

**RAD Legal Ltd**  
**Legal Consultancy**  
71-75 Shelton Street  
Covent Garden London  
WC2H 9JQ

Appeals and Enforcement  
Camden LB  
Town Hall, Judd Street  
London WC1H 9LP  
By Email Only

Our Ref: RD/Nagel  
Your Ref: EN20/0197  
Date: 9<sup>th</sup> November 2020

Dear Sir

**LOCAL PLANNING AUTHORITY: LONDON BOROUGH OF CAMDEN**  
**SITE ADDRESS: 181 DRURY LANE LONDON WC2B 5QF**  
**DATE OF ENFORCEMENT NOTICE: 25<sup>TH</sup> NOVEMBER 2020**

We are instructed by Mr Stefan Nagel, the tenant and occupier, of the above property.

Our client confirms receipt of the Enforcement Notice EN20/0197 dated the 14<sup>th</sup> October 2020.

We confirm our client wishes to appeal the above-mentioned Enforcement Notice.

You state:

**REASONS FOR ISSUING THIS NOTICE**

- a) The change of use has occurred within the last 10 years.
- b) The number of nights the flat has been let on a short term basis has exceeded conditions set by Section 25 of the Greater London Council (General Powers) Act 1973, except to the extent allowed by Section 25A (1) of that Act, which permits the use subject to Conditions, including Conditions set out at Section 25A (2)(a) and (b) which limit use as temporary sleeping accommodation to a maximum of 90 nights in anyone calendar year. In doing so it 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);
- c) The high turnover of occupiers results in increased incidences 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).

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**GROUNDINGS OF APPEAL**

- (a) That, in respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharge;
- (b) That those matters have not occurred;

***Applicant's Response to the Notice of Enforcement***

*The Applicant will state, that to the best of his knowledge, he is not in breach of the planning regulations. He asserts that in the last 12 months, on the occasions when he has allowed people to stay in his flat, the cumulative number of days has not, to the best of his recollection, exceeded 90 days per annum. He would also state that one or two people have stayed in excess of 28 days. As previously advised the Applicant frequently travels for work and is not at home all the time. When the Applicant is at home, he has had the occasional loud party which he accepts may have annoyed his neighbours, but he has not had any significant complaints from his neighbours or his landlord. However, he was not aware that his use of his flat amounted to a change of use. If as site visit is required, then he will need notice so that it does not conflict with any of his business trips abroad.*

- (c) that those matters (if they occurred) do not constitute a breach of planning control;

***Applicant's Response to the Notice of Enforcement***

*The Applicant will state, that to the best of his knowledge, he is not in breach of the planning regulations, and that those matters (if they occurred) did not constitute a breach of planning control. He asserts that in the last 12 months, on the occasions when he has allowed people to stay in his flat, the cumulative number of days has not, to the best of his recollection, exceeded 90 days per annum. He would also state that one or two people have stayed in excess of 28 days. As previously advised the Applicant frequently travels for work and is not at home all the time. When the Applicant is at home, he has had the occasional loud party which he accepts may have annoyed his neighbours, but he has not had any significant complaints from his neighbours or his landlord. However, he was not aware that his use of his flat amounted to a change of use. If as site visit is required, then he will need notice so that it does not conflict with any of his business trips abroad.*

- (d) that, at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters;
- (e) we that copies of the enforcement notice were not served as required by section 172;

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- (f) that the steps required by the notice to be taken , or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach;
- (g) that any period specified in the notice in accordance with section 173 (9) falls short of what should be reasonably allowed.

Please acknowledge receipt of this Appeal.

Yours faithfully

***Robert Downie***

RAD Legal Ltd