

**EN04/0528**

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY.**

**TOWN AND COUNTRY PLANNING ACT 1990 (as amended by the Planning and Compensation Act 1991).**

**ENFORCEMENT NOTICE**

**RE: FLAT 4, 4 FERNCROFT AVENUE, LONDON NW3 7PH**

**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**

**FLAT 4, 4 FERNCROFT AVENUE, LONDON NW3 7PH**

("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 unauthorised installation of a satellite dish to the chimneystack of the Premises.

#### 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 satellite dish, due to its inappropriate location, is causing visual harm to the character and appearance of the building, to the street, and does not preserve, or enhance the special character and appearance of the Redington/Frognaal Conservation Area. This development is also contrary to policies B1 [General Design Principles], B5 [Telecommunications], and B7 [Conservation Areas] of the London Borough of Camden Replacement Unitary Development Plan 2006, and Section 3.7 of the Council's Supplementary Planning Guidance notes [Telecommunications].

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.

1. The satellite dish, together with all associated fixtures and fittings) shall be permanently and completely removed from the chimney stack..
2. Any resultant damage shall be made good to an appropriate and proper standard and the chimney stack restored to its former condition.

You are to comply with the above requirement within **1 month** of this notice taking effect.

#### 6. WHEN THIS NOTICE TAKES EFFECT.

This notice takes effect on **21 day of September 2006** unless an appeal is made against it beforehand.

Dated 7 day of August 2006



(Signed).....

Director of Law and Administration, on behalf of the London Borough of Camden,  
Town Hall, Judd Street, London WC1H 9LP.

**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 **£135**.

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 Division), London Borough of Camden, Fifth Floor Town Hall, Argyle Street, London WC1H 8EQ**. The fee is also **£135**.

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 ਸੁਝਾਓ ਦਿੰਦੇ ਹਾਂ ਕਿ ਤੁਸੀਂ ਇਹਦੇ ਬਾਰੇ ਕਿਸੇ ਤੋਂ ਸਲਾਹ ਲਓ।

Gujarati

મહત્વનું : 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 چاہیئے۔ 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.



© Crown copyright All rights reserved  
Licence number: 100019726. Year: 2006.

Scale 1/1250 Date 13/7/2006

Centre = 525332 E 186070 N

FLAT, 4, 4 FERNCROFT AVENUE  
LONDON NW3 7PH.

Date: 7 August 2006

The Owner,  
4 Ferncroft Avenue  
London NW3 7PH

**IMPORTANT -THIS COMMUNICATION AFFECTS YOUR PRO  
FIRST CLASS RECORDED POST.**

My ref: CLS/CLT/RK431/646

Dear Sir or Madam,

**TOWN AND COUNTRY PLANNING A  
(AS AMENDED) SECTION 173A:  
ENFORCEMENT NOTICE  
LAND AND PREMISES AT:  
4 FERNCROFT AVENUE, LONDON NW3 7  
[WITHDRAWAL OF ENFORCEMENT NOT**

1. The Council issued a **Enforcement Notice** relating to the land in question on **August 2006** which was served on you (or your client) in relation to your client's interest in the land, to take effect on **21 September 2006**, unless an appeal was made beforehand.

2. Under the powers conferred on it by **Section 173A(1) (a)** of the above Act, the Council has decided to withdraw the **Enforcement Notice** and hereby notifies you (on behalf of your client) of the withdrawal.

( The notice had required that:

1. The satellite dish, together with all associated fixtures and fittings, shall be completely and permanently removed from the chimney stack.
2. Any resultant damage be made good to an appropriate and proper standard, and the chimneystack restored to its former condition.

**You are to comply with the above requirements within 1 month of this notice taking effect."**

3. You are advised that the withdrawal of this **Enforcement Notice** does not affect the power of the Council to issue a further **Enforcement Notice**.

Yours faithfully,

Roger Kemp

For and on behalf of the Director of Law and Administration.

Royal Mail<sup>®</sup>  
recorded 1st or 2nd class

Signed for

Standard postal service with signature and barcode scanning on delivery. Ideal for items you might need to prove were received. like job applications or legal documents

Use **Special Delivery** for guaranteed next morning delivery with the security of barcode tracking throughout and compensation for loss or damage

write details of where your item is going

Name owner

Building name or number, and street  
4 ferncroft Avenue

Postcode complete in full  
NW3

Reference DH 1178 4415 9GB

Stick barcode label to top left of package

**EN04/0528**

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY.**

**TOWN AND COUNTRY PLANNING ACT 1990 (as amended by the Planning and Compensation Act 1991).**

**ENFORCEMENT NOTICE**

**RE: FLAT 4, 4 FERNCROFT AVENUE, LONDON NW3 7PH**

**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**

**FLAT 4, 4 FERNCROFT AVENUE, LONDON NW3 7PH**

("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 unauthorised installation of a satellite dish to the chimneystack of the Premises.

#### **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 satellite dish, due to its inappropriate location, is causing visual harm to the character and appearance of the buildings, to the street, and does not preserve, or enhance the special character and appearance of the Redington/Frognaal Conservation Area. This development is also contrary to policies B1 [General Design Principles], B5 [Telecommunications], and B7 [Conservation Areas] of the London Borough of Camden Replacement Unitary Development Plan 2006, and Section 3.7 of the Council's Supplementary Planning Guidance notes [Telecommunications].

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.**

The satellite dish. Together with all associated fixtures and fittings) shall be permanently and completely removed from the chimney stack..

You are to comply with the above requirement within **1 month** of this notice taking effect.

#### **6. WHEN THIS NOTICE TAKES EFFECT.**

This notice takes effect on **10** day of **September 2006** unless an appeal is made against it beforehand.

(Signed).....

Director of Law and Administration, 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 **10** day of **September 2006**.. 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 **10** day of **September 2006**, 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 **£265**.

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 Division), London Borough of Camden, Fifth Floor Town Hall, Argyle Street, London WC1H 8EQ**. The fee is also **£135**.



© Crown copyright All rights reserved  
Licence number: 100019726. Year: 2006.

Scale 1/1250 Date 13/7/2006

Centre = 525332 E 186070 N

FLAT, 4 , 4 FERNCROFT AVENUE  
LONDON NW3 7PH.