

From: [REDACTED]
To:
Subject: Fw: South Fairground, Vale of Health. NW3 1AS, Notice of Intended Entry
Date: 09 January 2018 14:18:16

On Thursday, 20 July 2017, 14:50, "Sheehy, John" <john.sheehy@camden.gov.uk> wrote:

Dear Jita Lukka,

Thank you for your email.

I am doing my best to give you every possible assistance to help you comply with planning control, which is also in your interest.

Please accept my apologies if I did not make that clear.

When the Council receives an enforcement complaint it has a duty to investigate and carry out a site visit. I have invited you to set out a time and date for a site visit this week; however you have not provided a time for me to visit.

As a result, I now have no option but to serve a Notice of Intended Entry under the Town and Country Planning Act 1990. This is in order to access the site and ascertain whether there has been a breach of planning control at the site.

NOTICE OF INTENDED ENTRY & INSPECTION

Town & Country Planning Act 1990 (as amended) Re: South Fairground Site, Vale of Health, London NW3 1AS

The provisions of Section 196a of the above named Act confer on the Council the right to enter land, provided that at least 24 hours notice of intended entry has been given to the occupier. Wilful obstruction of any person exercising this right of entry is an offence, which carries a substantial fine.

In this respect, I hereby give you notice that I, John Sheehy intend to inspect the above premises on Friday 21st of July 2017 at 3pm, at which time you should arrange for me to gain access to the above mentioned property

I will leave it open to you to contact me before the date of intended entry, in order that a mutually convenient time could be arranged for a site visit. I would warn you that failure to give me access would result in prosecution.

If you wish to discuss this matter, please do not hesitate to contact me.

Regards,

John Sheehy
Senior Planning Officer

Telephone: 020 7974 5649



From: J LUKKA [REDACTED]
Sent: 19 July 2017 16:21
To: Sheehy, John <john.sheehy@camden.gov.uk>
Subject: Re: South Fairground, Vale of Health. NW3 1AS

Dear Mr Sheehy

I refer to your communications 13 and 19 July which you have conveyed in hostile and threatening terms.

I accommodated your request to move the three bollards notwithstanding that there was no need for me so to do. You claimed erroneously that " As set out in the Council's letter dated 5th of July the bollards do not have planning permission and need to be removed ". The bollards did not have planning permission since they were moveable structures, they were not attached to the ground and they were designed to be moved. Ergo they did not constitute development within Section 55 TCPA 1990 as amended and did not require planning consent.

I have written to you regarding the site visit and you know that as a single person I wish to be accompanied by my adviser when you visit. Tuesday at 10.30 am 5 September will be convenient and please confirm that you will so attend on this date.

For the avoidance of doubt please be advised that I do not propose to tolerate any further communications from you intended to intimidate me.

Yours sincerely

Jita Lukka

Copy
Mike Cooke Chief Executive Camden Council

On Wednesday, 19 July 2017, 12:22, "Sheehy, John" <john.sheehy@camden.gov.uk> wrote:

Dear Jita Lukka,

Thank you for your message.

I wrote to you last week requesting access to the South Fairground site and have still not heard back from you with a date and time in which officers will be able to visit.

Please provide a date and time for officers to visit the site either tomorrow or Friday.

If you cannot be there in person for our visit please make sure that another person will be able to provide access to the site.

I expect to hear from you or your representatives by 10am tomorrow morning at the latest.

If you do not provide a date and time for a visit officers by 10am tomorrow, we will have no option but to use our powers of entry under S196 of the Town and Country Planning Act to require access to the site.

Regards,

--

John Sheehy
Senior Planning Officer

Telephone: 020 7974 5649

From: JLUKKA [REDACTED]
Sent: 13 July 2017 12:28
To: Sheehy, John <john.sheehy@camden.gov.uk>
Subject: Re: South Fairground, Vale of Health. NW3 1AS

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Dear Mr Sheehy,

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As my lawyers have conveyed, copy enclosed, to you the concrete bollards were erected by the previous owners. I have given to you my undertaking to abide by your direction. I will arrange to have them removed within the time frame set out in the Council's letter.

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Your third paragraph states " Regarding the South Fairground Site, no development is permitted at this site and no works of construction may be carried out that requires planning permission ". I am well aware of this . No development requiring planning consent is being effected.

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You make reference to enforcement notices but I suggest to you that the more prudent approach to pursue would be that of serving a Planning Contravention Notice to ascertain the facts in terms of the position obtaining before you proceed in this direction.

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Yours sincerely,

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Jita Lukka

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On Thursday, 13 July 2017, 10:48, "Sheehy, John" <john.sheehy@camden.gov.uk> wrote:

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Dear Jita Lukka,

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Thank you for your email. As set out in the Council's letter dated 5th of July the bollards do not have planning permission and need to be removed.

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Thank you for offering to update us to about the circumstances of their erection. I am grateful for this offer, however, this will not be necessary. The works represent a clear breach of planning control (and highway legislation) which needs to be resolved as a matter of urgency. Please confirm that the bollards will be removed in accordance with the timeframe set out in the Council's letter.

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Regarding the South Fairground Site, no development is permitted at this site and no works of construction may be carried out that requires planning permission.

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This is because the site is designated as Metropolitan Open Land and is protected from development and construction by planning policies.

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Council officers would like to visit the property as soon as possible to investigate any works that may have been carried out recently in breach of planning control to this piece of Metropolitan Open Land. It is important that you or your representative is able to provide officers with access to the South Fairground Site. Please provide a date and time in which officers will be able to visit early next week.

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In line with enforcement procedures I am obliged to advise you that:-

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Enforcement notices are served on all interested parties of the property, failure to comply with the terms of the Enforcement Notice is a criminal offence for which a person/s convicted in the Magistrates' Court could be fined, on summary conviction up to £20,000, or an unlimited fine, if convicted on indictment for non-compliance with the Enforcement Notice. Enforcement Notices are permanently added to the Local Land Charges Register.

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Please do not hesitate to call me at the number below should you wish to discuss.-

Regards,

John Sheehy
Senior Planning Officer

Telephone: 020 7974 5649

From: JLUKKA [REDACTED]
Sent: 10 July 2017 10:25
To: Sheehy, John <john.sheehy@camden.gov.uk>
Subject: South Fairground, Vale of Health, NW3 1AS

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Dear Mr Sheehy

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Your ref: I@M/ED/SFS

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Thank you for your communication 6 July.

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I do apologise for any inconvenience caused by the bollards which were put there in order to avoid the obstruction of the several caravans which were parking there which in turn were blocking the entrance to my site. This is part of my title and I will instruct my lawyers to write to you setting out the circumstances and reasons as to why the bollards were erected. There is no vehicular right of way. That having been stated I understand your concern and I will arrange forthwith to have them removed in compliance with your request were you not persuaded by my lawyers representations.

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You are most welcome to come and visit this site when I return from holiday early September. There is no development being effected and I set out below the position obtaining.

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1. I purchased this site on 29th March 2017. I have removed well over 60 tons of rubbish and several residential caravans which had been here for some twenty years.

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2. I have retained only one residential caravan pitch and the house which had been lived in continuously from 2004 to the end of 2016.

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3. I am currently refurbishing the house for my own occupation and living meanwhile in my caravan.

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4. I am landscaping the site to improve the amenity.

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5. I have refurbished the communal washroom/toilets and repaired the drains

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6. I am contacting the Residential Council Tax Department Camden Council and the VOA to make arrangements to pay my Council Tax from the date of purchase.

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I hope sincerely that you will acknowledge that, notwithstanding the public perception and prejudice to my having purchased a fairground site, I am a responsible law abiding citizens who is anxious to cooperate with the Council and resolve the long history of difficulties with this site for the benefit of all in the wider community.

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Yours sincerely

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Jita Lukka

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