

IN THE HIGH COURT OF JUSTICE

Claim No. KB-2026-001493

KING'S BENCH DIVISION

**BEFORE GUY VASSALL-ADAMS KC SITTING AS A DEPUTY JUDGE OF THE
HIGH COURT**

**IN THE MATTER OF AN INJUNCTION PURSUANT TO SECTION 187B
OF THE TOWN AND COUNTRY PLANNING ACT 1990**

9 JUNE 2026

B E T W E E N: -

LONDON BOROUGH OF HILLINGDON



KB-2026-001493

- and -

(1) SPRINGWELL LANE METAL RECYCLING LIMITED

(2) MARTIN JAMES NOLAN

(3) MARK STANLEY GREEN

(4) JEFFREY ALAN MCNAB

(5) LISA JANE MCNAB

**(6) PERSONS UNKNOWN I.E. ANY PERSON OTHER THAN THE NAMED
DEFENDANTS WHO IS EITHER ALREADY INVOLVED IN THE
UNAUTHORISED USE OF THE LAND (AS DEFINED IN THIS ORDER) AS A
SCRAP METAL YARD, OR WHO INTENDS TO BECOME INVOLVED OR TAKE
PART IN THAT USE, AND/OR WHO INTENDS TO TAKE ANY OF THE STEPS
PROHIBITED BY THIS ORDER (EITHER BY THEMSELVES OR BY ASKING OR
INSTRUCTING OR ALLOWING OR CONTRACTING ANOTHER PERSON)**

Defendants

INTERIM INJUNCTION ORDER

INTERPRETATION OF THIS ORDER:

“Land” means, and refers to, the land, or any part thereof, known as (a) Land North East of Springwell Lane, Rickmansworth known as Springwell Factory, Springwell Lane, Harefield WD3 8UX (Land Registry Title Number AGL35668) and/or (b) Land to the North of Springwell Factory (Land Registry Title Number NGL416505) as shown marked in red on the maps attached to this Order.

“Enforcement Notice” means the Enforcement Notice (Ref: NA/ENF/024645) issued by the Claimant dated 6 September 2024 (a copy of which is attached to this Order).

PENAL NOTICE

IF YOU THE ABOVE NAMED DEFENDANTS (SPRINGWELL LANE METAL RECYCLING LIMITED, MARTIN JAMES NOLAN AND MARK STANLEY GREEN), AND/OR PERSONS UNKNOWN, AND/OR ANY OF YOUR DIRECTORS OR OFFICERS DO NOT COMPLY WITH THIS ORDER YOU (OR ANY OF YOUR DIRECTORS OR OFFICERS) MAY BE HELD TO BE IN CONTEMPT OF COURT AND YOU (OR ANY OF YOUR DIRECTORS OR OFFICERS) MAY BE IMPRISONED OR FINED OR YOUR ASSETS MAY BE SEIZED.

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE DEFENDANTS (OR ANY OF THEIR DIRECTORS OF OFFICERS) TO BREACH THIS ORDER MAY ALSO BE HELD IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.

IMPORTANT NOTICE TO THE DEFENDANTS

This Order prohibits you from doing the acts set out in this Order.

You should read this Order carefully. You are advised to consult a solicitor as soon as possible. You have a right to apply to ask the Court to vary or discharge this Order.

A Defendant who is ordered not to do something must not do it themselves or in any other way. They (or any of their directors or officers) must not do it through others acting on their behalf or on their instructions or with their encouragement (including any third parties or independent contractors).

If you disobey this Order, you (or any of your directors or officers) may be found guilty of Contempt of Court and you (or any of your directors or officers) may be sent to prison or fined or your assets may be seized.

UPON the Claimant's claim of 27 April 2026 for an injunction pursuant to section 187B of the Town and Country Planning Act 1990 ("**the Claim**").

AND UPON the Claimant's application of 27 April 2026 for an interim injunction pursuant to section 187B of the Town and Country Planning Act 1990 ("**the Application**").

AND UPON the Application being heard, with notice to the named Defendants, on 8 May 2026 by Mr Malcolm Sheehan KC (Sitting as a Deputy Judge of the High Court).

AND UPON HEARING from counsel for the Claimant, Mr Mark O'Brien O'Reilly at the hearing of the Application on 8 May 2026.

AND UPON none of the named Defendants attending the hearing of the Application on 8 May 2026.

AND UPON THE DEPUTY JUDGE adjourning the application against the Fourth, Fifth and Sixth Defendants.

AND FURTHER TO the Order made by Mr Malcolm Sheehan KC (Sitting as a Deputy Judge of the High Court) at the hearing on 8 May 2026 ("**the Sheehan Order**").

AND FURTHER TO the hearing of the application against the Sixth Defendant being re-listed in accordance with the Sheehan Order on 9 June 2026 before Guy Vassall-Adams KC (Sitting as a Deputy Judge of the High Court).

AND UPON HEARING from counsel for the Claimant, Mr Mark O'Brien O'Reilly at the hearing of that Application on 9 June 2026.

AND UPON noting that the Claim has been listed, in accordance with the Sheehan Order, to be heard by the High Court on 23 and 24 June 2026.

AND UPON READING the Claim Form, the Application Notice, the Details of Claim and the three Witness Statements of Mr Daniel Lord (and the Exhibits to those Witness Statements) dated 20 April 2026, 5 May 2026, 8 May 2026 and 2 June 2026.

AND UPON the Court giving an *ex tempore* judgment granting the application

IT IS ORDERED THAT:

THE INJUNCTION

1. With immediate effect, and until further order, the First, Second, Third and Sixth Defendants (being Persons Unknown) either by themselves or by instructing, encouraging or permitting any other person (including any third parties or independent contractors)

MUST NOT:

- (a) Use (or enable, encourage or facilitate the use of) the Land, or any part thereof, in breach of the requirements of the Enforcement Notice.
- (b) Use (or enable, encourage or facilitate the use of) the Land as a scrap metal yard.
- (c) Carry out any development on the land as defined by section 55(1) of the Town and Country Planning Act 1990 (or enable, encourage or facilitate development).
- (d) Carry out (or enable, encourage or facilitate) any further works on the Land including (but not limited to) any building or engineering operations, the clearance or levelling of any land and/or the laying of any hardstanding or hardcore or materials.
- (e) Deposit (or enable, encourage or facilitate) on the Land any waste materials, hardcore or similar substances.
- (f) Bring onto, or keep or store on, the Land any vehicles, plant and/or machinery save where to do so is necessary to secure the cessation of the use of the Land and/or to clear the Land.

COSTS OF THE APPLICATION

2. The costs of the Application are reserved to be dealt with by the Judge who tries this Claim.

VARIATION OR DISCHARGE OF THIS ORDER

3. The Defendants or any of them may apply to the Court at any time to vary or discharge this Order, but if any of the Defendants wish to do so, they must first inform the Claimant's solicitors in writing at least 48 hours beforehand at the address provided below.
4. The Claimant may apply to the Court to extend or vary this Order, or for further directions, but if the Claimant wishes to do so, it must first give each of the Defendants at least 48 hours' notice in writing.

FURTHER DIRECTIONS

5. Pursuant to CPR 6.15 and 6.27, permission for alternative service of the Order in respect of the Sixth Defendant is granted.
6. Service of this Order on the Sixth Defendant may be affected by the Claimant affixing copies of the Order in transparent waterproof envelopes on the fence at the entrance to the Land.
7. The need for personal service of this Order is dispensed with in relation to all the Defendants.
8. The Claimant shall also publish a sealed copy of this Order on the Claimant's Planning Enforcement webpage.
9. Subject to further order, copies of any future documentation may be validly served on the Sixth Defendant in the way specified in paragraph six above.
10. Should the Claimant become aware of the identity of any of the persons currently encompassed within the Sixth Defendant, it shall apply, as soon as reasonably practicable thereafter, to join that individual to these proceedings as a named defendant.
11. Pursuant to CPR 40.7(1) this Order takes effect from the date it was made by the Court.

NAME AND ADDRESS OF CLAIMANT'S SOLICITORS

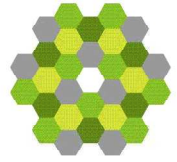
12. The Claimant's solicitors are: Legal Services, London Borough of Hillingdon, Civic Centre, Uxbridge UB8 1UW. Reference: Ms C McLeod.

BY THE COURT

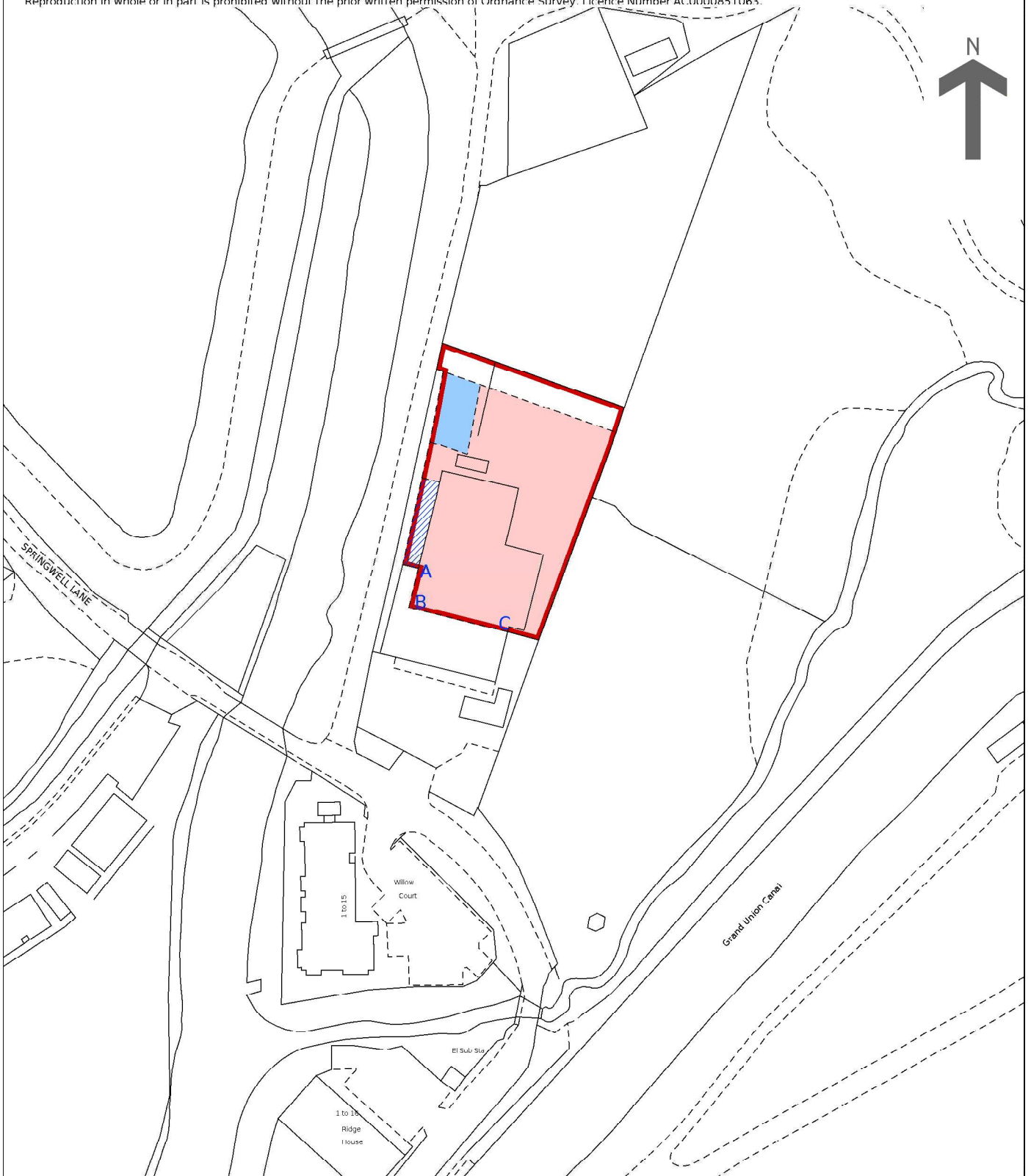
MADE ON 9 JUNE 2026.

HM Land Registry Official copy of title plan

Title number **AGL35668**
Ordnance Survey map reference **TQ0493SW**
Scale **1:1250 enlarged from 1:2500**
Administrative area **Hillingdon**

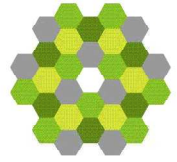


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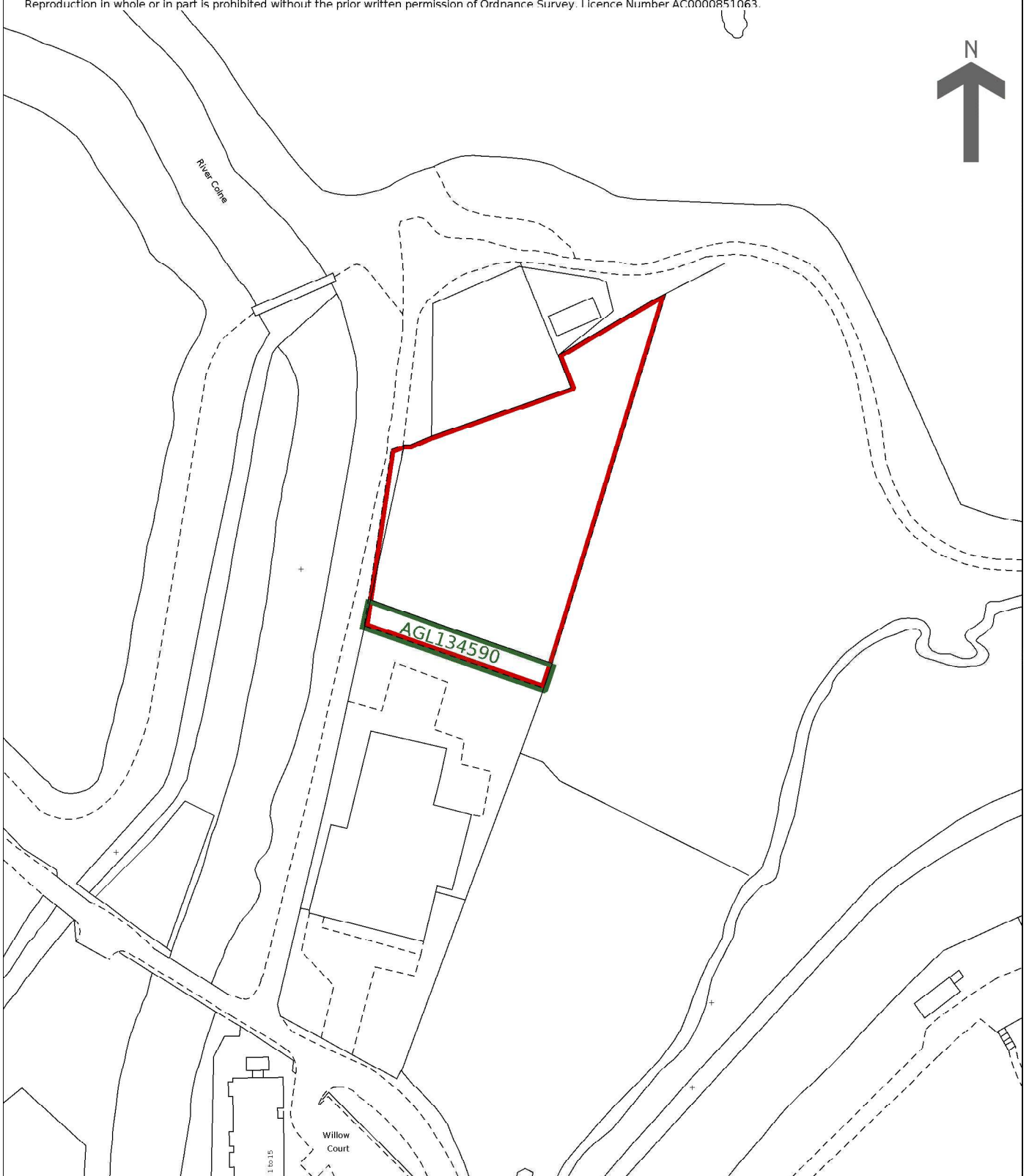


HM Land Registry Official copy of title plan

Title number **NGL416505**
Ordnance Survey map reference **TQ0493SW**
Scale **1:1250 enlarged from 1:2500**
Administrative area **Hillingdon**



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HILLINGDON

LONDON

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

ENFORCEMENT NOTICE **MATERIAL CHANGE OF USE**

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

RE: Land North East of Springwell Lane Rickmansworth known as Springwell Factory, Springwell Lane, Harefield WD3 8UX.
REF: NA/ENF/024645

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**

Land North East of Springwell Lane Rickmansworth known as Springwell Factory, Springwell Lane, Harefield WD3 8UX (“the Land”) as shown edged red on the attached plan.
3. **THE BREACH OF PLANNING CONTROL ALLEGED**

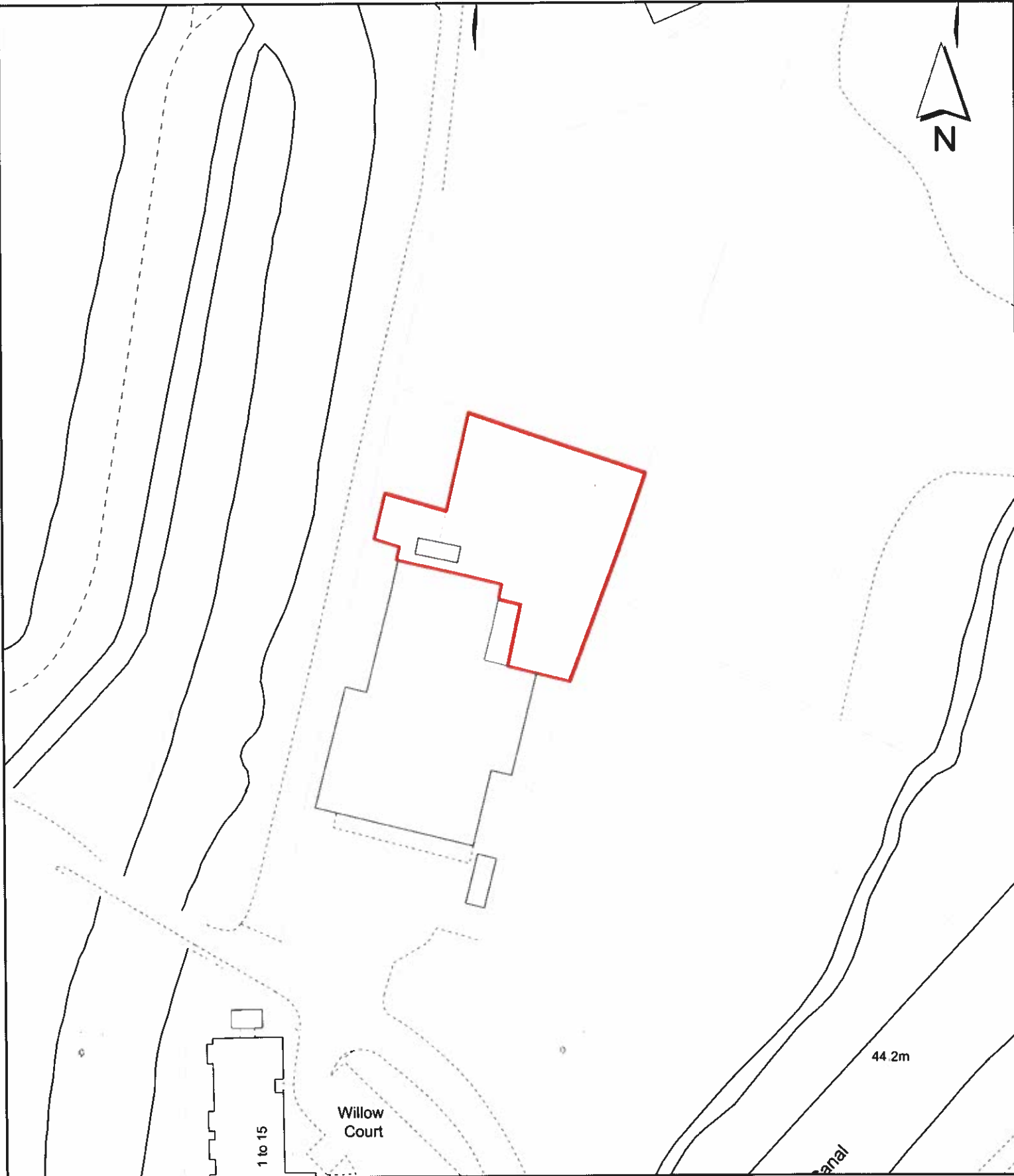
Without planning permission, the material change of use of the Land at Springwell Factory, Springwell Lane, Harefield for use as a Scrap Metal Yard (Sui Generis).
4. **REASONS FOR ISSUING THIS NOTICE**
 - a) Under the provisions of Section 55 (1) of the Town and Country Planning Act 1990 (as amended) the material change of use of the Land at Springwell Factory, Springwell Lane, Harefield for use as a Scrap Metal Yard (Sui Generis) constitutes development for which planning permission has not been granted.
 - b) The use of the Land as a Scrap Metal Yard represents inappropriate development within the Green Belt in terms of the guidance contained in the National Planning Policy Framework which is harmful by definition to its open character and appearance. Furthermore, there are no very special circumstances provided or which are evident which either singularly or cumulatively justify the development which would overcome the presumption against inappropriate development in the Green Belt. The development is therefore harmful to the Green Belt and the visual amenities of the street scene, contrary to the Section 13 of the National Planning Policy Framework (NPPF), Policy G2 of the London Plan, Policy EM2 of



the Hillingdon Local Plan: Part One - Strategic Policies and Policy DMEI 4 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

- c) The use of the Land as a Scrap Metal Yard results in harm to the surrounding area with specific reference to noise including the natural environment. In the absence of a noise assessment, the development fails to comply with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012), Policy D14 of the London Plan (2021) requires development to avoid significant adverse noise impacts on quality of life, and minimise and mitigate potential adverse noise effects and Paragraph 191 of the NPPF (2023).
- d) It has not been demonstrated that the use of the Land as Scrap Metal Yard does not cause unacceptable adverse impacts arising from dust and deteriorating air quality resulting in significant harm to the living conditions and well-being of neighbouring residents. The development thereby conflicts with Paragraph 191 of the NPPF (2023), Policy SI 1 of the London Plan (2021), Policies BE1 and EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) and Policies DMEI 14 and DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).
- e) Insufficient information has been provided regarding the risk and effects of drainage and flooding at the site. The development is therefore contrary to Policy DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policies SI 12 and SI 13 of the London Plan (2021) and the National Planning Policy Framework (2021).
- f) The development is not supported by any appropriate risk assessment, and it has not been demonstrated that the risk to controlled waters are acceptable or can be appropriately managed. It fails to meet the requirements set out in Paragraphs 180 and 189 of the National Planning Policy Framework (NPPF 2023). Furthermore, the planning application is contrary to Policy DMEI 11 (Protection of Ground Water Resource) and Policy DMEI12 (Development of Land Affected by Contamination) of the Hillingdon Local Plan Part 2: Development Management Policies (Adopted January 2020) and Policy SI5 of the London Plan (2021).
- g) An appropriate Ecology Report has not been provided in order to assess the impact on the surrounding biodiversity. The use has the potential to disturb local wildlife and insufficient information has therefore been provided to determine the impact of the development on ecology. The development is therefore considered to be contrary to Policy EM7 (Biodiversity and Geological conservation) of the Local Plan: Part 1 - Strategic Policies (2012), Policy DMEI6, DMEI7 and Policy DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and Policy G6 of the London Plan (2021).
- h) It appears to the Council that the above breach of planning control has occurred within the last ten years, the material change of use in question has been substantially completed less than ten years ago.
- i) The Council has refused planning permission because planning conditions could not overcome the objections to the development.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the use of the land as a Scrap Metal Yard.
- (ii) Demolish and remove all metal sheet fence panels and wooden posts erected in association with the Scrap Metal Yard.
- (iii) Remove from the Land all skips, scrap metal, gas cannisters, tyres, and waste materials associated with the Scrap Metal Yard.



Notes  Site Boundary Scale 1:800 © Crown copyright and database rights 2024 Ordnance Survey AC0000810857	Site Address Springwell Metal Recycling Limited Harefield WD3 8UX		Residents Services Planning Section  HILLINGDON <small>LONDON</small>
	Description ENF/556/23	Date September 2024	



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- (iv) Remove from the Land all vehicles and machinery associated with the Scrap Metal Yard.
- (v) Remove from the land all debris, items, building materials resulting from compliance with points (i) – (iv) above.

6. TIME FOR COMPLIANCE:

One (1) calendar month after this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

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

DATED: 6th September 2024

Signed:

A handwritten signature in black ink, appearing to be 'Glen Egan', written over a dotted line.

GLEN EGAN

Acting Head of Legal Services
THE COUNCIL'S AUTHORISED OFFICER

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

IMPORTANT - FEE NOTE

**Re: Land North East of Springwell Lane Rickmansworth known as Springwell Factory,
Springwell Lane, Harefield WD3 8UX.**

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 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 **18th October 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.

Agents should note that if ground (a) is not pleaded at the very beginning the Inspectorate will not delay the processing of the appeal. Agents should also note that an appeal under ground (a) is subject to s174 of the Town and Country Planning Act 1990.

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

It is important that if the appellant wants the planning merits of the development to be considered – known as the “deemed planning application” - they must plead ground (a) and pay the fee for that application to the local planning authority when making their appeal. If this is not done, the planning merits and any subsequent ground (a) appeal (Ground (a) - that planning permission should be granted (or that 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.

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.



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For further information on the fee payable please contact Planning Services on 01895 250230 or by emailing us at planning@hillington.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 **18th October 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 Land North East of Springwell Lane Rickmansworth known as The Springwell Factory, Springwell Lane, Harefield WD3 8UX
2. Jeffery Alan McNab, The Springs, Springwell Lane, Rickmansworth, Herts WD3 8UX
3. Lisa Janee McNab, The Springs, Springwell Lane, Rickmansworth, Herts WD3 8UX
4. PHOENIX MONEY LTD, (Co. Regn. No. 12392830), Quinn Barrow, 8th Floor, Horton House, Exchange Flags, Liverpool L2 3YL
5. Phoenix Money Ltd (Co. Regn. No. 12392830) of 42 Jamaica Street, Liverpool, L1 0AF
6. Beeson and Sons Limited (Co. Regn. No.247378), Stoke Park Club, Park Road, Stoke Poges, Bucks SL2 4PG
7. Directors - Beeson and Sons Limited (Co. Regn. No.247378), Oak House, 58-60 Oak End Way, Gerrards Cross, SL9 8BR
8. Springwell Lane Metal Recycling Limited, Springwell Factory, Springwell Lane, Harefield WD3 8UX

9. Springwell Lane Metal Recycling Limited, (Company No. 14847483), 4 Lower Road, Denham, Uxbridge, Middlesex, UB9 5EA
10. Mark Stanley Green – Director, Springwell Lane Metal Recycling Limited, (Company No. 14847483), 4 Lower Road, Denham, Uxbridge, Middlesex, UB9 5EA
11. Martin James Nolan, - Director, Springwell Lane Metal Recycling Limited, (Company No. 14847483), 4 Lower Road, Denham, Uxbridge, Middlesex, England, UB9 5EA

STATUTORY PROVISIONS

A copy of sections 171A, 171B and 172 to 177 of the 1990 Act are attached for your information
