

RE: 121 Cherry Tree Lane, Rainham, RM13 8TT

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 property
 2. The Occupier of the said property (Rear Ground floor flat)
 3. Mohammed Sunder Khan 72 Cecil Road, London, E13 0LR
 4. Ramdai Khan 72 Cecil Road, London, E13 0LR
 5. National Westminster Bank PLC, 9 Church Street, Mansfield, Notts NG18 1AF

ISSUED BY: London Borough of Havering

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 building to the rear at 121 Cherry Tree Lane, Rainham, RM13 8TT shown edged black on the land hatched black on the attached plan.

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

Without planning permission, conversion of a rear store room into a self-contained dwelling.

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 'storeroom flat' is causing considerable disruption to the next door neighbours as the doorway and the clear glazed window of the flat is level with the rear doors of the neighbouring house and directly overlooks their garden. This relationship is unacceptable and causes unacceptable loss of amenity through overlooking, noise and increase activity contrary to policy ENV1 of the London Borough of Havering Unitary Development Plan (adopted March 1993).

5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the use as an unauthorised dwelling unit and return the Land to its former use as a 'store room'.

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

- (ii) All materials and equipment brought on to the land in connection with its conversion to the unauthorised use as a dwelling unit and all rubble and materials arising from its conversion back to its authorised use as a store shall be removed from the land.

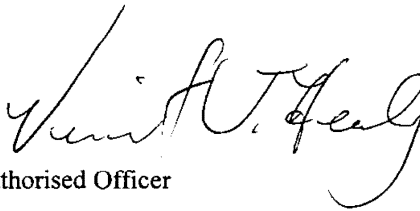
Time for compliance: 3 months from the effective date of this notice.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 18th March 2005, unless an appeal is made against it beforehand

Dated: 11th February 2005

Signed:



Authorised Officer

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

YOUR RIGHT OF APPEAL

You can appeal against this Enforcement Notice to the Secretary of State by the 18th March 2005. 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 18th March 2005 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 18th March 2005. The enclosed booklet "Enforcement Appeals - A guide to Procedure" sets out your rights. Read it carefully. If you appeal you should use the enclosed appeal forms. Two copies are for you to send to the Secretary of State if you decide to appeal. The other is for you to keep as a duplicate for your own records. You should also send the Secretary of State a copy of the Enforcement Notice.

GROUND OF APPEAL

The grounds of appeal are set out in Section 174 of the Town and Country Planning Act 1991 and are also set out on pages 2-5 of the enclosed appeal forms.

PLANNING APPLICATION FEE

Should you wish to appeal on ground (a) - that planning permission should be granted for the unauthorised use - then a fee of £220 is payable both to the Secretary of State and to the Council. If the fees are 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 property
2. The Occupier of the said property
3. Mohamed Sunder Khan 72 Cecil Road, London, E13 0LR
4. Ramdai Khan 72 Cecil Road, London, E13 0LR

5. National Westminster Bank PLC, 9 Church Street, Mansfield, Notts NG18 1AF

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