

Council reference: EN18/0414

**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: 260 Kilburn High Road, London, NW6 2BY**  
as shown shaded grey on the attached plan ("the Property").
3. **THE BREACH OF PLANNING CONTROL ALLEGED**  
  
**Without planning permission:** *The use of the ground floor unit as a restaurant (Class A3), installation of recessed replacement shopfront with bi-fold doors and raised terrace area.*
4. **REASONS FOR ISSUING THIS NOTICE:**
  - a) The unauthorised change of use has occurred within the last 10 years.
  - b) The unauthorised replacement shopfront and raised terrace has occurred within the last 4 years.
  - c) The use of the ground floor unit as a restaurant, by virtue of an over concentration of non-retail uses, causes harm to the function, character and success of the Kilburn High Road Neighbourhood

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Centre contrary to policies TC2 and TC4 of the Camden Local Plan 2017.

- d) The recessed shopfront with fully openable bi-fold doors and raised terrace, is an incongruous feature in the wider commercial frontage, to the detriment of the appearance of the host building and wider streetscene, by reason of its design encourages anti-social behavior and fails to promote fair access, contrary to policies D3, C5 and C6 of the 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**

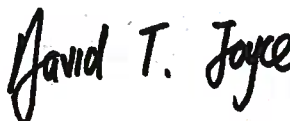
Within a period of **three (3) months** of the Notice taking effect:

1. Cease the use of the restaurant at ground floor level (A3 use class);
2. Completely remove the recessed shopfront and install a shopfront in the same position, design and materials as the pre-existing as shown on existing drawings no. 0310-P02 Revision C and 0310-P03 submitted within planning permission reference no: 2016/6314/P as shown in appendix A; and
3. Completely remove the raised terrace and reinstate a level frontage.

**6. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on **8 May 2019** unless an appeal is made against it beforehand.

**DATED: 27 March 2019**    Signed:



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

Council reference: EN18/0414

**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 £924.00

**The TOTAL FEE payable is £924.00 (i.e. 462.00 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 **8 May 2019**, 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.

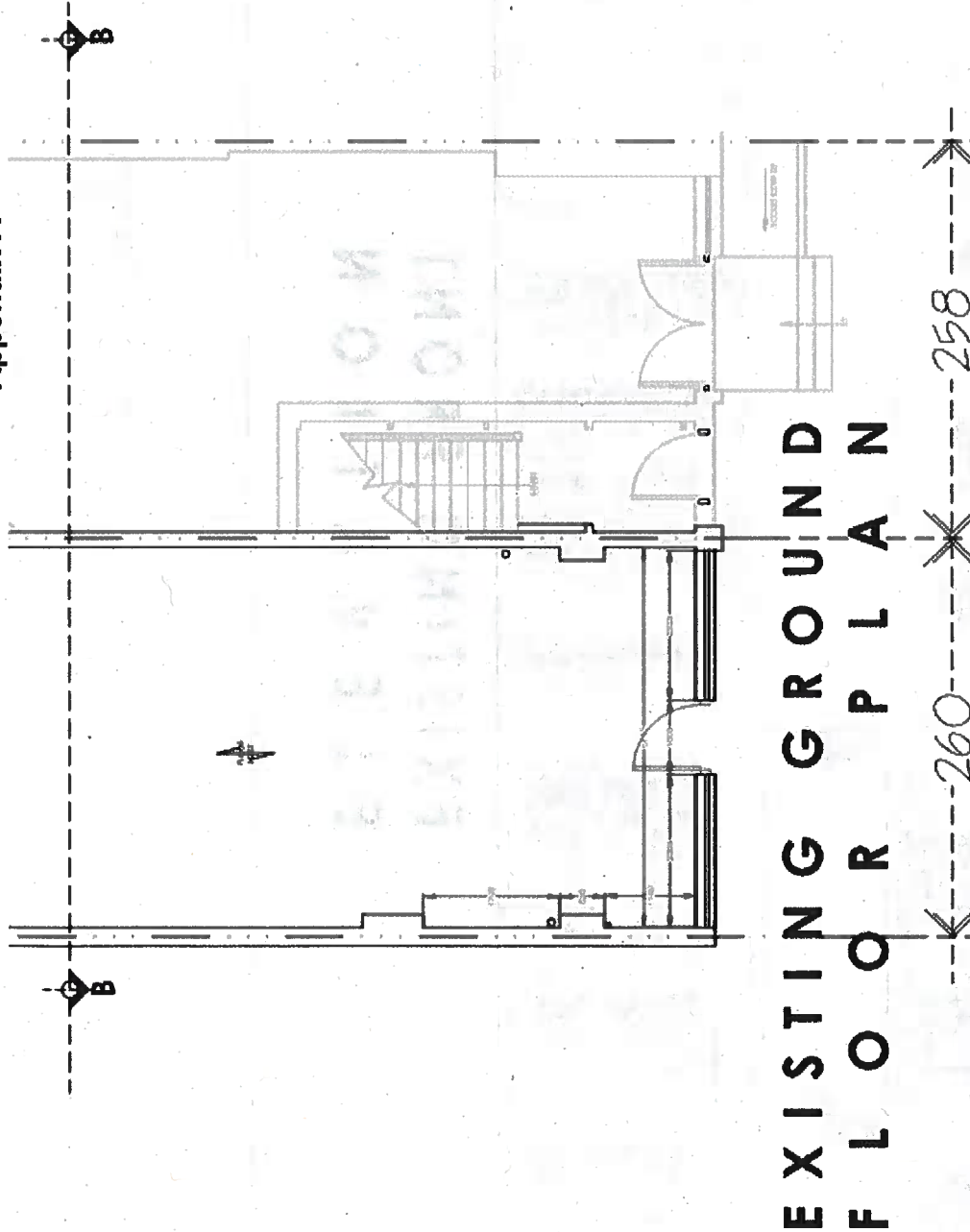
# 260 Kilburn High Road



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Appendix A



Client: Mr LUUTAFASI

Project: 260 KILBURN HIGH ROAD, KILBURN, LONDON NW6 2BY

Drawing Title: EXISTING FLOOR PLAN & SECTION

E RILEY ASSOCIATES  
CHARTERED SURVEYORS

100, PALMER GREEN  
LONDON N13 2JU  
TEL: 0208 684 4490  
MOB: 07743 031 076



CAD Package:

1:100 CT A3

Drawing No:

0310-P02

Date:

Sept. 2016

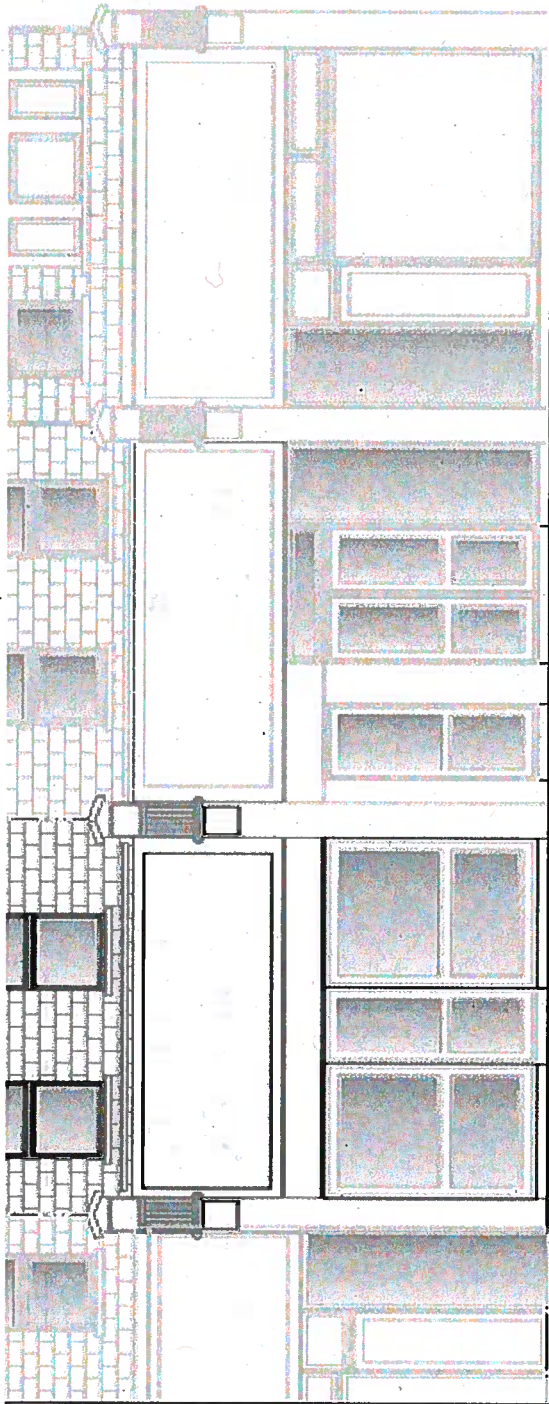
in COPYRIGHT

PLANNING

Revision:

C1

11:Acad/1960 Kilburn High Rd/1960 Kilburn High Rd - Sept 2016.dwg



# EXISTING FRONT ELEVATION



Client

Mr LULITAFASI

Project

240 KILBURN HIGH ROAD,  
KILBURN, LONDON NW6 2BY

Drawing Title

EXISTING ELEVATIONS

**E RILEY ASSOCIATES**  
CHARTERED SURVEYORS  
8 HURLEY PLACE  
PAULINES GREEN,  
LONDON W13 0DU  
TEL: 0208 856 4993  
MOB: 07768 035 016  
© 2016



Scale

1:100 at A3

Date

Sept. 2016

Drawn

CSJ/FP/071

Project: H&S/07/260 Kilburn High Rd/260 Kilburn High Rd - Sept 2016.Dwg

Drawing No:

0310-P03

Revised:

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