

Mary B Jennings
6 Queens Gardens
Rainham Essex RMB13 8EB

The Secretary of State for Housing
Communities and Local Government
National Planning Casework Unit
5 St. Philips Place
Colmore Row
Birmingham
B3 2PW

9th January 2020

Dear Sir

Letter of Objection re Compulsory Purchase Order

The London Borough of Havering (Rainham and Beam Park Housing Zone Regeneration Area) Compulsory Purchase Order (CPO) 2019 Number 1

Re: The Strip of Land on the Northerly Boundary of 49 New Road Rainham RM13

On behalf of Mrs Mary B Jennings of 6 Queens Gardens Rainham RM13 8EB

My mother, Mrs Mary B Jennings (Mrs Jennings), has not actually been served with the CPO notice but has been advised that she is entitled to object. She is, therefore, objecting to the CPO, as a proprietary owner of land that forms part of the CPO. She has been professionally advised that she is entitled to claim legal ownership by virtue of that she has had exclusive occupation which has afforded her adverse possession of the land. The effect of the CPO, if confirmed, would be to deprive her of that land and Brick Garage (garage) that is built upon it.

With reference to the CPO, my mother, Mrs Jennings, was recently advised that the garage that she owns at the end of her garden, built in approximately 1999, is impacted by the above CPO. On behalf of Mrs Jennings, we object to the CPO, for the following reasons:

- We do not believe that the garage and part of the garden of number 6 Queens Gardens should be included in the CPO as the area will only be limited to garden beds and parking for the new residence, whilst the impact and financial loss to Mrs Jennings will be significant and traumatic.
- We also object to the land at the rear of Nos 8, 10 and 12 Queens' Gardens being included in the CPO because this is land over which Mrs Jennings has had a right of access to reach her garage for a period dating from purchase of the property in April 1998.
- Without that right of access, number 6 Queens Gardens would have no access to the garage as the original right of way is now most probably in the adverse possession of the owners of Nos 8, 10 and 12 and if land at the rear of those properties were compulsorily purchased, Mrs Jennings' garage would effectively be land-locked.
- With the new proposed train station there will be a dramatic increase in the demand for parking in the area with increased potential for this to spill over into surrounding streets such as Queens Gardens.
- Although the garage is not currently being used as a garage it is an important part of Mrs Jennings property as she is an 86-year-old pensioner with limited mobility. The garage is currently used to store mobility equipment such as wheelchairs and other disability aids as

Mrs Jennings' residence is very small. It is also used to store personal property of my sister, Ms Linda Gardner, who has had to move in with my mother as her carer.

- I, on behalf of Mrs Jennings, will also be applying to have the land registry amended on the grounds of adverse possession as my mother has continually occupied the land and garage, which was built in 1999, with exclusive possession since purchasing 6 Queens Gardens on 14 April 1998.
- Off road undercover parking is a premium in Rainham so in addition to the above, the CPO would significantly devalue Mrs Jennings' property.

Background

My mother and her late husband, Mr Frederick Jennings, purchased 6 Queens Gardens on 14 April 1998 and the area that the garage currently stands on was purchased as being within the boundary of the garden, with access via a shared rear laneway for properties 6,8,10 and 12 Queens Gardens. Number 6 (Mrs Jennings's property) is located at the end of the laneway.

The garage was built in July 1999, and sadly Mr Jennings passed away suddenly on 2 November 2000. Mrs Jennings has enjoyed continuous possession of the property and has been owned by the late Mr Jennings and Mrs Jennings since 14 April 1998 and the property was transferred solely to Mrs Jennings on Mr Jennings' passing.

Mr Jennings was an electrical engineer and specifically purchased 6 Queens Gardens due to the rear access and the ability to build a garage. Their previous residence also had a garage and this was one of the main criteria of their search for a new home. As Mr Jennings quite often worked from home this was an important feature in selecting the property. We believe that at the time there was already a garage in the same position at 4 Queens Gardens.

The garage is a solid brick construction with a concrete floor and light and power supplied by the main residence so is not an inconsequential building. The roof was replaced about 18 months ago at significant cost.

Until the letter dated 13 November 2019 was received by Mrs Jennings, she was completely unaware that her garage could be impacted by the CPO and planned development.

During the time that Mrs Jennings and her late husband have owned the 6 Queens Gardens they have enjoyed exclusive possession of the land and garage and there has never been any question or dispute of ownership or access.

We have since engaged the services of Mr Raymond Stevens, a Senior Chartered Surveyor to investigate the property boundary who has advised Mrs Jennings that she has a very strong case to claim ownership by virtue of her continuing exclusive possession over a ten year plus period. I will be happy to forward you a copy of the report that will confirm his findings which will also includes historical aerial pictures of the property.

As there is a deadline to respond to the notice of 10 January, we have raised this objection now, noting the surveyor's report will be forthcoming. This delay is due to the late notice provided to Mrs Jennings compounded by initial discussions with the advising authority Christmas shutdown period.

Initial finds likely to be as follows:

There may also have been a right of way created down the side of 2 Walden Avenue to flank the left-hand side of All Car Spares Limited (R/O 49, New Road) when the factory was built. At the Walden Road end this still applies. It appears as if the occupiers of 2 Walden Road and perhaps 2 Queens Gardens have built garages at the end of their gardens and may have used this right of

way. This right of way may have continued behind the land housing the current garage to 6 Queens Gardens and beyond the right of way behind 8, 10 and 12 Queens Gardens and "amalgamated" into a deeper/wider right of way serving the rear garages to those properties.

Looking at the chronology, Mr Stevens estimates the bungalows were erected in 1926 or 1933, so somewhere between approximately 1926 and 1933 (but not later than 1933), the owners of the four bungalows may have an adopted use/right of way over the flank passage from Walden Road. In the case of 6 Queens Gardens, the additional land became part of the rear garden. For 8, 10 and 12 Queens Gardens, those properties had easements for right of way over a wider stretch of road. Therefore, by the time Mr & Mrs Jennings purchased 6 Queens Gardens, the rear garden had already been lengthened.

The above represents my mother, Mrs Mary B Jennings' objection to the abovementioned CPO. We reserve the right to add or expand our objection based on any further information or evidence becoming available.

Yours Sincerely



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