

Enforcement Notice: EN23/0396
Officer: Katrina Lamont
Tel.no.: 020 7974 3255
Date: 05 September 2024



Development Management
Regeneration and Planning
London Borough of Camden
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PlanningAppeals@camden.gov.uk
Camden.gov.uk/planning

Dear Sir/Madam

Town and Country Planning Act 1990 (as amended)
NOTIFICATION OF APPEALS – PUBLIC INQUIRY
To open at 10am on 26th November 2024 for 2 days
At TOWN HALL
Judd Street
London Borough of Camden, WC1H 9JE

There are two appeals against an Enforcement Notice served on 29th April 2024 ref EN23/0396.

Site address: 254-256 Belsize Road and 258 Belsize Road, London, NW6 4BT

Alleged Breach: Without planning permission the material change of use from 2 x office blocks at 254-256 Belsize Road and 258 Belsize Road to serviced apartments for short term lets (Sui Generis); and External extensions and alterations at roof level above 254 - 256 Belsize Road.

- 1) Appellant:** Oakenfield Enterprises Ltd
Appeal reference: APP/X5210/C/24/3345281
- 2) Appellant:** Empire Communications Ltd
Appeal reference: APP/X5210/C/24/3345282

I am writing to confirm that the procedure has been changed. The appeal will now be determined on the basis of a **Public Inquiry**. The procedure to be followed is set out in the Town and Country Planning Appeals (Determination by Inspectors) (Inquiry Procedure) (England) Rules 2000, as amended.

Attending informally

I am writing to you as the occupier of a unit at the above address. You may wish to attend the Inquiry to observe or speak at the discretion of the inspector. Should several persons wish to speak, you may arrange for one person to represent the group.

Attending in a Rule 6 capacity

Please note that for any group or organisation who wish to take an active part in the Inquiry, the opportunity is available to apply for what is known as **Rule 6 status**. Although unusual, there is also scope for interested individuals to take part on the same basis. Rule 6 status

means that you would be able to present your evidence on a formal basis and cross examine the evidence of others.

You can find guidance at the following link: <https://www.gov.uk/government/publications/apply-for-rule-6-status-on-a-planning-appeal-or-called-in-application>

Arrangements for the Inquiry are currently being finalised by the Planning Inspectorate. These will include a pre-Inquiry conference call (currently scheduled for 10am 7th October 2024) with the lead parties to deal with procedural and administrative matters, including how the evidence will be heard. As a Rule 6 party, it is anticipated that you would also be a part of that process. If, having read the above guidance, you wish to apply for Rule 6 status and/or have any related questions, you should contact the Planning Inspectorate immediately. If you are interested but are unable to access the guidance electronically, again, you should contact the Planning Inspectorate who will try and assist. Email **Craig Maxwell** at **teamE2@planninginspectorate.gov.uk** Telephone: **0303 444 5244** Please quote appeal case number **3345282** in all communications.

Attending the Inquiry

If you wish to attend the Inquiry, it would be helpful if you could email the Council at PlanningAppeals@camden.gov.uk

Reason for issuing the Enforcement Notice

The enforcement notice was issued for the following reasons:

1. The unauthorised use has occurred within the last 10 years.
2. The unauthorised loss of office accommodation, in the absence of sufficient justification demonstrating that the premises is no longer suitable for continued business use, fails to support economic activity in Camden and results in the loss of employment opportunities within the Borough contrary to policies E1 (Economic Development) and E2 (Employment premises and sites) of the Camden Local Plan (2017).
3. The unauthorised use of the Property as tourist accommodation, which is a non-priority use, harms the balance and mix of uses in the area, local character, residential amenity, services for the local community, the environment and transport systems contrary to policies E3 (Tourism) of the Camden Local Plan (2017).
4. In absence of a S106 legal agreement to secure the development as car free and a service management plan, the development contributes unacceptably to parking stress and congestion in the surrounding area, and has the potential to interfere with the free flow of traffic contrary to policies T1 (Prioritising walking, cycling and public transport), T2 (Parking and Car Parking), A1 (Managing the impact of development) and DM1 (Delivery and monitoring) of the Camden Local Plan (2017).

The enforcement notice requires the following steps to be taken:

Within a period of 3 months of the notice taking effect:

- a. Permanently cease the use of the Property for short-term let serviced apartments; and
- b. Return the use of the Property to office accommodation

The appeals are made on the following grounds as set out at Section 174(2) of the 1990 Act:

Ground (b) That the breach of control alleged in the enforcement notice has not occurred as a matter of fact

Ground (f) The steps required to comply with the requirements of the notice are excessive, and lesser steps would overcome the objections.

Ground (g) The time given to comply with the notice is too short.

You can view the enforcement documents and the appeal submission online at <https://planningrecords.camden.gov.uk/NECSWS/complaintsenforcements/enfsearch.aspx> using the reference number **EN23/0396**.

Direct link:

<http://camdocs.camden.gov.uk/HPRMWebDrawer/PlanRec?q=recContainer:EN23/0396>

THE DEADLINE FOR SUBMISSION OF COMMENTS BY EMAIL OR POST HAS NOW EXPIRED. We previously advised that all representations must be received by the Planning Inspectorate by 18 July 2024.

Guidance be found at: **<https://www.gov.uk/government/publications/enforcement-appeals-procedural-guide>**

Development Management
Supporting Communities Directorate