

Council reference: EN17/0597

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: 50-52 Eversholt Sreet, London, NW1 1DA as shown outlined in black on the attached plan ("the Property").

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

Without planning permission: The sub-division and change of use of the property to form a mixed use development consisting of twelve units of self-contained temporary sleeping accommodation (C1), a bureau de change and a professional office unit including the installation of clear windows to the rear of the property at ground floor level.

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

1. It appears to the Council that the above breach of planning control has occurred within the last 10 years.
2. The unauthorised sub-division and change of use of the property to form a mixed use development consisting of twelve units of self-contained temporary sleeping accommodation (C1), a bureau de

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- change and office unit has resulted in the unacceptable loss of permanent residential accommodation contrary to policies A1 (Managing the impact of development), H1 (Maximising housing supply) and H3 (Protecting existing homes), of the Camden Local Plan (2017),
3. The unauthorised sub-division and change of use of the property to form a mixed use development consisting of twelve units of self-contained temporary sleeping accommodation (C1), a bureau de change and office unit in respect of the high turnover of occupiers has resulted in an increased incidence of noise and disturbance to the detriment of the neighbouring occupiers contrary to policies A1 (Managing the impact of development), H3 (Protecting existing homes) of the Camden Local Plan (2017) and CPG6 (Amenity) of The London Plan (2016),
 4. The unauthorised sub-division and change of use of the property to form a mixed use development consisting of twelve units of self-contained temporary sleeping accommodation (C1), a bureau de change and office unit has resulted in the unacceptable loss of retail space which harms the function, character and success of the retail parade and designated neighbourhood centre contrary to policy TC2 (Camden's centres and other shopping areas) of the Camden Local Plan (2017), CPG5 (Town Centres, Retail and Employment), The London Plan (2016) and the National Planning Policy Framework (2012).
 5. The installation of clear glazed openable windows at ground floor level to the rear results in overlooking of the adjacent residential dwelling and garden to the east of the site to the detriment of the residential amenity of its occupants and mutual overlooking between the short term lets at the site resulting in poor quality accommodation, all contrary to policy A1 (Managing the impact of development) of the Camden Local Plan (2017), CPG 6 (Amenity), The London Plan (2016) and the National Planning Policy Framework (2012).

The Council do not consider that planning permission should be given because planning conditions could not overcome these problems.

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

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

1. Cease the unauthorised use of the property as multiple self-contained short term residential lets (C1 use), the bureau de change and office.
2. Cease all residential use at ground floor level.
3. Remove all but one set of bathrooms and kitchens from the ground floor level.
4. Either remove the windows located to the rear of the property on ground floor level and infill with brick to match the existing brickwork on the external rear and side elevations

Or

5. Obscure and permanently fix-shut the rear windows at ground floor level on the rear and side elevations.

6. **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on **9th August 2018** unless an appeal is made against it beforehand.

DATED: 28th June 2018 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 £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/eninfosheet.pdf>]

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on **9th August 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.

