

EN10/0488

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED BY THE PLANNING  
AND COMPENSATION ACT 1991)**

**ENFORCEMENT NOTICE**

**ISSUED BY: THE LONDON BOROUGH OF CAMDEN**

1. **THIS NOTICE** is issued by the Council because it appears to them that there has been a breach of planning control, within paragraph (a) of section 171A(1) 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 Annex at the end of the Notice and the enclosures to which it refers contain important additional information.
2. **THE LAND TO WHICH THE NOTICE RELATES**  
  
Land at 64 Lady Margaret Road, London, NW5 2NP shown edged black on the attached plan.
3. **THE BREACH OF PLANNING CONTROL ALLEGED**  
  
Without planning permission, the installation of decking to the rear garden.
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 unauthorised decking is considered to be of poor design detracting from the character and appearance of the host building and is visually harmful to surrounding area contrary to policies DP24 (Securing high quality design) of the London Borough of Camden Development Policies (2010) and CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity) of the London Borough of Camden Core Strategy (2010-2025).
  - (c) The unauthorised decking creates an unsatisfactory outlook for the occupants of the properties along Lady Margaret Road, Ospringe Road and Brecknock Road contrary to policy DP26 (Managing the impact of

development on occupiers and neighbours) of the London Borough of Camden Development Policies (2010).

- (d) The decking will reduce the amount of green space reducing the garden's sustainable urban drainage capacity and surface run-off contrary to policies DP23 (Water) and CS5 (Managing the impact of growth and development) of the London Borough of Camden Core Strategy (2010).
- (e) 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**

- (a) Remove the unauthorised decking.
- (b) Restore the ground level of the garden to the level which existed prior to the installation of the unauthorised decking and finish the garden with a general purpose grade topsoil (as defined in BS3882:2007) with a depth of 450mm (below the original level) and seed or turf the entire lawn.

**6. TIME FOR COMPLIANCE**

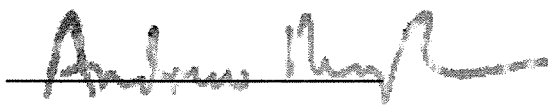
Within 3 months from the date of this Notice taking effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

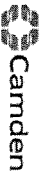
This notice takes effect on **21<sup>st</sup> July 2011** unless an appeal is made against it beforehand.

DATED: 9 June 2011

Signed:



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



**64 Lady Margaret Road NW5 2NP**

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Scale 1/1250

Centre = 529290 E 185588 N

Date 3/2/2011

## 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 the **21<sup>st</sup> day of July 2011**.

- (a) send one copy to the Secretary of State if you decide to appeal, together with a copy of this enforcement notice.
- (b) send one 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 **21<sup>st</sup> day of July 2011**, 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.**

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 "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, P O Box 326, Bristol, BS99 7XF**. The fee is **£150.00**.

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 (Development Control), London Borough of Camden, Fifth Floor Town Hall, Argyle Street, London WC1H 8EQ**. The fee is also **£150.00**.

**THIS ENFORCEMENT NOTICE HAS BEEN SERVED ON:**

The Owner, 64 Lady Margaret Road, London, NW5 2NP

The Occupier, 64 Lady Margaret Road, London, NW5 2NP

The Company Secretary, J E Investments Limited, 27 Beaumont Avenue, St Albans, Hertfordshire, AL1 4TL

The Company Secretary, J E Investments Limited, 6 Gills Hill Lane, Radlett, Herts, WD7 8DF

Rachelle E. Chesney, Flat A, 64 Lady Margaret Road, London, NW5 2NP

Milford Davey, Flat B, 64 Lady Margaret Road, London, NW5 2NP

Ewan McEwan, Flat C, 64 Lady Margaret Road, London, NW5 2NP

The Owner, Maisonette 2<sup>nd</sup> and 3<sup>rd</sup> Floor, 64 Lady Margaret Road, London, NW5 2NP

The Occupier, Maisonette 2<sup>nd</sup> and 3<sup>rd</sup> Floor, 64 Lady Margaret Road, London, NW5 2NP

Ruby N. Garcia Villa, Maisonette 2<sup>nd</sup> and 3<sup>rd</sup> Floor, 64 Lady Margaret Road, London, NW5 2NP

Eulogio Loaiza Cardona, Maisonette 2<sup>nd</sup> and 3<sup>rd</sup> Floor, 64 Lady Margaret Road, London, NW5 2NP

Ruby N. Garcia Villa, 63 Allison Road, London, N8 0AN

Eulogio Loaiza Cardona, 63 Allison Road, London, N8 0AN

K. Loughin, Flat C, 64 Margaret Road, London, NW5 2NP

**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.**