

RE: 356 Rush Green Road, Romford RM7 0LU

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. The Owner of the Outbuilding.
 4. The Occupier of the Outbuilding.
 5. Adegoke Adebambo Olubusi of 356 Rush Green Road, Romford RM7 0LU
 6. Paratus AMC Limited of 5 Arlington Square, Downshire Way, Bracknell, Berkshire RG12 1WA
 7. British Gas Services Limited of Millstream Maidenhead Road, Windsor, Berkshire SL4 5GD
 8. British Gas Services Limited C/O Judge and Priestly, Justin House, 6 West Street, Bromley, Kent BR1 1JN
 9. British Gas Services Limited C/O National Installation Centre, Support Centre, PO Box 177, Stockport, SK1 1FB

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 356 Rush Green Road, Romford RM7 0LU (registered under title no. EGL369834) and shown outlined in bold black on the attached plan ("the Land").

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the unauthorised use of an outbuilding as independent self-contained residential accommodation unit in the rear garden of the main dwelling in the area shown hatched black on the attached plan (“the Outbuilding”).

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:

- (a) gives rise to overdevelopment on the Land;
- (b) has a materially detrimental impact on the living conditions of occupiers of neighbouring properties by reason of increases in noise and general disturbance;
- (c) significantly reduces the private amenity space available for occupiers of the Outbuilding and main dwelling, resulting in an unsatisfactory living environment;
- (d) gives rise to a lack of parking provision and refuse storage facilities on the Land.

The unauthorised use of the Outbuilding is contrary to policies DC4, DC33, DC55 and DC61 of the Council’s Local Development Framework Core Strategy and Development Control Policies Development Plan.

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 using the Outbuilding for residential purposes.

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

- (ii) Remove all those fixtures and fittings that facilitate the unauthorised use of the Outbuilding, including the removal of all those internal partitions, walls, doors, kitchens and bathrooms; and all those external fence panels and posts that enable the Outbuilding to be used as residential accommodation.

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

- (iii) Remove from the Land all materials, machinery, apparatus and installations used in connection with or resulting from compliance with (i) and (ii) above.

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

6. **WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 15 September 2014, unless an appeal is made against it beforehand

Dated: 4 August 2014

Signed:

A handwritten signature in black ink, appearing to read 'Vincent T. Healy', written in a cursive style.

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 15 September 2014. 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 15 September 2014 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 15 September 2014.

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 £344.00 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:

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2. The Occupier of the said land and property.
3. The Owner of the Outbuilding.
4. The Occupier of the Outbuilding.
5. Adegoke Adebambo Olubusi of 356 Rush Green Road, Romford RM7 0LU
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