

Date: Friday 16 November 2018
Our Reference: 1800.955
Enquiries to: Lauren Dunnill

Law and Governance
London Borough of Camden
Town Hall
Judd Street
London WC1H 9LP

FIRST CLASS RECORDED POST

Owner
10 King Henry's Road
London
NW3 3RP

DX 161055 Kings Cross 4
Direct 020 7974 5680
Fax 020 7974 1920
e-mail: Lauren.Dunnill@camden.gov.uk

www.camden.gov.uk

IMPORTANT- THIS COMMUNICATION AFFECTS YOUR LAND

Dear Sirs

**TOWN AND COUNTRY PLANNING ACT 1990
SECTION 171A (AS AMENDED BY THE PLANNING AND COMPENSATION ACT 1991)
ENFORCEMENT NOTICE: EN16/0027
LAND AND PREMISES AT: 10 King Henry's Road London NW3 3RP**

The Council has issued an Enforcement Notice relating to the above land and I now serve on you a copy of that Notice, in view of your (or your client's) interest in the land. (Copies of the Notice are also being served on others who, it is understood, have an interest in the land).

Unless an appeal is made to the Secretary of State, as described below, the Notice will take effect on **Friday 29th November 2018** and you (or your client) must ensure that the required steps are taken within the period specified in the Notice.

Should you wish to make an appeal, the enclosed information sheet published by the Planning Inspectorate gives details of how to make an appeal. This can be accessed via the following website; <http://www.planningportal.gov.uk/uploads/pins/eninfosheet.pdf>.

Your appeal (or your client's) must be received by the Planning Inspectorate before the date shown in paragraph 2 above as that is the date when the notice will take effect i.e. **Friday 29th November 2018**.

Finally, please forward a copy of any appeal form direct to the Regeneration and Planning, Development Management, London Borough of Camden, Town Hall, Judd Street London WC1H 9JE.

If you have any queries regarding this notice or would like to discuss compliance please contact **Raymond Yeung** of the Planning Enforcement team at Supporting Communities, Regeneration and Planning, Development Management, London Borough of Camden, Town Hall, Judd Street London WC1H 8JE or on 020 7974 4546 or Raymond.Yeung@camden.gov.uk.

Yours faithfully

Lauren Dunnill
Legal Assistant
For the Borough Solicitor

Borough Solicitor
Andrew Maughan

Council reference: EN18/0027

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: 10 King Henry's Road, London, NW3 3RP as shown outlined in black on the attached plan ("the Property").

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

Without planning permission: Change of use from 2 residential units (Class C3) to museum (Class D1) including erection of a single storey rear conservatory, alteration to boundary treatment including addition of metal railing and alterations to existing entrance steps including the installation of disabled platform lift to access upper ground floor.

4. **REASONS FOR ISSUING THIS NOTICE:**
 - a) The unauthorised change of use has occurred within the last 10 years.

 - b) The unauthorised development has resulted in the unacceptable loss of permanent residential accommodation contrary to policy H1 and H3 of the London Borough of Camden Local Plan 2017 and Policy 3.14 (Existing Housing) of the London Plan March 2016.

Council reference: EN18/0027

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

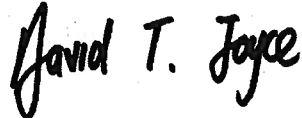
Within a period of **6 months** of the Notice taking effect:

1. Cease the use of the memorial/museum (Class D1) and revert to previous use and layout as 2 residential units (Class C3).

6. **WHEN THIS NOTICE TAKES EFFECT**

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

DATED: Friday 16 November 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**

Council reference: EN18/O027

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 £462.00

The TOTAL FEE payable is £924.00 (i.e. £462.00 x 2)

Council reference: EN18/0027

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.

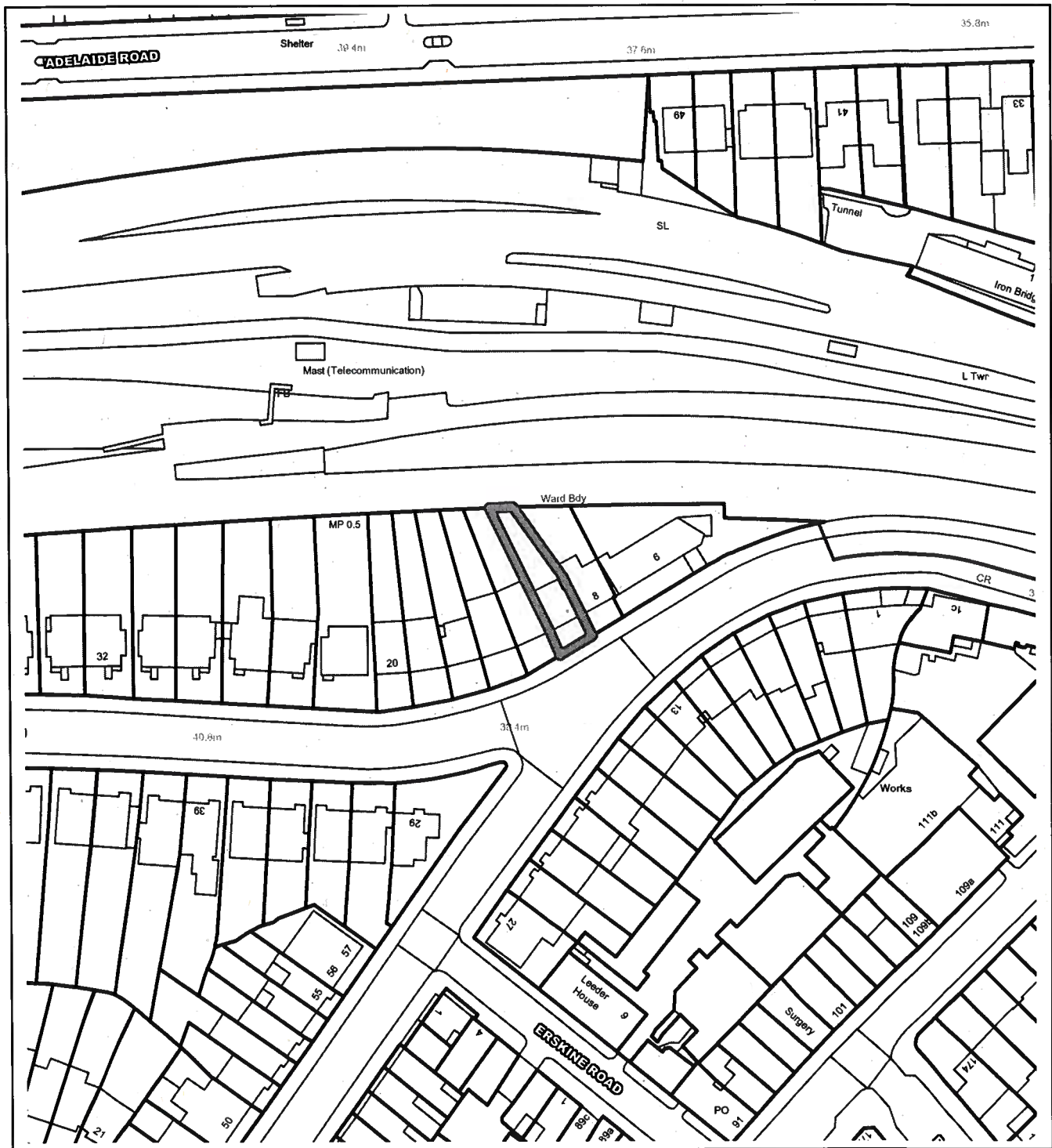
The enclosed information sheet published by the Planning Inspectorate gives details of how to make an appeal

[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 **Friday 28th December 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.

Site location- 10 King Henry's Road



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KS 3745 8121 8GB

KS 3745 8120 4GB

KS 3745 8119 5GB



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Our Reference: 1800.955
Enquiries to: Lauren Dunnill

Law and Governance
London Borough of Camden
Town Hall
Judd Street
London WC1H 9LP

FIRST CLASS RECORDED POST

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London
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e-mail: Lauren.Dunnill@camden.gov.uk

www.camden.gov.uk

IMPORTANT- THIS COMMUNICATION AFFECTS YOUR LAND

Dear Sirs

**TOWN AND COUNTRY PLANNING ACT 1990
SECTION 16 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976.
REQUISITION FOR INFORMATION REGARDING: EN18/0027
LAND AND PREMISES AT: 10 King Henry's Road London NW3 3RP**

The Council has resolved to take action in respect of the above premises in accordance with **Section 171 A and 172 of the Town and Country Planning Act 1990 (as amended)**. I enclose a Requisition for Information pursuant to Section 16 of the Local Government (Miscellaneous Provisions) Act 1976. This is sent to you as a person/party with an interest in the above land, or as an agent for such a person/party.

Please return this form to me within 14 days. I draw your attention to the explanatory notes set out on page 1 of the Requisition; in particular that failure to respond constitutes an offence. I would therefore ask you to give this matter your earliest attention. In order to satisfy Section 16, it is necessary for you to print and sign your name at the top of page 2. Please ensure your name and address is shown in full. If you find that you need more room than is provided on the Requisition form, please attach a further sheet of paper. Thank you for your assistance with this request.

Yours faithfully

Lauren Dunnill
Legal Assistant
For the Borough Solicitor

Borough Solicitor
Andrew Maughan



REQUISITION FOR INFORMATION

TAKE NOTICE that, pursuant to the provisions of section 16 of the Local Government (Miscellaneous Provisions) Act 1976, London Borough of Camden hereby require you to state in writing the nature of your interest in the above land or premises.

You are also required to state in writing the name and address of any other person known to you as having an interest in the said land or premises, as freehold, mortgagee, lessee or otherwise, or who receives rent for the land.

A form is attached hereto on which the information required may be given by means of your replies to the questions set out therein. No covering letter is necessary.

NOTE

Section 16 of the Local Government Act (Miscellaneous Provisions) Act 1976 provides as follows:

16.— Power of local authorities to obtain particulars of persons interested in land.

(1) *Where, with a view to performing a function conferred on a local authority by any enactment, the authority considers that it ought to have information connected with any land, the authority may serve on one or more of the following persons, namely—*

- (a) the occupier of the land; and*
- (b) any person who has an interest in the land either as freeholder, mortgagee or lessee or who directly or indirectly receives rent for the land; and*
- (c) any person who, in pursuance of an agreement between himself and a person interested in the land, is authorised to manage the land or to arrange for the letting of it,*

a notice specifying the land and the function and the enactment which confers the function and requiring the recipient of the notice to furnish to the authority, within a period specified in the notice (which shall not be less than fourteen days beginning with the day on which the notice is served), the nature of his interest in the land and the name and address of each person whom the recipient of the notice believes is the occupier of the land and of each person whom he believes is, as respects the land, such a person as is mentioned in the provisions of paragraphs (b) and (c) of this subsection.

(2) *A person who—*

- (a) fails to comply with the requirements of a notice served on him in pursuance of the preceding subsection; or*
- (b) in furnishing any information in compliance with such a notice makes a statement which he knows to be false in a material particular or recklessly makes a statement which is false in a material particular,*

shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

**Return of Information required to be given under
section 16 of the Local Government (Miscellaneous Provisions) Act 1976**

From(name)
.....(address)

In reply to notice dated Friday 16th November 2018

And regarding **10 King Henry's Road London NW3 3RP**

I hereby declare that the following information is correct to the best of my knowledge;

..... (signed)

My interest in the land is as	
Name (in full) and address of occupier	
State whether premises is held on weekly tenancy, Agreement or lease and term	
Name (in full) and address of person to whom rent is paid If he is Agent for another person state name (in full) and address of such person	
Name (in full) and address of Freeholder	
Name (in full) and address of Leaseholder	
Name (in full) and address of Mortgagee	
Name (in full) and address of any other person having an interest in the Premises and the nature of such an interest	

This form must be returned to the following address within 14 days of the date of service of the notice:
 Legal Planning Team
 On behalf of the Borough Solicitor
 London Borough of Camden
 Town Hall
 Judd Street
 London WC1H 9LP



The Planning Inspectorate

CST Room 3/13
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Direct Line 0303-444 5000

Fax No 0117-372 8782

THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can do it:-

- on-line at the Appeals Casework Portal (<https://acp.planninginspectorate.gov.uk/>); or
- by getting enforcement appeal forms by phoning us on 0303 444 5000 or by emailing us at enquiries@pins.gsi.gov.uk

You MUST make sure that we receive your appeal before the effective date on the enforcement notice.

In exceptional circumstances you may give notice of appeal by fax or letter. You should include:-

- the name of the local planning authority;
- the site address;
- your address; and
- the effective date of the enforcement notice.

We MUST receive this before the effective date on the enforcement notice. This should **immediately** be followed by your completed appeal forms.

