

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

OF 130 Charing Cross Road
London
WC2H 0LA

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: 130 Charing Cross Road, London WC2H 0LA

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: Unauthorised change of use from retail (Class A1) to hot food takeaway (Class A5) at ground floor level and installation of extract duct within rear light well.

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

- a) It appears to the Council that the above breach of planning control has occurred in regards to the duct within the last four years and the change of use within the last ten years.
- b) The unauthorised change of use by virtue of the loss of a retail unit (Class A1) in this location is detrimental to the retail character and function of this part of the Central London Frontage. It is therefore contrary to Core Strategy policy CS7 (Promoting Camden's centres

and shops) and development plan policy DP12 (Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses) of the Local Development Framework 2010.

- c) The unauthorised installation of an extract duct and unauthorised change of use is likely to cause harm to the living conditions of the occupiers of neighbouring properties by way of noise nuisance and impact on residential amenity which is contrary to Core Strategy policy CS5 (Managing the impact of growth and development) and development plan policy DP26 (Managing the impact of development on occupiers and neighbours) and DP28 (Noise and Vibration) of the Local Development Framework 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 4 calendar months of the Notice taking effect:


- 1) Cease the use of ground floor level as a hot food takeaway (Class A5)
- 2) All cooking equipment used for primary cooking shall be permanently removed
- 3) Remove the unauthorised extract duct to the rear elevation of the property
- 4) Make good any damage as a result of points 1 -3 above.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **6 August 2013** unless an appeal is made against it beforehand.

DATED: 25 June 2013

Signed.....



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

Council reference: EN12/0997

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, 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 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 £385.00.

The TOTAL FEE payable is £770.00 (i.e. £385.00 x 2)

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 **6 August 2013**.

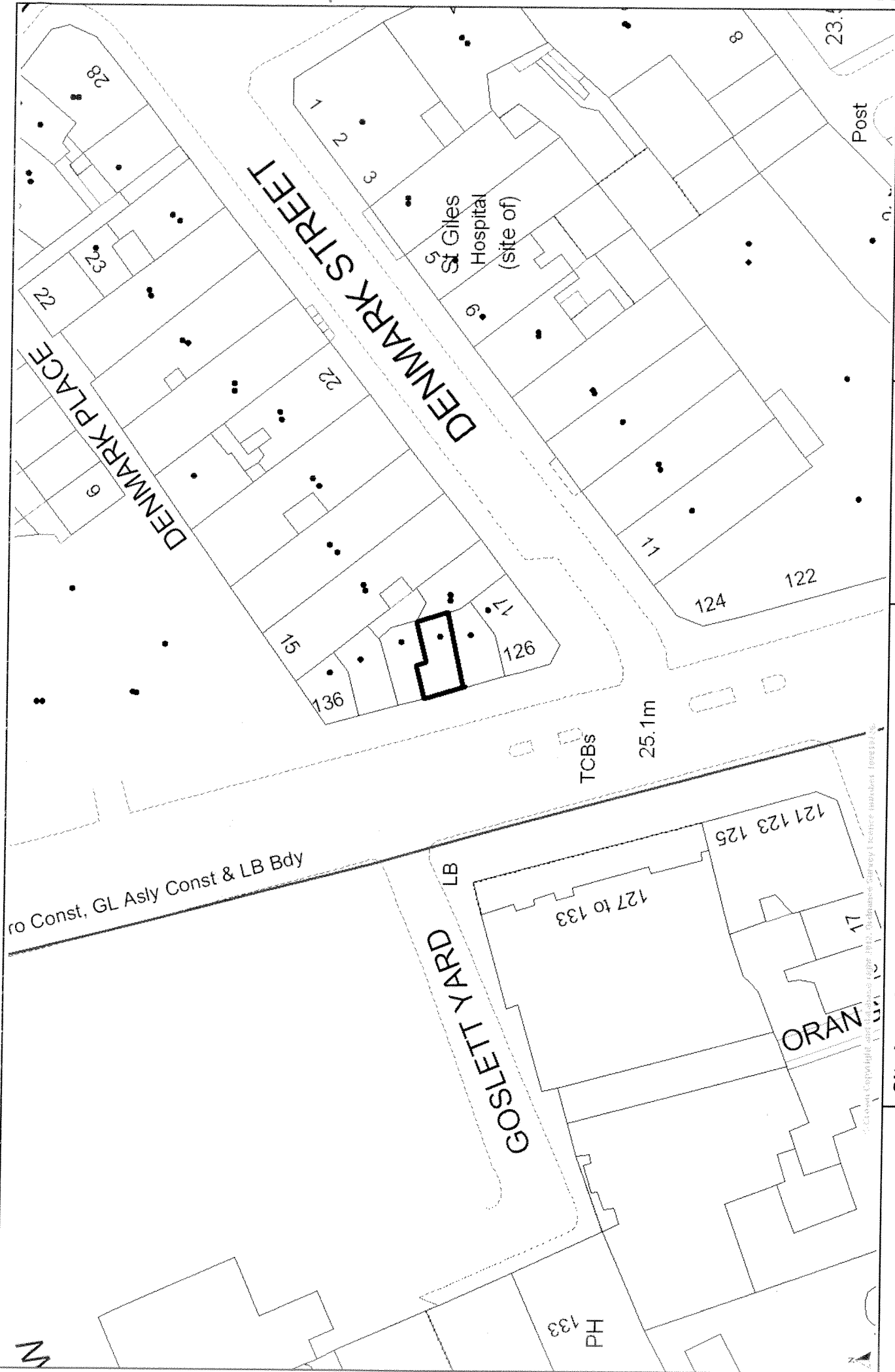
- (a) Send a copy of your appeal to the Secretary of State if you decide to appeal, together with a copy of this enforcement notice.
- (b) Send a second copy of the appeal form and notice to the Council at:

**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 **6 August 2013**, 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.

130 CHARING CROSS ROAD, LONDON WC2H 0LA



Site Location Plan: 130 Charing Cross Road, London WC2H 0LA

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Date 19/6/2013

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