

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

**OF Monte Cristo**  
**56-58 Fortune Green Road**  
**London**  
**NW6 1DT**

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: 56-58 Fortune Green Road London NW6 1DT**

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 use of the unit as a sandwich bar/café with an external shisha lounge and erection of a extending retractable canopy, shisha enclosure, handrail and wooden balustrade

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 proposed change of use and addition of the shisha area to the front by virtue of its size and proximity to residential properties would cause noise disturbance from outside activity thereby harming the residential amenities of neighbouring occupants contrary to Policies CS5 (Managing the impact of growth and

development) and CS7 (Promoting Camden's centres and shops) of the London Borough of Camden LDF Core Strategy and DP12 (Supporting strong centres and managing the impact of non-retail town centre uses), DP26 (Managing the impact of development on occupiers and neighbours) and DP28 (Noise and Vibration) of the London Borough of Camden LDF Development Policies.

- c) The enclosed structure and railings to the front of the property by virtue of their location, size and detailed design would constitute an incongruous and unsympathetic addition which would harm the character and appearance of the host building and the wider terrace contrary to policy CS14 (Promoting high quality design and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing high quality design) and DP30 (Shopfronts) of the London Borough of Camden Local Development Framework 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**

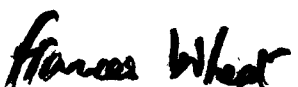
Within a period of **three months** of the Notice taking effect:

1. Cease the use of the property as an outdoor shisha lounge with an internal sandwich bar/ café area
2. Remove the enclosed structure, decking, tables and chairs, plastic sheeting, wooden balustrading and hand-rails and make good any resulting damage.

**6. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on **14 November 2014** unless an appeal is made against it beforehand.

**DATED: 03 October 2014**

Signed.....  


**Head of service, Development Management, Culture and Environment 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, 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 £195.00 for the change of use. **The TOTAL FEE payable for this part of the breach is £390.00 (i.e. £195.00 x 2)**

The fee is £385.00 for the erection of the retractable canopy. **The TOTAL FEE payable for this part of the breach is £770.00 (i.e. £385.00 x 2)**

**The TOTAL Fees payable for both these breaches is £1,160.00**

**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 **14<sup>th</sup> November 2014**.

- (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**

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