

THE LONDON BOROUGH OF CAMDEN

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

ENFORCEMENT NOTICE

16 Fortess Road
London
NW5 2EU

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: 16 Fortess Road, London, NW5 2EU

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 unauthorised change of use of the property at rear ground floor level from shop (Class A1) to residential studio flat (Class C3).*

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) 1. *The unauthorised change of use to residential, by reason of its detrimental effect on the ability of the ground floor premises to function as a viable retail unit, causes harm to the character and function of the Kentish Town Centre contrary to policies CS7 (promoting Camden's centres and shops) and DP12 (supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses) of the London Borough of Camden Local Development Framework Core Strategy and Development Policies.*

2. *The unauthorised change of use to residential, by reason of the confined nature and limited external outlook afforded to the studio unit created, results in substandard residential accommodation contrary to policy DP26 (managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.*

3. *The unauthorised change of use to a residential unit is likely to result in increased parking stress and congestion in the surrounding area contrary to policies CS11 (promoting sustainable and efficient travel), CS19 (delivering and monitoring the Core Strategy), 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 Core Strategy and Development Policies.*

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

Cease the use of the rear ground floor part of the property as a studio flat and reinstate the whole of the ground floor back to retail use (Class A1).


Compliance due date: *within a period of 6 months from the date of the Notice taking effect*

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 21 November 2011 unless an appeal is made against it beforehand.

DATED: 10 October 2011

Signed.....



Head of Legal Services, 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

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 £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, Planning Services, London Borough of Camden, Argyle Street, London WC1H 8EQ. The fee is £335

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 21 day of November 2011

- (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 21 day of November 2011, 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.

Fees

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

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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 پہلے ہمیں یہ لازمی طور پر مل جانا چاہیے۔ اگر اس فارم کو بھرتے ہیں 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.

THIS ENFORCEMENT NOTICE HAS BEEN SERVED ON:

The Owner / Dipakbhai Maganbhai Patel/ Rita Patel
16 Fortess Road
London
NW5 2EU

The Occupier
16 Fortess Road
London
NW5 2EU

Anna Stegared/Hanna Stegared/ Sarah Stegared
16 Fortess Road
London
NW5 2EU

The Occupier
16A Fortess Road
London
NW5 2EU

Yorkshire Building Society
Thirlestaine Hall
Thirlestaine Road,
Cheltenham
Glos
GL53 7AL

Salter Rex
Crown House
265 Kentish Town Road
London
NW5 2TP

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.