

Council reference: EN17/0004

**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: 101 Brecknock Road, London, N7 0DA** as shown outlined in black on the attached plan (“the Property”).

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

**Without planning permission:** Alterations to the shopfront and the change of use of the public house to form a retail convenience store

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

**It appears to the Council that the above breach of planning control has occurred within the last 10 Years:**

1. The insensitive enlargement of the historical windows and removal of the traditional door is considered to have caused a visual harm, which has materially affected the character and appearance of the historic pub, shopfront and street scene contrary to policies D1, D2, D3 and C4 of the London Borough of Camden Local Plan 2017 and CPG 1 (Design 2015 updated March 2018).

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2. The developer has not demonstrated that the use as public house is no longer required or viable in its existing use or that there exists an alternative capable of meeting the needs of the local area and without the provision of a section 106 planning obligation or replacement community facility, and therefore the loss of the public house is considered to have a detrimental impact on the needs of the local community contrary to policies A1(Managing the Impact of Development on Occupiers and Neighbours), C2 (Community Facilities) and C4 (Public Houses) of the London Borough of Camden Local Plan 2017, policy 3.16, 7.1 and 8.2 of the London Plan 2016 and CPG (Community uses, leisure facilities and pubs) and CPG 6 (Amenity).
3. To the detriment of the amenities of the neighbouring residents and the environment, the developer has not demonstrated that the proposal has integrated appropriate waste management, collection and recycling measures at the site, contrary to policy A1 (Managing the Impact of Development on Occupiers and Neighbours) and CC5 (Waste) of the London Borough of Camden Local Plan 2017.

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. Permanently cease use of the property as a retail convenience store.
2. Re-instate the frontages to the property as depicted in the photographs attached at Appendix A and B.
3. Make good any damage and remove from the property all constituent materials resulting from the above works

## **6. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on **27<sup>th</sup> July 2018** unless an appeal is made against it beforehand.

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DATED: 15<sup>th</sup> June 2018 Signed:

*David T. Joyce*

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

**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 £172.00

**The TOTAL FEE payable is £344.00**

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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/enfinfosheet.pdf>]

### WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on **27<sup>th</sup> July 2018**, 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.

## Appendices

### A. Junction at Brecknock Road and Torrianno Avenue



### B. Elevation at Brecknock Road









Willbury House  
1 to 30

Rushmore House  
1 to 20

Shelter

PH

Ash Court  
1 to 6

Ivy Court  
1 to 6

Posts  
1 to 6

52.1m

49.3m

5m



KS 0780 9978 0GB

KS 0780 9979 3GB

KS 0780 9975 9GB

KS 0780 9976 2GB