

Council reference: EN18/0591

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: 328A West End Lane, London, NW6 1LN as shown outlined in black on the attached plan (“the Property”).

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

Without planning permission: Unauthorized conversion from 1 x 3 bed residential unit to 2 x two bed units and 1 x studio unit

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 conversion to 3 self-contained flats comprising 2 x two bed units and 1 x studio unit by virtue of being under-sized have resulted in the provision of sub-standard accommodation to the detriment of existing residential amenity and is contrary to policy H6 of Camden's Local Plan 2017

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- c) The development by virtue of its provision of 3 self-contained flats comprising 2 x two bed units and 1 x studio unit is considered to be unacceptable as it fails to provide a mix of units in line with the Council's dwelling size priorities table, and is thereby contrary to policy H7 of Camden's Local Plan 2017
- d) In the absence of a S106 agreement to designate two of the units as car-free housing, the development would be likely to contribute unacceptably to parking stress and congestion in the surrounding area and is thereby contrary to policy T2 of Camden's 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

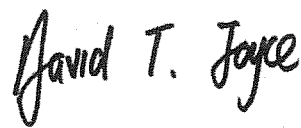
Within a period of **six months** of the Notice taking effect:

- 1) Cease the use of the first, second and third floors as 3 self-contained flats comprising 2 x two bed units and 1 x studio unit removing all kitchen facilities from second and third floors.
- 2) Restore the first, second floors and third floors to its original use as one single self-contained flat; and
- 3) Make good any damage caused as a result of the above works

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **28th September 2018** unless an appeal is made against it beforehand.

DATED: 17th August 2018 Signed:



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**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/eninfosheet.pdf>]

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on **28th September 2018**, and you must then ensure that the required steps for complying with it, for which you may be 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.



