

RE: 203 Upper Rainham Road, Hornchurch RM12 4EY

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT NOTICE

- TO:**
1. The Owner of the said land and property
 2. The Occupier of the said land and property
 3. Ogwubie Geoffrey Ikpoku of 203 Upper Rainham Road, Hornchurch RM12 4EY
 4. Livingstone Mortgages Limited C/O Wilmington Trust, Fifth Floor, 6 Broad Street Place, London EC2M 7JH
 5. Livingstone Mortgages Limited C/O Wilmington Trust C/O Wilmington Trust SP Services (London) Limited, Third Floor, 1 King's Arms Yard, London EC2R 7AF
 6. Hillesden Securities Limited of Willow Road, Brackley, Northamptonshire NN13 7EX
 7. Danesmead Investments Limited of 261 High Street, Chatham, Kent ME4 4BQ

ISSUED BY: London Borough of Havering

1. **THIS IS A FORMAL NOTICE** which is issued by the London Borough of Havering ("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. The Council considers 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 and property known as 203 Upper Rainham Road, Hornchurch RM12 4EY (registered at the Land Registry under title no. P146788) and shown outlined in bold black on the attached plan ("the Property").

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

Without planning permission, the unauthorised use of an outbuilding in the rear garden of the Property as independent, self-contained residential accommodation ("the Use").

4. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the above breach of planning control has occurred within the last four years.

The unauthorised Use of the outbuilding as independent living accommodation within the rear garden of the Property is considered to be uncharacteristic and detrimental to the rear garden environment. The Use represents overdevelopment of the site and creates substandard living conditions for occupiers of the outbuilding.

The Use is inappropriate and out of character with the neighbourhood and generates an unacceptable increase in noise, general disturbance and loss of privacy for both the occupants of the main dwelling house and neighbouring occupiers.

The Use is contrary to Policies DC4, DC33, DC61 and DC55 of the Local Development Framework.

The Council do not consider that planning permission should be given because planning conditions could not overcome these problems.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the unauthorised use of the outbuilding as independent, self-contained residential accommodation.

Time for compliance: 3 months from the effective date of this notice.

- (ii) Remove from the outbuilding all fixtures, fittings and alterations that have been installed, including the kitchen and bathroom that directly support its use as a separate unit of accommodation.

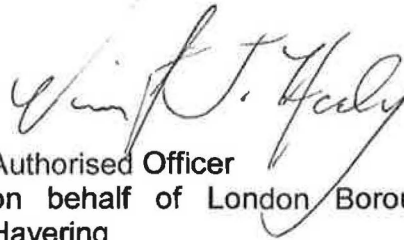
Time for compliance: 3 months from the effective date of this notice.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 31 March 2015, unless an appeal is made against it beforehand

Dated: 23 February 2015

Signed:

A handwritten signature in black ink, appearing to read 'W. J. G. G. G.', written in a cursive style.

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



203 UPPER RAINHAM ROAD



nlpjg



Ordnance Survey
Licenced Partner

Scale: 1:512

Date: 23 December 2014

0 2.5 5 7.5 metres



Havering
LONDON BOROUGH

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

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Ordnance Survey 100024327

YOUR RIGHT OF APPEAL

You can appeal against this Enforcement Notice to the Secretary of State
By 31 March 2015. Further details are given in the attached explanatory note.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Enforcement Notice, it will take effect
On 31 March 2015 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) is enclosed with this Notice.

YOUR RIGHT OF APPEAL

You can appeal against this Notice, but 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 Secretary of State before 31 March 2015.

If you intend to appeal against this Notice you should follow the instructions given on the information sheet from the Planning Inspectorate which accompanies this Notice.

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

If you intend to appeal against the notice on ground (a) - that planning permission should be granted for the unauthorised development - then a fee of £770.00 is payable to the Council. If the fee is not paid then that ground of appeal will not be valid.

STATEMENT ON GROUNDS OF APPEAL

You must submit to the Secretary of State, either when giving notice of appeal or within 14 days from the date on which the Secretary of State sends him a notice so requiring him, a statement in writing specifying the grounds on which you are appealing against the enforcement notice 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. The Owner of the said land and property.
2. The Occupier of the said land and property.
3. Ogwubie Geoffrey Ikpoku of 203 Upper Rainham Road, Hornchurch RM12 4EY
4. Livingstone Mortgages Limited C/O Wilmington Trust, Fifth Floor, 6 Broad Street Place, London EC2M 7JH
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