

**THE LONDON BOROUGH OF CAMDEN****TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)****ENFORCEMENT NOTICE**

**OF 64 Fellows Road  
NW3 3LJ**

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 AFFECTED**

**Land at: 64 Fellows Road, NW3 3LJ**

as shown, for the purposes of identification only, outlined in black on the attached plan.

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

**Without Planning Permission:** The unauthorized change of use of the property from a HMO to 31 self contained flats.

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

- a) It appears to the Council that the above breach of planning control has occurred within the last **4 years**
- b) The proposed change of use of an existing property in Multiple Occupation (HMO) to provide a self-contained flat would result in the loss of a low-cost form of housing for which there is demonstrable need in the Borough contrary to policy DP9 (Student housing, bedsits and other housing with shared facilities) of the London Borough of Camden Development Policies Development Plan Document.

- c) The self-contained residential units, by reason of substandard size, provide an unacceptable level of residential amenity for occupiers, contrary to policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies 2010.
- d). The use of the property as 31 Studio / one bedroom units, by reason of inadequate mix, does not contribute to the boroughs overall housing need, contrary to policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policy DP5 (Homes of different sizes) of the London Borough of Camden Local Development Framework Development Policies 2010.
- e) The development contributes unacceptably to parking stress and congestion in the surrounding area, contrary to policies CS11 (Promoting sustainable and efficient travel) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and policies DP18 (Parking standards and the availability of car parking) and DP19 (Managing the impact of parking) of the London Borough of Camden Local Development Framework Development Policies 2010.

**The Council do not consider that planning permission should be given because planning conditions could not overcome these problems.**

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

Within a period of six months of the Notice taking effect:

- 1) The use of the above property as self contained flats shall cease and the accommodation shall be rearranged as non self contained accommodation.
- 2) Remove any associated fixtures and fittings associated with the self contained units.

**Compliance due date: 22 May 2013**

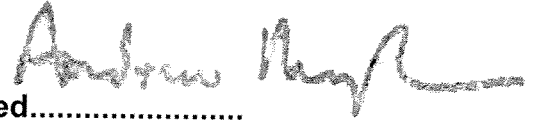
Council reference: EN12/0706

6. **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on **22 November 2012** unless an appeal is made against it beforehand.

**DATED: 11 October 2012**

Signed.....

A handwritten signature in black ink, appearing to read 'Andrew Hargrave', written over the 'Signed.....' line.

Head of Legal Services, on behalf of the London Borough of  
Camden, Town Hall, Judd Street, London WC1H 9LP.

**THIS ENFORCEMENT NOTICE HAS BEEN SERVED ON:**

1. The Owner  
64 Fellows Road  
London  
NW3 3LJ
2. The Company Secretary  
Welby Limited  
37 Belsize Avenue  
London  
NW3 4BN  
[Freeholder 64 Fellows Road  
London NW3 3LJ]
3. Paragon Mortgages limited  
St Catherine's Court  
Herbert Road  
Solihull  
W Midlands  
B91 3QE  
Charge dated 7 August 2011 2006  
to Welby Limited  
concerning 64 Fellows Road  
London NW3 3LJ
4. The Occupier  
64 Fellows Road  
London  
NW3 3LJ
5. Mr Goodman  
2 Colston Crescent  
Geoffs Oak  
Hertfordshire  
EN7 5RS
6. Mr Goodman  
64 Fellows Road  
London  
NW3 3LJ

**If you believe that there is someone else who should be served or any of those listed above has not received a copy of the notice or any other document please let that person and the Council know of this omission as soon as possible.**

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

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 with should be discharged" there is a fee payable under Regulation 10 of the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989 for the deemed application for the planning

**Council reference: EN12/0706**

permission for the development alleged to be in breach of planning control in the enforcement notice.

The fee is payable both to the "Department for Communities and Local Government" for the Planning Inspectorate appeal, and also to the "London Borough of Camden", as the Local Planning Authority.

If you wish to appeal under Ground (a), the fee payable to the "Department for Communities and Local Government" should accompany the copy of the appeal form sent to the:

**Planning Inspectorate, PO Box 326, Bristol BS99 7XF. The fee is £335.00**

The fee payable to the "London Borough of Camden" should accompany the copy of the appeal form sent to the Council at the following address:

**Culture and Environment Department, Planning Services, London Borough of Camden, Argyle Street, London WC1H 8EQ. The fee is £335.00**

## **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 Secretary of State before **22 November 2012**.

- (a) Send a copy of your appeal to the Secretary of State if you decide to appeal, together with a copy of this enforcement notice.
- (b) Send a second copy of the appeal form and notice to the Council at:

**Planning Services  
Culture and Environment Department  
London Borough of Camden  
Town hall  
Argyle Street  
London WC1H 8EQ**

### **WHAT HAPPENS IF YOU DO NOT APPEAL**

If you do not appeal against this enforcement notice, it will take effect on **22 November 2012**, 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.









## Punjabi

ਜ਼ਰੂਰੀ: ਇਹ ਫਾਰਮ ਸਾਡੇ ਕੋਲ ਭੇਜਣ ਲਈ ਖਾਸ ਮਿਆਦ ਹੈ। ਇਸ ਮਿਆਦ ਦਾ ਸਮਾਂ ਪੂਰਾ ਹੋ ਜਾਣ ਤੋਂ ਪਹਿਲਾਂ ਇਹ ਫਾਰਮ ਸਾਡੇ ਕੋਲ ਲਾਜ਼ਮੀ ਤੌਰ ਤੇ ਪਹੁੰਚ ਜਾਣਾ ਚਾਹੀਦਾ ਹੈ। ਜੇ ਤੁਹਾਨੂੰ ਇਹ ਫਾਰਮ ਭਰਨ ਲਈ ਮਦਦ ਦੀ ਲੋੜ ਹੈ, ਤਾਂ ਅਸੀਂ ਤੁਹਾਨੂੰ ਸੁਝਾਉਂਦੇ ਹਾਂ ਕਿ ਤੁਸੀਂ ਇਹਦੇ ਬਾਰੇ ਕਿਸੇ ਤੋਂ ਸਲਾਹ ਲਓ।

## Gujarati

ਮહત્વનું : અમને આ ફોર્મ મોકલવા માટે સમય મર્યાદા છે. આ સમય મર્યાદા પૂરી થાય તે પહેલાં અમને તે મળી જવું જ જોઈએ. જો તમને આ ફોર્મ ભરવા માટે મદદની જરૂર હોય તો અમે તમને સલાહ મેળવવાનું સૂચન કરીએ છીએ.

## Hindi

आवश्यक : इस फॉर्म को हमारे पास भिजवाने की एक समय-सीमा है। उस समय-सीमा के बीतने से पहले हमें यह फॉर्म अवश्य मिल जाना चाहिए। यदि आपको इस फॉर्म को भरने में सहायता चाहिए, तो हमारा सुझाव है कि आप किसी की सलाह लें।

## Urdu

اہم: اس فارم کو ہمیں بھیجنے کے لئے وقت کی ایک معیاد ہے۔ اس معیاد کے گزرنے سے پہلے ہمیں یہ لازمی طور پر مل جانا چاہیے۔ اگر اس فارم کو بھرنے میں آپ کو مدد کی ضرورت ہے تو ہماری رائے ہے کہ آپ مشورہ حاصل کریں۔

## Bengali

জরুরী: এই ফর্ম আমাদের কাছে পাঠানোর একটা সময়সীমা আছে। এই সময়সীমা শেষ হবার আগেই এটা অবশ্যই আমাদের কাছে পৌঁছাতে হবে। এই ফর্ম পূরণ করায় যদি আপনার সাহায্যের দরকার হয় তাহলে আমাদের প্রস্তাব, কারো পরামর্শ নিন।

## Chinese

重要通知: 把這份表格寄回給我們是有時間限制的。我們必須在時限過期之前收到這份表格。假若你需要別人幫助你填寫這份表格, 我們建議你尋求指導。

## English

IMPORTANT: There is a time limit for sending this form to us. We must receive it before the time expires. If you need help filling in this form, we suggest you get advice.

