area exceeds 2.5 hectares, £9,527, and an additional £115 for each additional 0.1 hectare (or part thereof) in excess of 2.5 hectares, subject to a maximum in total of £125,000.
- (b) in other cases



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- (i) where the area of gross external floor space to be created by the development does not exceed 465 square metres, £80;
- (ii) where the area of gross external floor space to be created by the development exceeds 465 square metres but does not exceed 540 square metres, £385;
- (iii) where the area of the gross external floor space to be created exceeds 540 square metres but does not exceed 4,215 square metres, £385 for the first 540 square metres, and an additional £385 for each 75 square metres (or part thereof) in excess of 540 square metres;  
and
- (iv) where the area of gross external floor space to be created by the development exceeds 4,215 square metres, £19,5049, and an additional £115 for each 75 square metres (or part thereof) in excess of 4,215 square metres, subject to a maximum in total of £250,000.

## **4. The erection of glasshouses on land used for the purposes of agriculture.**

- (a) where the area of gross external floor space to be created by the development does not exceed 465 square metres, £80,
- (b) where the area of gross external floor space to be created by the development exceed 465 square metres £2,150.

## **5. The erection, alteration or replacement of plant or machinery.**

- (a) where the site area does not exceed 5 hectares, £385 for each 0.1 hectare (or part thereof) of the site area;
- (b) where the site area exceeds 5 hectares, £19,049, and an additional £115 for each 0.1 hectare (or part thereof) in excess of 5 hectares, subject to a maximum in total of £250,000.

## **6. The enlargement, improvement or other alteration of existing dwellinghouses.**

Where the application relates to one dwellinghouse, £172, where the application relates to 2 or more dwellinghouses, £339.

**7. (a) The carrying out of operations (including the erection of a building) within the curtilage of an existing dwellinghouse, for purposes ancillary to the enjoyment of the dwellinghouse as such, or the erection or construction of gates, fences, walls or other means of enclosure along a boundary of the curtilage of an existing dwellinghouse, £172, or**

**(b) the construction of car parks, service roads and other means of access on land used for the purposes of a single undertaking, where the development is required for a purpose incidental to the existing use of the land, £195.**

**8. The carrying out of any operations connected with exploratory drilling for oil or natural gas.**

(a) where the site area does not exceed 7.5 hectares, £385 for each 0.1 hectare (or part thereof) of the site area;

(b) where the site area exceeds 7.5 hectares, £28,750, and an additional £115 for each 0.1 hectare (or part thereof) in excess of 7.5 hectares, subject to a maximum in total of £250,000.

**9. The carrying out of any operations not coming within any of the above categories.**

(a) In the case of operations for the winning and working of minerals

(i) where the site area does not exceed 15 hectares, £195 for each 0.1 hectare (or part thereof) of the site area;

(ii) where the site area excess 15 hectares, £29,112, and an additional £115 for each 0.1 hectare (or part thereof) in excess of 15 hectares, subject to a maximum in total of £65,000.

(b) in any other case, £195 for each 0.1 hectare (or part thereof) of the site area, subject to a maximum of £1,690.

**Uses of Land**

**10. The change of use of a building to use as one or more separate dwellinghouses.**

(a) Where the change of use is from a previous use as a single dwellinghouse to use as two or more single dwellinghouses

(i) where the change of use is to use as 50 or fewer dwellinghouses, £385 for each additional dwellinghouse;

(ii) where the change of use is to use as more than 50 dwellinghouses, £19,049, and an additional £115 for each dwellinghouse in excess of 50 dwellinghouses, subject to a maximum in total of £250,000.

(b) in all other cases

(i) where the change of use is to use as 50 or fewer dwellinghouses, £385 for each dwellinghouse;

(ii) where the change of use is to use as more than 50 dwellinghouses, £19,049, and an additional £115 for each dwellinghouse in excess of 50 dwellinghouses, subject to a maximum in total of £250,000.

**11. (a) The use of land for the disposal of refuse or waste materials or for the deposit of material remaining after minerals have been extracted from land; or**

**(b) for use of land for the storage of minerals in the open**

(a) where the site area does not exceed 15 hectares, £195 for each 0.1 hectare (or part thereof) of the site area;

(b) where the site area exceeds 15 hectares, £29,112, and an additional £115 for each 0.1 hectare (or part thereof) in excess of 15 hectares, subject to a maximum in total of £65,000.



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**12. The making of a material change in the use of a building or land (other than a material change of use coming within any of the above categories), £385.**

**13. Application for written confirmation of compliance with a condition or conditions attached to a grant of planning permission.**

- (a) for development within fee category 6 or 7(a), £28.
- (b) for development within any other fee category, £97.

**(Note:** fee will be refunded if written confirmation is not given within 12 weeks of date of receipt).

**14. Removal or variation of a condition of a previous planning permission, £195.**

**15. Certain applications under the G.D.O.:**

- (a) Agriculture and forestry buildings and the formation of private ways, or demolition of a building, £80.
- (b) development by Electronic Communications Code Operators under Part 24, £385.

**16. Application for a certificate of lawfulness for a proposed use or development (Section 192).  
50% of Full Planning fee.**

**17. (a) Application for a certificate of lawfulness for an existing use or development (Section 191) to establish the lawfulness of an existing land-use or of development already carried out, the fee will be the same as for a Full Planning Application.**

**(b) Application for a certificate of lawfulness for an existing use or development (Section 191) to establish that it was lawful not to comply with a particular condition or other limitation imposed on a planning permission, £195.**

**18. Application for non-material changes to planning permission.**

- (a) if the application is a householder application, £28.
- (b) for any other application, £195.

**19. Application for a grant of replacement planning permission subject to a new time limit.**

- (a) if the application is a householder application, £57.
- (b) if the application is an application for major development, £575.
- (b) for any other application, £195.

## **APPLICATIONS FOR CONSENT TO DISPLAY ADVERTISEMENTS**

- 1.** Advertisements displayed externally on business premises, the forecourt of business premises or other land within the curtilage of business premises, wholly with reference to all or any of the following matters –
  - (a) the nature of the business or other activity carried on on the premises;
  - (b) the goods sold or the services provided on the premises; or
  - (c) the name and qualifications of the person carrying on such business or activity or supplying such goods or services, **£110**.
- 2.** Advertisements for the purpose of directing members of the public to, or otherwise drawing attention to the existence of, business premises which are in the same locality as the site on which the advertisement is to be displayed but which are not visible from that site, **£110**.
- 3.** All other advertisements, **£385**.