

Council reference: EN16/1098

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 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 TO WHICH THE NOTICE RELATES**

Land at: 109 Highgate Road, London, NW5 1TR as shown outlined in black on the attached plan (“the Property”).

3. **THE BREACH OF PLANNING CONTROL ALLEGED**

Without planning permission: Unauthorised change of use from a retail shop (Class A1) to a scooter repair and sales business (*sui generis*).

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

- a) The unauthorised change of use has occurred within the last 10 years.
- b) The proposed change of use to a scooter repair and sales business (*sui generis*) would result in the loss of an A1 retail unit within the shopping frontage, and would also result in a harmful concentration of non-retail premises within the frontage, which overall would cause harm to the character, function, vitality and viability of the Highgate Road Neighbourhood Centre, contrary to policy CS7 (Promoting Camden's Centres and Shops) of the London Borough

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of Camden Local development Framework Core Strategy and to policy 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 Development Policies.

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

Within a period of **three (3) months** of the Notice taking effect:

- (a) Cease the use of the ground floor shop unit as a sui generis scooter sales and repair business.

6. **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on **28 March 2017** unless an appeal is made against it beforehand.

DATED: 14 February 2017 Signed:



Head of Service, Supporting Communities, Regeneration and Planning on behalf of the London Borough of Camden, Town Hall, Judd Street, London WC1H 8JE

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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:

Appeals and Enforcement
Supporting Communities
Regeneration and Planning
Development Management
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

The fee is £385.00

The TOTAL FEE payable is £770.00 (i.e. £385.00 x 2)

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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 Planning Inspectorate acting on behalf of the Secretary of State **before** the date specified in paragraph 6 of the notice.

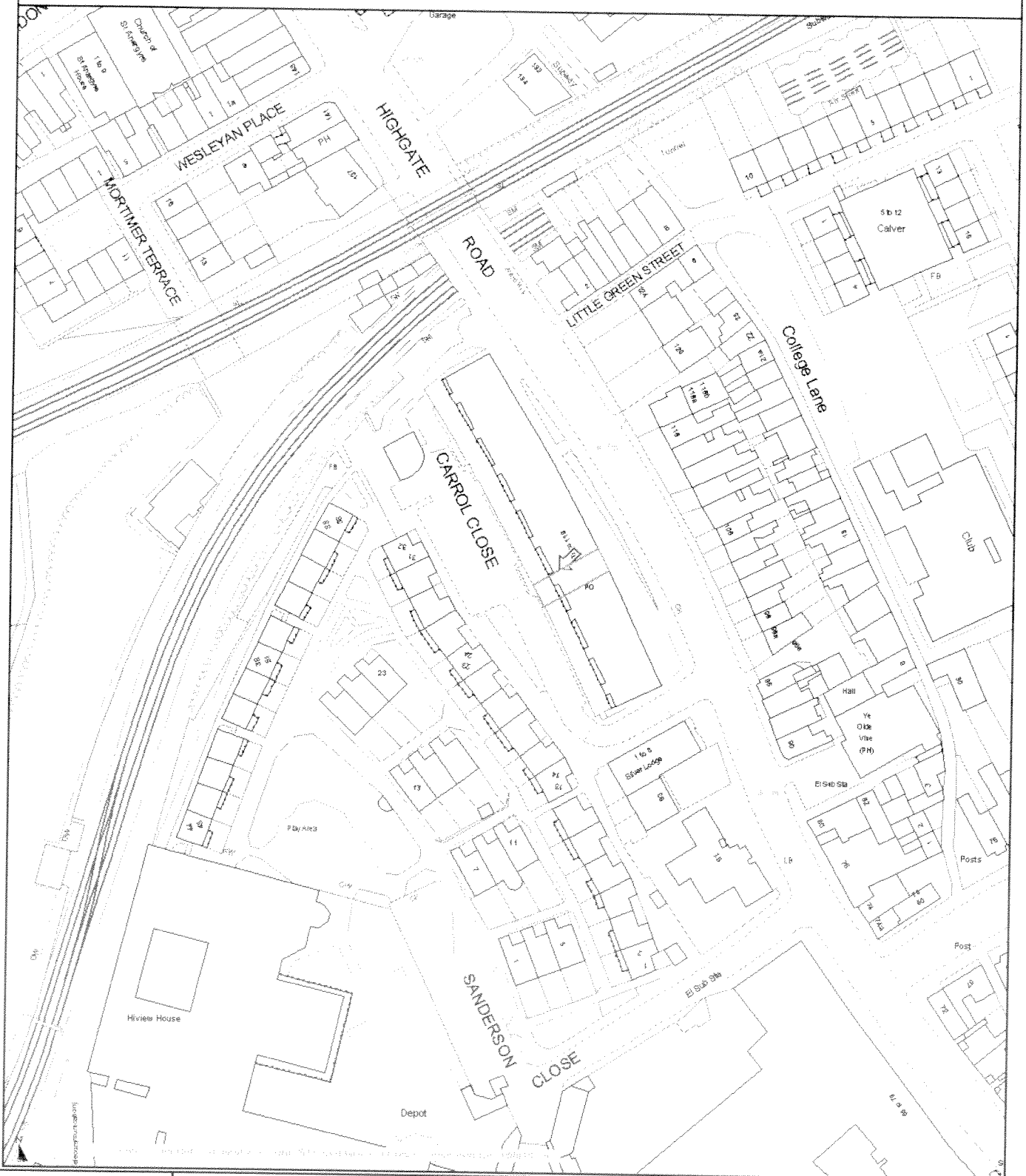
The enclosed information sheet published by the Planning Inspectorate gives details of how to make an appeal

[link to <http://www.planningportal.gov.uk/uploads/pins/eninfosheet.pdf>]

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on **28 March 2017**, 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.

109 Highgate Road



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