

RE: 66 Hawthorne Avenue Rainham Essex RM13 9AT  
**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
  2. The Occupier of the said land
  3. Martin Hubert Tevenan of 66 Hawthorne Avenue Rainham Essex RM13 9AT
  4. Martin Hubert Tevenan 46 Hayes Drive Rainham RM13 7EL
  5. IGroup Mortgages Limited of Malvern House Croxley Business Park Watford WD18 8YF

**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 land at 66 Hawthorne Avenue Rainham Essex RM13 9AT shown edged in black on the attached Plan A.

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

Without planning permission change of use of former domestic garage outbuilding to use as a separate self contained dwelling shown hatched black on the attached Plan B.

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 bedroom dwelling has been created by converting, extending and altering an outbuilding in the rear garden. Due to its form, size, limited site area and cramped appearance the development has adversely affected the visual amenity of the street scene and harms the rear garden environment, contrary to Policy ENV1 of the Havering Unitary Development Plan. The development also creates a poor environment for occupiers of the new dwelling contrary to Policy ENV1. In addition the development harms highway safety and amenity through the lack of on-site car parking provision, contrary to Policies ENV1 & TRn18.

**5. WHAT YOU ARE REQUIRED TO DO**

- (i) Cease the use of the former domestic garage outbuilding to use as an independent residential dwelling

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

- (ii) Remove from the land all machinery, apparatus, equipment and installations brought onto the land in connection with the unauthorised use

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

- (iii) Return the outbuilding to domestic garage use incidental to the enjoyment of the dwelling house

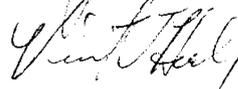
Time for compliance: three months from the effective date of this notice

**6. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 27<sup>th</sup> February 2006, unless an appeal is made against it beforehand

Dated: 20<sup>th</sup> January 2006

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 Notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before 27<sup>th</sup> February 2006. The enclosed booklet "Enforcement Appeals - A guide to Procedure" sets out your rights. Read it carefully. You may use the enclosed appeal forms. One is 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 the spare copy of this Enforcement Notice which is enclosed.

**WHAT HAPPENS IF YOU DO NOT APPEAL**

If you do not appeal against this Enforcement Notice, it will take effect on 27<sup>th</sup> February 2006 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 27<sup>th</sup> February 2006. 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 1990 and are also set out on page 2- 5 of the enclosed appeal forms.

### **PLANNING APPLICATION FEE**

Should wish to appeal on ground (a) - that planning permission should be granted for the unauthorised development - then a fee of £135 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 land
2. The Occupier of the said land
3. Martin Hubert Tevenan of 66 Hawthorne Avenue Rainham Essex RM13 7EL
4. Martin Hubert Tevenan 46 Hayes Drive Rainham RM13 7EL

5. IGroup Mortgages Limited of Malvern House Croxley Business Park  
Watford WD18 8YF.



PLAN 141

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Map Reference: TQ5282SE

Date: 13/10/2005

Scale: 1:1250



**66 HAWTHORN AVE RM13 7EL**



London Borough of Havering  
 Planning Department  
 Mercury House, Mercury Gardens  
 Romford, RM1 3SL  
 Tel: 01708 434343

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66 Hawthorn Ave RM13 9AT



Map Reference: TQ5282SE

Date: 18/01/2006

Scale: 1:250



London Borough of Havering  
 Planning Department  
 Mercury House, Mercury Gardens  
 Romford, RM1 3SL  
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**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 land at 66 Hawthorne Avenue Rainham Essex RM13 9AT shown edged in black on the attached Plan A.

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

Without planning permission, the conversion, extension and alteration of a domestic garage outbuilding in the rear garden to a separate self contained dwelling shown hatched black on the attached Plan B.

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 bedroom dwelling has been created by converting, extending and altering an outbuilding in the rear garden. Due to its form, size, limited site area and cramped appearance the development has adversely affected the visual amenity of the street scene and harms the rear garden environment, contrary to Policy ENV1 of the Havering Unitary Development Plan. The development also creates a poor environment for occupiers of the new dwelling contrary to Policy ENV1. In addition the development harms highway safety and amenity through the lack of on-site car parking provision, contrary to Policies ENV1 & TRN18.

5. **WHAT YOU ARE REQUIRED TO DO**

1. The Council is required to issue this notice under section 171A(1)(a) of the Town and Country Planning Act 1990.

- (i) Remove conversion of domestic garage outbuilding to an independent residential dwelling

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

- (ii) Remove extension of domestic garage outbuilding to an independent residential dwelling.

Time for Compliance: three months from the effective date of this notice.

- (iii) Remove alteration of domestic garage outbuilding to an independent residential dwelling

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

- (IV) Return the outbuilding to a domestic garage consistent with those dimensions which existed prior to the unauthorised works.

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

- (V) Remove from the land all building materials, installation, equipment and rubble arising from compliance with the requirements above

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

#### 6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 27<sup>th</sup> February 2006, unless an appeal is made against it beforehand

Dated: *20th January* 2006

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

27<sup>th</sup> February 2006. Further details are given in the attached explanatory note.

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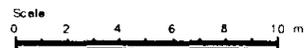
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