

**THE LONDON BOROUGH OF CAMDEN**

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

**ENFORCEMENT NOTICE**

**116 Heath Street  
Hampstead Village  
NW3 1DR**

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: **116 Heath Street , Hampstead Village, NW3 1DR**

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 erection of a single storey ground floor wooden trellis structure with PVC roof on rear elevation of existing restaurant (Class A3).

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

- a) It appears to the Council that the above breach of planning control has occurred within the last four years
- b) The unauthorised structure, by virtue of its design, location and materials, is considered to cause visual harm to the existing property and fails to preserve the character and appearance of the Hampstead Conservation Area. The structure is therefore considered to be contrary to polices CS14, DP24 and DP25 of Camden's Local Development Framework 2010.

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

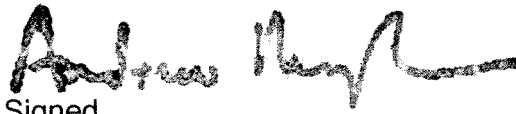
**5. WHAT YOU ARE REQUIRED TO DO**

The Notice shall require that within a period of **6 months** of the Notice taking effect the unauthorised structure shall be removed.

**Compliance due date: 13 December 2012**

**6. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on **13 June 2012** unless an appeal is made against it beforehand.



**DATED: 02 May 2012**

Signed.....

Borough Solicitor, 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  
116 Heath Street  
Hampstead Village  
NW3 1DR
2. Michael Fazzina  
116 Heath Street  
Hampstead Village  
NW3 1DR
3. Majid Souadi  
116 Heath Street  
Hampstead Village  
NW3 1DR
4. The Occupier  
116 Heath Street  
Hampstead Village  
NW3 1DR
5. The Owner  
116a Heath Street  
Hampstead Village  
NW3 1DR
6. The Occupier  
116a Heath Street  
Hampstead Village  
NW3 1DR
7. The Owner  
Ground Floor and Basement  
116 Heath Street  
London NW5 1DR
8. The Occupier  
Ground Floor and Basement  
116 Heath Street  
London NW5 1DR
9. National Westminster Bank PLC (co.Reg.n. no 929027)  
PO Box 8063  
218 Upper Street  
London N1 1SP

*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 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 **£170.00**

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 **£170.00**

**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 13<sup>th</sup> day of June 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 13<sup>th</sup> day of June 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.

