

Date: 22 June 2009  
Our Reference: CLS/C&E/CJ01/1685.144  
Enquiries to: Carole Jaffe-Moses

Legal Services  
London Borough of Camden  
Town Hall  
Judd Street  
London WC1H 9LP

**FIRST CLASS RECORDED POST**

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**IMPORTANT- THIS COMMUNICATION AFFECTS YOUR LAND**

Dear Sirs

**Re: TOWN AND COUNTRY PLANNING ACT 1990  
SECTION 171A (AS AMENDED BY THE PLANNING AND  
COMPENSATION ACT 1991)  
ENFORCEMENT NOTICE  
LAND AND PREMISES AT: 12 Englands Lane, London, NW3 4TG**

The Council has issued an Enforcement Notice relating to the above land and I now serve on you a copy of that Notice, in view of your (or your client's) interest in the land. (Copies of the Notice are also being served on others who, it is understood, have an interest in the land).

Unless an appeal is made to the Secretary of State, as described below, the Notice will take effect on 3 August 2009 and you (or your client) must ensure that the required steps are taken within the period specified in the Notice.

If you (or your client) wish to appeal against the Notice, you should first read carefully the enclosed booklet entitled "Enforcement Notice Appeals – A Guide to Procedure". Then you, or your agent, should complete the enclosed appeal form and send it, together with the extra copy of the enforcement notice enclosed herewith, to the address shown on the appeal form. Your appeal (or your client's) must be received by the Planning Inspectorate before the date shown in paragraph 2 above as that is the date when the notice will otherwise take effect i.e. 3 August 2009.

Finally, please forward a copy of any appeal form direct to the Culture & Environment Department, Planning Division, London Borough of Camden, Town Hall, Argyle Street, London WC1H 8EQ

Yours faithfully

**Carole Jaffe-Moses  
Outdoor Clerk  
For the Head of Legal Services**

EN07/0762

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY.  
TOWN AND COUNTRY PLANNING ACT 1990 (as amended by the Planning and  
Compensation Act 1991).**

**ENFORCEMENT NOTICE**

**RE: 12 Englands Lane, London, NW3 4TG**

**OPERATIONAL DEVELOPMENT**

**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.

**2. THE LAND AFFECTED.**

Land and premises at

12 Englands Lane, London, NW3 4TG

**("the Premises").**

The Premises are 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 erection of an air ventilation unit at rear first floor level

**4. REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last 4 years.

The air ventilation unit, by reason of it's excessively large and unsightly appearance, is considered to be a dominant and obtrusive structure within the confined space between England's Lane and Elizabeth Mews. This is contrary to Policies B1( general design principles) , B3 (alterations and extensions) and B7 ( Conservation Areas- character and Appearance) of the London Borough of Camden Replacement Unitary Development Plan 2006

The air ventilation unit causes a noise nuisance to the immediately adjacent residential properties, and this cannot be adequately mitigated by an acoustic barrier that will protect the amenities of the properties in both England's Lane and Elizabeth Mews. This is contrary to policies SD6 (Amenity for occupiers and Neighbours), SD7 (Light, noise and vibration pollution) and SD8 (Disturbance) and Appendix 1 of the Camden Replacement Unitary Development Plan 2006.

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

**WHAT YOU ARE REQUIRED TO DO.**

1. Completely and permanently remove the air ventilation unit at rear first floor level.

You are to comply with the above requirement within **3 months** of this notice taking effect.

**WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on **3 day August of 2009** unless an appeal is made against it beforehand.

DATED: 22 June 2009

(Signed).....

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

## **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 **3 day of August 2009**. The enclosed booklet "**Enforcement Appeals - A Guide to Procedure**", sets out your rights. Read it carefully. You may use the enclosed appeal forms.

(a) One is for you to send to the Secretary of State if you decide to appeal, together with a copy of this enforcement notice.

(b) Send the second copy of the appeal form and notice to the Council at:

Development Control,  
Culture and Environment Department (Planning),  
London Borough of Camden,  
Fifth Floor,  
Town Hall,  
Argyle Street,  
London WC1H 8EQ

(c) The other is for you to keep as a duplicate for your own records.

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

If you do not appeal against this enforcement notice, it will take effect on **3 day of August 2009**, 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.

**NOTE PURSUANT TO REGULATION 5 OF THE TOWN AND COUNTRY  
(ENFORCEMENT NOTICES AND APPEALS) (ENGLAND) REGULATIONS 2002.**

Your attention is drawn to the information contained in the enclosed Planning Inspectorate booklet "Making Your Enforcement Appeal".

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

The fee is payable both to the "Office of the Deputy Prime Minister" [ODPM] 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 "Office of the Deputy Prime Minister" should accompany the copy of the appeal form sent to the **Planning Inspectorate, P O Box 326, Bristol, BS99 7XF**. The fee is **£335**.

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 (Development Control), London Borough of Camden, Fifth Floor Town Hall, Argyle Street, London WC1H 8EQ**. The fee is also **£335**.

# 12 Englands Lane, NW3 4TG



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**ENFORCEMENT NOTICE**

**12 Englands Lane, London, NW3 4TG**

The Owner,  
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London,  
NW3 4TG

Mandarina Investments Lintied  
1st Floor ,  
Wellington House  
17 Union Street  
St Helier  
Jersey  
JE2 3RF

The Occupier  
Groud Floor Premises  
12 Englands Lane,  
London,  
NW3 4TG

Nicolas UK limited  
24 Bevis Marks  
London  
EC3A 7NZ

The Occupier/ Visionary AV Solutions Limited  
Basement  
12 Englands Lane,  
London,  
NW3 4TG

The Occupier/ Stephanie Joanna Desira  
First Floor Flat  
12 Englands Lane,  
London,  
NW3 4TG

Stephanie Joanna Desira  
11 Maxim Road  
London  
N21 1EY

Nationwide building Society  
Nationwide House  
Pipers way  
Swindon L  
SN38 1NW

The Occupier/ Jennifer Elizabeth Desira  
Second Floor flat  
12 Englands Lane,  
London,  
NW3 4TG

Jennifer Elizabeth Desira  
11 Maxim Road  
London N21 1EY

Nationwide Building Society  
Nationwide House  
Pipers way  
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The Occupier/  
Third Floor Flat  
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