

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY****TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED BY THE PLANNING AND  
COMPENSATION ACT 1991)****ENFORCEMENT NOTICE****ISSUED BY: THE LONDON BOROUGH OF CAMDEN**

1. **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to them that there has been a breach of planning control, under Section 171 A (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. The Explanatory Note at the end of the Notice and the enclosures to which it refers contain important additional information.

2. **THE LAND TO WHICH THE NOTICE RELATES**

**Land at: 178B ROYAL COLLEGE STREET, AND ARCHES 73, 74 AND 75 RANDOLPH STREET LONDON NW1 0SP** as shown outlined in red on the attached plan ("the Property").

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

**Without planning permission:** Change of use of café/restaurant (Class Use E) at 178B Royal Collage Street and storage facilities (Class Use B8) at arches 73,74 and 75 and amalgamation of 178B Royal College Street with Arches 74 and 75 and part of Arch 73 to create commercial kitchen and delivery centre with ancillary offices (Sui Generis). External alterations to shopfront of 178B Royal College Street and provision of plant and machinery to the rear of the Arches 73, 74 and 75 in association with the new use.

4. **REASONS FOR ISSUING THIS NOTICE:**

- a) The change of use has occurred within the last 4 years;
- b) The proposed use by virtue of its nature and intensity, in particular the volume and frequency of deliveries and collections, and the manner in which they are undertaken using disruptive and potentially dangerous vehicle manoeuvres, causes harm to the amenity of the area, pedestrian and highway safety contrary to policy A1 (Managing the impact of development) and T1 (Prioritising walking,

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cycling and public transport) of the Camden Local Plan 2017 and policy T4 (Assessing and mitigating transport impacts) of the London Plan 2021;

- c) The proposed use, by virtue of the nature and intensity of deliveries and collections generates vehicular noise which has not been fully mitigated, and due to the proximity of neighbouring residential causes harm to the amenity of the area, contrary to policy A1 (Managing the impact of development) of the Camden Local Plan 2017;
- d) The proposed development, in the absence of a legal agreement securing a local employment and training package, would lead to the exacerbation of local skill shortages and lack of training and employment opportunities for local residents, contrary to policies G1 (Delivery and location of growth), E1 (Economic development), E2 (Employment premises and sites) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017;
- e) The proposed development, in the absence of a legal agreement securing a satisfactory Operational Management Plan (including a community working group), would be likely to give rise to harmful impacts with local residents and conflicts with local road users and would be detrimental to the amenity of the area generally contrary to policies A1 (Managing the impact of development), T1 (Prioritising walking, cycling and public transport), T3 (Transport infrastructure), CC5 (waste) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017; and
- f) In the absence of a Bat survey, the development has potentially harmed the local bat population and biodiversity, contrary to policy A1 (Managing the impact of development) and A3 (Biodiversity) of the London Borough of Camden Local Plan 2017.

## 5. WHAT YOU ARE REQUIRED TO DO

Within a period of **SIX (6) months** of the Notice taking effect:

1. Permanently cease the use of the ground floor of 178B and Arches 74 and 75 and part of Arch 73 as commercial kitchens and delivery centres with ancillary offices;
2. Permanently remove the plant and machinery from the rear of Arch 74 and 75; and
3. Make good the exterior of the property following the completion of the above works.

## 6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **28 February 2023** unless an appeal is made against it beforehand.



**DATED: 16 January 2023    Signed:**

**Chief Planning Officer, Supporting Communities on behalf of the London  
Borough of Camden, Town Hall, Judd Street, London WC1H 8JE**

### **Explanatory Note Pursuant to Regulation 5 of the Town and Country (Enforcement Notices and Appeals) (England) Regulations 2002**

An appeal may be brought on any 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 or, 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 the 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.

If you appeal against the notice on Ground (a) "That planning permission should be granted for what is alleged in the enforcement notice, or that the condition which is alleged not to have been complied

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with should be discharged" there is a fee payable under Regulation 10 of the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012/No.2920 for the deemed application for the planning permission for the development alleged to be in breach of planning control in the enforcement notice.

The fee is payable twice to the "London Borough of Camden", as the Local Planning Authority.

If you wish to appeal under Ground (a), the fee payable to the "London Borough of Camden" should be submitted at the same time as the appeal form is submitted. The fee is payable:

By credit/debit card by phone: call 020 7974 4444 or by BACS transfer to:

London Borough of Camden NatWest Account.

Sort code: 50-30-03

Account number: 24299480

**You must use the Council's reference EN21/0681.**

The fee is £924.00

**The TOTAL FEE payable is £924.00 (i.e. £462.00 x 2)**

## **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, 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.

## **ANNEX**

### **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 Planning Inspectorate acting on behalf of the Secretary of State **before** the date specified in paragraph 6 of the notice.

The enclosed information sheet published by the Planning Inspectorate gives details of how to make an appeal

link to <http://www.planningportal.gov.uk/uploads/pins/eninfosheet.pdf>

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## WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on **28 February 2023**, and you must then ensure that the required steps for complying with it, for which you may 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.

The information contained within this notice is a summary of sections 171A, 171B and 172-177 of the Town and Country Planning Act, 1990.

For the full sections of the act please see: <http://www.legislation.gov.uk/ukpga/1990/8/part/VII>

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