36 UPMINSTER ROAD SOUTH (ILIRIDA CAFÉ), RAINHAM, RM13 9AA

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT REFERENCE: ENF/193/26

ENFORCEMENT NOTICE

ISSUED BY: London Borough of Havering (herein after referred to as "the Council")

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 known as 36 Upminster Road South (Ilirida Café), Rainham, RM13 9AA, shown edged in black on the attached plan.

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

Without planning permission, the construction of an extension to the front of the building and a pergola.

4. **REASONS FOR ISSUING THIS NOTICE**

1. It appears to the Council that the above breach of planning control has occurred within the last ten years and that steps should be taken to remedy the breach by Section 173 4(a) or to remedy any injury to amenity which has been caused by the breach.

2. The pergola / front extension, by reason of its depth and degree of permanence, is an inappropriate addition to the premises, giving rise to a prominent feature in the street-scene, detrimental to the open character and appearance of this part of the street-scene, contrary to Policy 26 of the Havering Local Plan 2016 - 2031.

3. The development, by reason of its unattractive design and layout, in particular the depth of the seating area and relationship to other items of street furniture, obstructs the highway and safe and convenient pedestrian movement harmful to highway safety contrary to Policies 13,14 and 26 of the Havering Local Plan 2016

- 2031, Policies D11, SD6 and T2 of the London Plan as well as Policies DP3 and DM8 of the NPPF (August 2026).

4. The Council does not consider that planning permission should be granted because planning conditions attached to any consent would not overcome these problems and because permission has already been refused under application P0829.26.

5. WHAT YOU ARE REQUIRED TO DO

(i) Demolish to ground level the front extension and pergola;

AND

(ii) Remove all rubbish, debris or other materials accumulated as a result of taking step (i) above.

6. TIME FOR COMPLIANCE

TWO MONTHS after the date when this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **4th December 2026**, unless an appeal is made against it beforehand

Dated: **5th November 2026**

Signed: David Colwill

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

Nominated Officer to contact regarding this Notice: Rachel McCrae
Telephone Number: **01708 434293** Email: Rachel.mccrae@havering.gov.uk

THE RIGHT TO APPEAL

Those with a legal or equitable interest in the land or who is a relevant occupier can appeal against this Enforcement Notice to the Planning Inspectorate acting on behalf of the Secretary of State **before 4th December 2026**. Further details are given in the attached explanatory note.

WHAT HAPPENS IF AN APPEAL IS NOT RECEIVED

If an appeal is not received against this Enforcement Notice, it will take effect on **4th December 2026** 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) can be viewed online at https://www.legislation.gov.uk

THE RIGHT TO APPEAL

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 Planning Inspectorate before **4th December 2026**.

If an appeal against this Notice is intended, the instructions given on the information sheet from the Planning Inspectorate which accompanies this Notice should be followed.

GROUNDS 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

Should you wish to appeal on ground (a) - that planning permission should be granted for the unauthorised development or use, then a fee of **£1,220** is payable to the Council when the appeal is lodged. If this fee is not paid, the planning merits of the appeal will not be considered by the Planning Inspector.

STATEMENT ON GROUNDS OF APPEAL

The grounds of appeal must be submitted to the Planning Inspectorate, either when giving notice of the appeal or within 14 days from the date on which the Planning Inspectorate sends you a notice so requiring, a statement in writing specifying the grounds on which the appeal against the Enforcement Notice is being made 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 Company Secretary / Director, Ilirida Café Ltd, 36 Upminster Road South, Rainham, RM13 9AA

2. Mr Nik Preci (Director), Ilirida Café Ltd, 36 Upminster Road South, Rainham, RM13 9AA

3. Mr Nik Preci, 36B Upminster Road South, Rainham, RM13 9AA

4. Nik Preci, 5 Anwars Court 30a Upminster Road South, Rainham, England, RM13 9AA

5. The Manager / Business Operator, Ilirida Café Ltd, 36 Upminster Road South, Rainham, RM13 9AA

6. The Owner(s), 36 Upminster Road South, Rainham, RM13 9AA

7. The Occupier(s), 36 Upminster Road South, Rainham, RM13 9AA

8. The Company Secretary / Director, Easy Property UK Ltd, 274A Bethnal Green Road, London, E2 0AG

9. Mohammad ANWAR (Director), Easy Property UK Ltd, 274a, Bethnal Green Road, London, England, E2 0AG

10. Mohammed Ishaq (Director), Easy Property UK Ltd, 274a, Bethnal Green Road, London, England, E2 0AG

11. By email to Nik Preci



36 UPMINSTER ROAD SOUTH, RAINHAM **ENF/193/26**	**TQ5224482232**
	Scale: 1:500 **Date: 22 October 2026**

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 AC0000815231

Guidance

Enforcement appeal: information sheet for local planning authorities

Customer Support Team
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Direct Line: 0303 444 5000

Email: enquiries@planninginspectorate.gov.uk

1. THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can do it:-

- online at the Appeals Casework Portal; or
- sending us enforcement appeal forms, which can be obtained by contacting us on the details above.

You MUST make sure that we RECEIVE your appeal BEFORE the effective date on the enforcement notice.

Please read the appeal guidance documents at https://www.gov.uk/appeal-enforcement-notice/how-to-appeal.

In exceptional circumstances you may give written notice of appeal by letter or email. You should include the name and contact details of the appellant(s) and either attach a copy of the Enforcement notice that you wish to appeal or state the following:

- the name of the local planning authority;
- the site address; and
- the effective date of the enforcement notice.

We MUST receive this BEFORE the effective date on the enforcement notice. This should immediately be followed by your completed appeal forms.