

THE LONDON BOROUGH OF CAMDEN

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

ENFORCEMENT NOTICE

OF 24 Elsworthy Road
London
NW3 3DL

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: 24 Elsworthy Road, London NW3 3DL

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:

- 1) The erection of a 18.5m single storey rear extension along the boundary with no. 26 Elsworthy Road
- 2) The erection of a timber canopy

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

- (a) The work outlined above have been carried out within the last 4 years.
- (b) The single storey extension due to it extensive glazing would result in increased levels of lighting and activity from the garden area would adversely impact the upper floor flats. This is contrary to policy CS5 and DP26 of the Local Development Framework Development Plan Document 2010.
- (c) The single storey rear extension by reason of its excessive size bulk and footprint and detailed design would be overly dominant and detract from the general openness of the rear garden and fail to preserve the general openness of the rear garden detracting from the character and appearance of the host building and the wider conservation area. This is

contrary to policies CS14, DP24 and DP25 of the Local Development Framework Development Plan Document 2010

- (d) The timber canopy by reason of its size, bulk and location within a garden which is already subject to significant development, fails to preserve and enhance the character and appearance of the conservation area which is contrary to policies CS14, DP24 and DP25 of the Local Development Framework Development Plan Document 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 6 months of the Notice taking effect:

- 1) Demolish the unauthorised extension along the boundary with no. 26 Elsworthy Road
- 2) Make good any damage caused by the removal of the extension or
- 3) Implement any of the following Planning permissions
 - 2010/6791/P -The erection of a single storey studio adjacent to boundary with 26 Elsworthy Road in rear garden of lower ground floor flat (Class C3).
 - 2010/6786/P - The erection of a single storey studio towards boundary with properties on King Henry's Road in rear garden of lower ground floor flat (Class C3).
 - 2010/2982/P Erection of a single storey side and rear extension and installation of new window openings to front and rear bays of the lower ground floor flat (Class C3) (works concerning rear extension)
- 4) Remove timber canopy and make good damage caused by its removal

6. **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on **11 October 2013** unless an appeal is made against it beforehand.

DATED: 30 August 2013

Signed.....



Head of Legal Services, 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
24 Elsworthy Road
London NW3 3DL
2. Securicom Systems Limited
13 Station Road
London N3 2SB
3. Alistair Jonathan Sharpe
Flat 3, 24 Elsworthy Road
London NW3 3DL
4. Santander UK Plc
2 Triton Square
Regents Place
London NW1 3AN
5. Koichi Arikawa
Middleton Potts
3 Cloth Street
London EC1A 7LD
6. Barclays Bank Plc
Barclays Mortgage Administration Service
P.O. Box HK444
Leeds LS11 8DD
7. Benjamin Paul Grant
Basement Flat
24 Elsworthy Road
London NW3 3DL
8. Barclays Bank PLC
1 Churchill Place
London E14 5HB
9. Michael Phillip Raibin
Flat 2, 24 Elsworthy Road
London NW3 3DL
10. Barclays Bank Plc
4th Floor Aurora
120 Bothwell Street
Glasgow G2 7JS
11. Barclays Bank Plc
Mortgage Loan Service
P.O. Box 8575
Leicester LE18 9AW
12. David Hodgson
Flat 1, 24 Elsworthy Road
London NW3 3DL
13. Henry Holland
Flat 1, 24 Elsworthy Road
London NW3 3DL
14. Zara Raibin
Flat 2, 24 Elsworthy Road
London NW3 3DL

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.

Council reference: EN13/0311

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 **11 October 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**

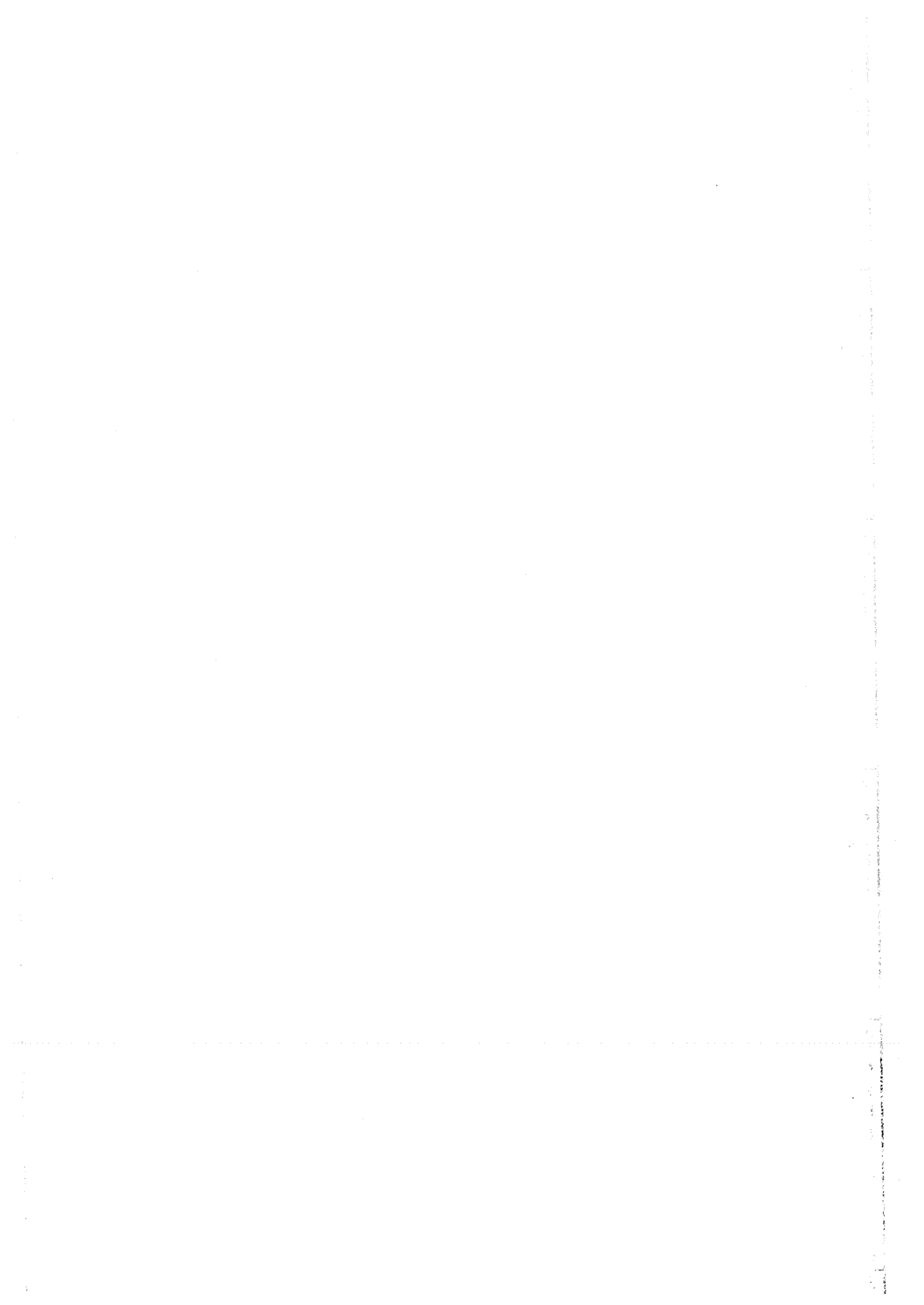
WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on **11 October 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.

24 Elsworthy Road, London NW3 3DL



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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 ਸੁਝਾਉਂਦੇ 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 سیاد ہے۔ اس سیاد کے گزرنے سے پہلے پہلے ہمیں یہ لازمی طور پر مل جانا چاہیے۔ اگر اس فارم کو بھرنے میں آپ کو مدد کی ضرورت ہے تو ہماری رائے ہے کہ آپ شروع واصل 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 প্রকার হয় তাহলে আমাদের পুনর্ভাব, কারো পরামর্শ নিন।

Chinese
重要通知: 把这份表格寄回给我们是有时间限制的。我们必须在规定时间内收到这份表格。假若你需要别人帮助你填写这份表格, 我们建议你寻求指导。

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.

