

MEMORANDUM

To: Executive Director Planning  
and Conservation

From: Director of Legal Services

Our Ref: Philip Waterson

Your Ref: Pat Abdelrahman  
Martyn Coy

Room No: 313

~~Lloydon McBarnette~~

Ext: 2146

Date: 17 June 1996

Section 171C Town & Country Planning Act 1990

Planning Contravention Notice - Flat 54, Crown Lodge, 12 Elystan Street, London SW3

I write to advise you that the above Notice has been issued and served. I set out below details of the Notice for your records:-

- (a) Address of property: Flat 54, Crown Lodge, 12 Elystan Street, London SW3
- (b) Issuing Authority: RBK&C
- (c) Date of issue: 13 June 1996
- (d) Service of copies

<u>Name</u>	<u>Address</u>	<u>Date of service</u>
The Field Real Estate Holdings	c/o Bank of Butterfield 24 Chiswell Street London EC1Y 4TY	14 June 1996

A copy of the notice is attached hereto.



Philip Waterson  
for Director of Legal Services

RECEIVED PLANNING SERVICES				
DC N	DC C	DC S	E	Ao Agk
17 JUN 1996				
Exec Dir		Records	ARB	Con Des
Appeals Office	10	Fees Officer	Forward Plan	Head DC

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA**

**TOWN AND COUNTRY PLANNING ACT 1990  
(As amended by the PLANNING AND COMPENSATION ACT 1991)**

**PLANNING CONTRAVENTION NOTICE**

Re: Flat 54, Crown Lodge, 12 Elystan Street, London SW3

1. It appears to the Council of the Royal Borough of Kensington and Chelsea ("the Council"), being the local planning authority for the purposes of section 171C of the Town and Country Planning Act 1990 ("the Act"), that there may have been a breach of planning control in respect of the land described in Schedule 1 below ("the land").
2. The breach of planning control which may have occurred is specified in Schedule 2 below.
3. This notice is served on you as a person who:-
  - (1) is the owner or occupier of the land or has any other interest in it; or
  - (2) is carrying out operations in, on, over or under the land or is using it for any purpose.
4. In exercise of their powers under Section 171C(2) and (3) of the Act the Council require you, so far as you are able, to give them the following information in writing *within twenty-one days* beginning with the day on which this notice is served on you:
  - (1) A copy of the tenancy agreement for the property.
  - (2) The names and dates of stay of persons who have stayed at the property within the last 2 years.
5. If you wish to make:-
  - (1) an offer to apply for planning permission, or to refrain from carrying out any operations or activities, or to undertake remedial works; or
  - (2) any representations about this notice,

please telephone Mr Martyn Coy on 0171-361-2186 to arrange an appointment at which you will be able to make any such offer or representations in person. If replying on behalf of a company please state your name in BLOCK CAPITALS and designation.

Dated 13th June 1996

Signed .....

*A G Phillips*  
Director of Legal Services  
(The Officer appointed for the purpose)

**SCHEDULE 1**

**Land to which this Notice relates**

Land at Flat 54, Crown Lodge, 12 Elystan Street, London SW3, shown edged red on the attached plan.

**SCHEDULE 2**

**Suspected breach of planning control**

The unauthorised change of use from permanent residential accommodation to short term lets.

***WARNING***

1. It is an offence to fail, without reasonable excuse, to comply with any requirement of this notice within twenty-one days beginning with the day on which it was served on you. The maximum penalty on conviction of this offence is a fine of £1000. Continuing failure to comply following a conviction will constitute a further offence.
2. It is also an offence knowingly or recklessly to give information, in response to this notice, which is false or misleading in a material particular. The maximum penalty on conviction of this offence is a fine of £5000.

***ADDITIONAL INFORMATION***

3. If you fail to respond to this notice, the Council may take further action in respect of the suspected breach of planning control. In particular, they may issue an enforcement notice, under section 172 of the 1990 Act, requiring the breach, or any injury to amenity caused by it, to be remedied.
4. If the Council serve a stop notice, under section 183 of the 1990 Act, section 186(5)(b) of the Act provides that should you otherwise become entitled (under section 186) to compensation for loss or damage attributable to that notice, no such compensation will be payable in respect of any loss or damage which could have been avoided had you given the Council the information required by this notice, or had you otherwise co-operated with the Council when responding to it.



MEMORANDUM

To: Executive Director Planning  
and Conservation

From: Director of Legal Services

Our Ref: Philip Waterson

Your Ref: Pat Abdelrahman  
Martyn Coy

Room No: 313

~~Lloyd McBarnette~~

Ext: 2146

Date: 17 June 1996

Section 171C Town & Country Planning Act 1990

Planning Contravention Notice - Flat 129, Crown Lodge, 12 Elystan Street, London SW3

I write to advise you that the above Notice has been issued and served. I set out below details of the Notice for your records:-

- (a) Address of property: Flat 129, Crown Lodge, 12 Elystan Street, London SW3
- (b) Issuing Authority: RBK&C
- (c) Date of issue: 13 June 1996
- (d) Service of copies

<u>Name</u>	<u>Address</u>	<u>Date of service</u>
The Field Real Estate Holdings	c/o Bank of Butterfield 24 Chiswell Street London EC1Y 4TY	14 June 1996

A copy of the notice is attached hereto.



Philip Waterson  
for Director of Legal Services

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

TOWN AND COUNTRY PLANNING ACT 1990  
(As amended by the PLANNING AND COMPENSATION ACT 1991)

PLANNING CONTRAVENTION NOTICE

Re: Flat 129, Crown Lodge, 12 Elystan Street, London SW3

1. It appears to the Council of the Royal Borough of Kensington and Chelsea ("the Council"), being the local planning authority for the purposes of section 171C of the Town and Country Planning Act 1990 ("the Act"), that there may have been a breach of planning control in respect of the land described in Schedule 1 below ("the land").

2. The breach of planning control which may have occurred is specified in Schedule 2 below.

3. This notice is served on you as a person who:-

- (1) is the owner or occupier of the land or has any other interest in it; or
- (2) is carrying out operations in, on, over or under the land or is using it for any purpose.

4. In exercise of their powers under Section 171C(2) and (3) of the Act the Council require you, so far as you are able, to give them the following information in writing *within twenty-one days* beginning with the day on which this notice is served on you:

- (1) A copy of the tenancy agreement for the property.
- (2) The names and dates of stay of persons who have stayed at the property within the last 2 years.

5. If you wish to make:-

- (1) an offer to apply for planning permission, or to refrain from carrying out any operations or activities, or to undertake remedial works; or
- (2) any representations about this notice,

please telephone Mr Martyn Coy on 0171-361-2186 to arrange an appointment at which you will be able to make any such offer or representations in person. If replying on behalf of a company please state your name in BLOCK CAPITALS and designation.

Dated 17 June 1996

Signed .....  
A G Phillips  
Director of Legal Services  
(The Officer appointed for the purpose)

SCHEDULE 1  
Land to which this Notice relates

Land at Flat 129, Crown Lodge, 12 Elystan Street, London SW3, shown edged red on the attached plan.

SCHEDULE 2  
Suspected breach of planning control

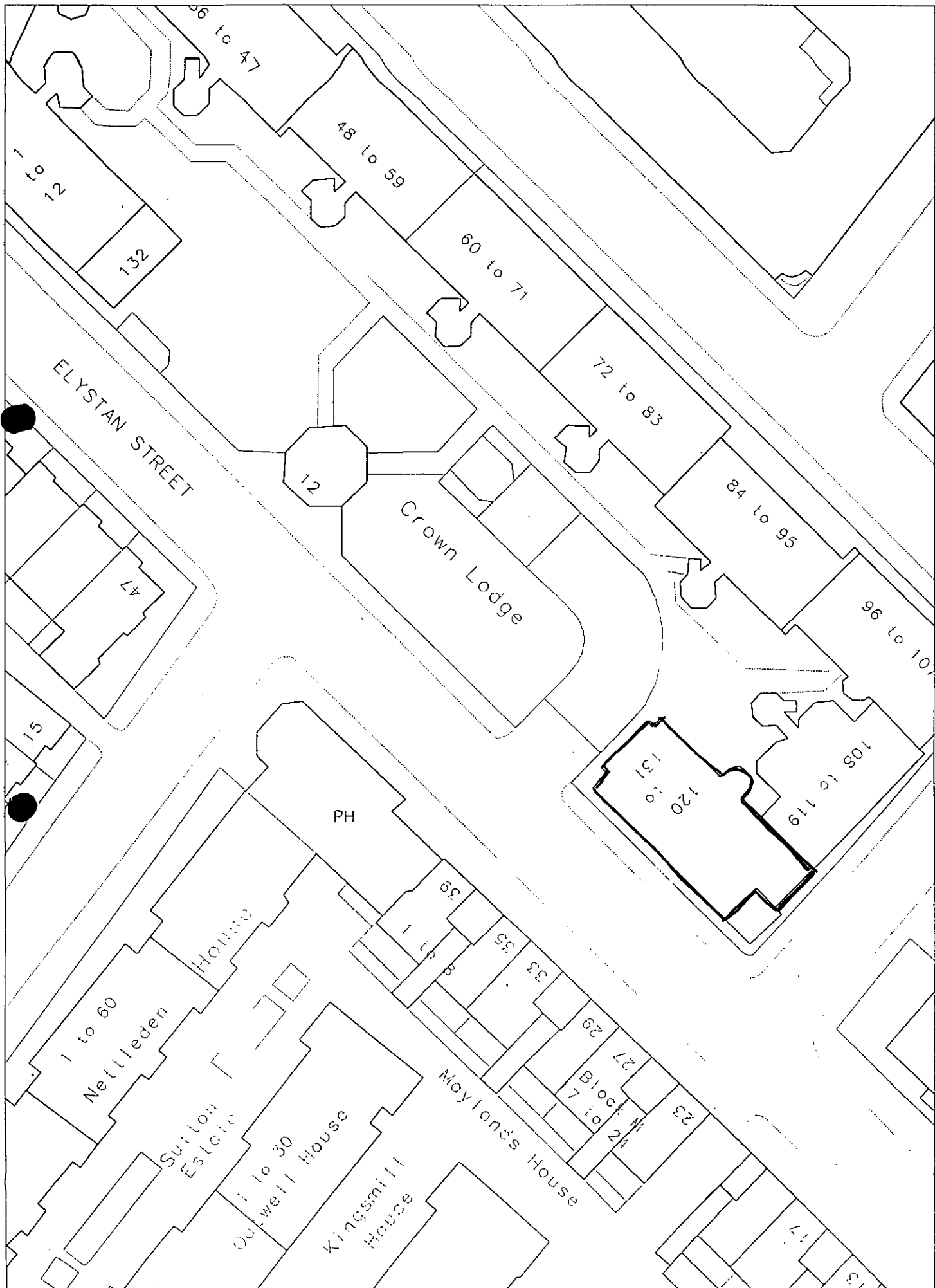
The unauthorised change of use from permanent residential accommodation to short term lets.

***WARNING***

1. It is an offence to fail, without reasonable excuse, to comply with any requirement of this notice within twenty-one days beginning with the day on which it was served on you. The maximum penalty on conviction of this offence is a fine of £1000. Continuing failure to comply following a conviction will constitute a further offence.
2. It is also an offence knowingly or recklessly to give information, in response to this notice, which is false or misleading in a material particular. The maximum penalty on conviction of this offence is a fine of £5000.

***ADDITIONAL INFORMATION***

3. If you fail to respond to this notice, the Council may take further action in respect of the suspected breach of planning control. In particular, they may issue an enforcement notice, under section 172 of the 1990 Act, requiring the breach, or any injury to amenity caused by it, to be remedied.
4. If the Council serve a stop notice, under section 183 of the 1990 Act, section 186(5)(b) of the Act provides that should you otherwise become entitled (under section 186) to compensation for loss or damage attributable to that notice, no such compensation will be payable in respect of any loss or damage which could have been avoided had you given the Council the information required by this notice, or had you otherwise co-operated with the Council when responding to it.





**MEMORANDUM**

To: ~~Executive Director~~

From: Director of Legal Services

~~Planning and Conservation~~

Local Land Charges

RECEIVED BY PLANNING SERVICES

Our Ref: Philip Waterson  
Room No: 313

C	DC	DC	E	Ao
N	C	S		Ack

Your Ref: Pat Abdelrahman  
Martyn Coy

20 SEP 1996

~~Lloydon McBarnette~~

John Stevens

Ext: 2146

Exec Dir	Records	AMD	Des
Appeals Office	10	Forward Plan	Head DC

Date: 24 September 1996

**Section 187A Town and Country Planning Act 1990 (as amended)**

**Breach of Condition Notice - 129 Crown Lodge, 12 Elystan Street, London SW3**

With reference to the above, I write to advise you that the Breach of Condition Notice has been issued and copies served on all interested parties.

I set down below details of the Breach of Condition Notice for insertion in the Enforcement Register:-

- |     |                     |  |
|-----|---------------------|--|
| (a) | Address of Property | 129 Crown Lodge, 12 Elystan Street, London SW3 |
| (b) | Issuing Authority   | The Royal Borough K&C                          |
| (c) | Date of Issue       | 24 September 1996                              |
| (d) | Service of Copies   |  |

<u>Name</u>	<u>Address</u>	<u>Date of Service</u>
Crown Lodge Freehold Ltd.	305 Great Portland Street London W1N 6AL	23 September 1996
Crown Lodge Management c/o Messrs Gross Fine	305 Great Portland Street London W1N 6AL	23 September 1996
Bank of Butterfield	24 Chiswell Street London EC1Y 4TY	23 September 1996
Messrs Maples Teesdale	21 Lincoln Inn's Fields London WC2A 3DU	23 September 1996
Field Real Estate Holdings Ltd.	c/o 21 Lincoln Inn's Fields London WC2A 3DU	23 September 1996

e) Summary of alleged breach and requirements:- The relevant planning permission to which this notice relates is the permission granted by the Council on 2nd April 1987 for the erection of roof extensions, formation of an underground car park for 117 cars, and provision of a landscaped courtyard, porter's lodge, swimming pool and sports hall and for the conversion into 130 self-contained flats under reference number TP/87/0113. The following condition has not been complied with:-

"11. The premises subject of this permission shall not be used at any time for any purpose specified in Section 25 of the Greater London Council (General Powers) Act 1973, shall not be used for any purpose specified in Section 5 of the Greater London Council (General Powers) Act 1984 and shall not be used at any time for the purpose of holiday lettings. (Explanatory note: this condition prohibits the use of the premises for the purposes of temporary sleeping accommodation for periods of less than 90 days, and prohibits use for time sharing and holiday lettings)". Cease the use of the Land as "temporary sleeping accommodation", as defined in Section 25 of the Greater London Council (General Powers) Act 1973, (see below).

(Explanatory note. Temporary sleeping accommodation is defined in Section 25 of the Greater London Council (General Powers) Act 1973 as:-

"sleeping accommodation which is occupied by the same person for less than ninety consecutive nights and which is provided (with or without other services) for a consideration arising either:- (i) by way of trade for money or moneys worth; or (ii) by reason of the employment of the occupant whether or not the relationship of landlord and tenant is thereby created;"

(f) Date on which Notice takes effect: immediately

(g) Time for Compliance: Six calendar months from Notice taking effect.

I attach hereto a copy of the Breach of Condition Notice for your file.



Philip Waterson  
for Director of Legal Services

**IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990**  
**(as amended by the Planning and Compensation Act 1991)**

**BREACH OF CONDITION NOTICE**

Issued by:           The Royal Borough of Kensington and Chelsea ("The Council")

1.       **This is a formal notice** which is issued by the Council, under Section 187A of the above Act, because they consider that a condition imposed on a grant of planning permission, relating to the land described below, has not been complied with. They consider that you should be required to secure compliance with the condition specified in this notice.

2.       **The land affected by the notice**

The land at Flat 129, Crown Lodge, 12 Elystan Street, London SW3, ("the Land"), shown, for identification purposes only, edged in red on the attached plan.

3.       **The relevant planning permission**

The relevant planning permission to which this notice relates is the permission granted by the Council on 2nd April 1987 for the erection of roof extensions, formation of an underground car park for 117 cars, and provision of a landscaped courtyard, porter's lodge, swimming pool and sports hall and for the conversion into 130 self-contained flats under reference number TP/87/0113, a copy of which is attached.

4.       **The breach of condition**

The following condition has not been complied with:-

"11. The premises subject of this permission shall not be used at any time for any purpose specified in Section 25 of the Greater London Council (General Powers) Act 1973, shall not be used for any purpose specified in Section 5 of the Greater London Council (General Powers) Act 1984 and shall not be used at any time for the purpose of holiday lettings. (Explanatory note: this condition prohibits the use of the premises for the purposes of temporary sleeping accommodation for periods of less than 90 days, and prohibits use for time sharing and holiday lettings)".

5.       **What you are required to do**

As the person responsible for the breach of the condition specified in paragraph 4 of this notice, you are required to secure compliance/comply with the stated condition by:

Ceasing the use of the Land as "temporary sleeping accommodation", as defined in Section 25 of the Greater London Council (General Powers) Act 1973, (see below).

(Explanatory note. Temporary sleeping accommodation is defined in Section 25 of the Greater London Council (General Powers) Act 1973 as:-

"sleeping accommodation which is occupied by the same person for less than ninety consecutive nights and which is provided (with or without other services) for a consideration arising either:-

(i) by way of trade for money or moneys worth; or

(ii) by reason of the employment of the occupant

whether or not the relationship of landlord and tenant is thereby created;"

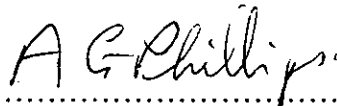
**Time for compliance: Six calendar months beginning with the day on which this notice is served on you.**

**6. When this notice takes effect**

This notice takes effect **immediately** it is served on you or you receive it by postal delivery.

Dated: 24th September 1996

Signed: .....



Director of Legal Services

(The Officer appointed for the purpose)

On behalf of the Royal Borough of Kensington and

Chelsea, Town Hall, Hornton Street, London, W8 7NX.

**Warning:**

**There is no right of appeal against this notice.**

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of **immediate prosecution** in the Magistrates' Court, for which the maximum penalty is £1000. If you are in any doubt about what this notice requires you to do, you should get in touch **immediately** with Mr Martyn Coy in the Council's Planning Department on 0171 361 2186.

If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review. A lawyer will advise you on what this procedure involves.

**DO NOT LEAVE YOUR RESPONSE TO THE LAST MINUTE**



**MEMORANDUM**

To: **Executive Director**  
**Planning and Conservation**  
 Local Land Charges

From: Director of Legal Services

Our Ref: Philip Waterson  
 Room No: 313

RECEIVED BY PLANNING SERVICES				
DC N	DC C	DC S	E	AO Ack
16 JUL 1996				11
Exec Dir	Records	ARB	Com Des	
Appeals	10	Feet Office	Forward Plan	Head DC

Your Ref: Pat Abdelrahman  
 Martyn Coy  
~~Eloydon McBarnette~~  
 John Stevens

Ext: 2146

Date: 12 July 1996

**Section 187A Town and Country Planning Act 1990 (as amended)**  
**Breach of Condition Notice - Flat 8, Crown Lodge, 12 Elystan Street, London SW3**

With reference to the above, I write to advise you that the Breach of Condition Notice has been issued and copies served on all interested parties.

I set down below details of the Breach of Condition Notice for insertion in the Enforcement Register:-

- |     |                     |  |
|-----|---------------------|--|
| (a) | Address of Property | Flat 8, Crown Lodge, 12 Elystan Street, London SW3 |
| (b) | Issuing Authority   | The Royal Borough K&C                              |
| (c) | Date of Issue       | 12 July 1996                                       |
| (d) | Service of Copies   |  |

<u>Name</u>	<u>Address</u>	<u>Date of Service</u>
Lawrie Plantation Services Ltd.	Wrotham Place Wrotham Sevenoaks Kent TN15 7AE	12 July 1996
Crown Lodge Freehold Ltd.	305 Great Portland Street London W1N 6AL	12 July 1996
Crown Lodge Management c/o Messrs Gross Fine	305 Great Portland Street London W1N 6AL	12 July 1996
Messrs Travers Smith Braithwaite	DX 79 LONDON	12 July 1996

e) Summary of alleged breach and requirements:- The relevant planning permission to which this notice relates is the permission granted by the Council on 2nd April 1987 for the erection of roof extensions, formation of an underground car park for 117 cars, and provision of a landscaped courtyard, porter's lodge, swimming pool and sports hall and for the conversion into

130 self-contained flats under reference number TP/87/0113. The following condition has not been complied with:-

"11. The premises subject of this permission shall not be used at any time for any purpose specified in Section 25 of the Greater London Council (General Powers) Act 1973, shall not be used for any purpose specified in Section 5 of the Greater London Council (General Powers) Act 1984 and shall not be used at any time for the purpose of holiday lettings. (Explanatory note: this condition prohibits the use of the premises for the purposes of temporary sleeping accommodation for periods of less than 90 days, and prohibits use for time sharing and holiday lettings)". Cease the use of the Land as "temporary sleeping accommodation", as defined in Section 25 of the Greater London Council (General Powers) Act 1973, (see below). (Explanatory note. Temporary sleeping accommodation is defined in Section 25 of the Greater London Council (General Powers) Act 1973 as:-

"sleeping accommodation which is occupied by the same person for less than ninety consecutive nights and which is provided (with or without other services) for a consideration arising either:-

- (i) by way of trade for money or moneys worth; or
  - (ii) by reason of the employment of the occupant  
whether or not the relationship of landlord and tenant is thereby created;"
- (f) Date on which Notice takes effect: immediately
- (g) Time for Compliance: Six calendar months from Notice taking effect.

I attach hereto a copy of the Breach of Condition Notice for your file.

  
Philip Waterson  
for Director of Legal Services

**IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990**  
**(as amended by the Planning and Compensation Act 1991)**

**BREACH OF CONDITION NOTICE**

Issued by:           The Royal Borough of Kensington and Chelsea ("The Council")

1.       **This is a formal notice** which is issued by the Council, under Section 187A of the above Act, because they consider that a condition imposed on a grant of planning permission, relating to the land described below, has not been complied with. They consider that you should be required to secure compliance with the condition specified in this notice.

2.       **The land affected by the notice**

The land at Flat 8, Crown Lodge, 12 Elystan Street, London SW3, ("the Land"), shown, for identification purposes only, edged in red on the attached plan.

3.       **The relevant planning permission**

The relevant planning permission to which this notice relates is the permission granted by the Council on 2nd April 1987 for the erection of roof extensions, formation of an underground car park for 117 cars, and provision of a landscaped courtyard, porter's lodge, swimming pool and sports hall and for the conversion into 130 self-contained flats under reference number TP/87/0113, a copy of which is attached.

4.       **The breach of condition**

The following condition has not been complied with:-

"11. The premises subject of this permission shall not be used at any time for any purpose specified in Section 25 of the Greater London Council (General Powers) Act 1973, shall not be used for any purpose specified in Section 5 of the Greater London Council (General Powers) Act 1984 and shall not be used at any time for the purpose of holiday lettings. (Explanatory note: this condition prohibits the use of the premises for the purposes of temporary sleeping accommodation for periods of less than 90 days, and prohibits use for time sharing and holiday lettings)".

5.       **What you are required to do**

As the person responsible for the breach of the condition specified in paragraph 4 of this notice, you are required to secure compliance/comply with the stated condition by:

Ceasing the use of the Land as "temporary sleeping accommodation", as defined in Section 25 of the Greater London Council (General Powers) Act 1973, (see below).



(Explanatory note. Temporary sleeping accommodation is defined in Section 25 of the Greater London Council (General Powers) Act 1973 as:-

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(i) by way of trade for money or moneys worth; or

(ii) by reason of the employment of the occupant

whether or not the relationship of landlord and tenant is thereby created;"

**Time for compliance:** Six calendar months beginning with the day on which this notice is served on you.

**6. When this notice takes effect**

This notice takes effect **immediately** it is served on you or you receive it by postal delivery.

Dated: 12th July 1996

Signed: .....

*AG Phillips*  
Director of Legal Services  
(The Officer appointed for the purpose)  
On behalf of the Royal Borough of Kensington and  
Chelsea, Town Hall, Hornton Street, London, W8 7NX.

**Warning:**

**There is no right of appeal against this notice.**

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of **immediate prosecution** in the Magistrates' Court, for which the maximum penalty is £1000. If you are in any doubt about what this notice requires you to do, you should get in touch **immediately** with Mr Martyn Coy in the Council's Planning Department on 0171 361 2186.

If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review. A lawyer will advise you on what this procedure involves.

**DO NOT LEAVE YOUR RESPONSE TO THE LAST MINUTE**



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SCALE

**MEMORANDUM**

To: ~~Executive Director~~  
~~Planning and Conservation~~  
 Local Land Charges

From: Director of Legal Services  
 DC N DC C DC S = Ao Ack

Our Ref: Philip Waterson  
 Room No: 313

Your Ref: Pat Abdelrahman 48 111 1006 40  
 Martyn Coy  
~~Lloydon McBanette~~  
 John Stevens  
 Recd 10/7/96  
 Fees Forward Head DC  
 Con Des

Ext: 2146

Date: 16 July 1996

**Section 187A Town and Country Planning Act 1990 (as amended)**  
**Breach of Condition Notice - Flat 9, Crown Lodge, 12 Elystan Street, London SW3**

With reference to the above, I write to advise you that the Breach of Condition Notice has been issued and copies served on all interested parties.

I set down below details of the Breach of Condition Notice for insertion in the Enforcement Register:-

- |     |                     |  |
|-----|---------------------|--|
| (a) | Address of Property | Flat 9, Crown Lodge, 12 Elystan Street, London SW3 |
| (b) | Issuing Authority   | The Royal Borough K&C                              |
| (c) | Date of Issue       | 16 July 1996                                       |
| (d) | Service of Copies   |  |

<u>Name</u>	<u>Address</u>	<u>Date of Service</u>
Lawrie Plantation Services Ltd.	Wrotham Place Wrotham Sevenoaks Kent TN15 7AE	17 July 1996
Crown Lodge Freehold Ltd.	305 Great Portland Street London W1N 6AL	17 July 1996
Crown Lodge Management c/o Messrs Gross Fine	305 Great Portland Street London W1N 6AL	17 July 1996
Messrs Travers Smith Braithwaite	DX 79 LONDON	17 July 1996

e) Summary of alleged breach and requirements:- The relevant planning permission to which this notice relates is the permission granted by the Council on 2nd April 1987 for the erection of roof extensions, formation of an underground car park for 117 cars, and provision of a landscaped courtyard, porter's lodge, swimming pool and sports hall and for the conversion into

130 self-contained flats under reference number TP/87/0113. The following condition has not been complied with:-

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- (i) by way of trade for money or moneys worth; or
  - (ii) by reason of the employment of the occupant
- whether or not the relationship of landlord and tenant is thereby created;"

- (f) Date on which Notice takes effect: immediately
- (g) Time for Compliance: Six calendar months from Notice taking effect.

I attach hereto a copy of the Breach of Condition Notice for your file.



Philip Waterson  
for Director of Legal Services

MEMORANDUM

To: ~~Executive Director~~  
~~Planning and Conservation~~  
Local Land Charges

From: Director of Legal Services

Our Ref: Philip Waterson  
Room No: 313

Your Ref: Pat Abdelrahman  
Martyn Coy

~~Lloydon McBarnette~~  
John Stevens

Ext: 2146

Date: 29 August 1996

**Section 187A Town and Country Planning Act 1990 (as amended)**  
**Breach of Condition Notice - Flat 49, Crown Lodge, 12 Elystan Street, London SW3**

With reference to the above, I write to advise you that the Breach of Condition Notice has been issued and copies served on all interested parties.

I set down below details of the Breach of Condition Notice for insertion in the Enforcement Register:-

- |     |                     |   |
|-----|---------------------|---|
| (a) | Address of Property | Flat 49, Crown Lodge, 12 Elystan Street, London SW3 |
| (b) | Issuing Authority   | The Royal Borough K&C                               |
| (c) | Date of Issue       | 29 August 1996                                      |
| (d) | Service of Copies   |   |

<u>Name</u>	<u>Address</u>	<u>Date of Service</u>
Mr Victor Apps	A4 Stanley Knoll 42 Stanley Village Road Stanley Hong Kong	30 August 1996
Messrs Wilcox Johnson & Higgins Reinsurance Brokers	Aldgate House 33 Aldgate High Street London EC3N 1AQ	30 August 1996
Crown Lodge Freehold Ltd.	305 Great Portland Street London W1N 6AL	30 August 1996
Crown Lodge Management c/o Messrs Gross Fine	305 Great Portland Street London W1N 6AL	30 August 1996

e) Summary of alleged breach and requirements:- The relevant planning permission to which this notice relates is the permission granted by the Council on 2nd April 1987 for the erection of roof extensions, formation of an underground car park for 117 cars, and provision of a landscaped courtyard, porter's lodge, swimming pool and sports hall and for the conversion into

MEMORANDUM

To: Executive Director  
Planning and Conservation  
Local Land Charges

From: Director of Legal Services

Our Ref: Philip Waterson  
Room No: 313

Your Ref: Pat Abdelrahman  
Martyn Coy

Lloyd McBurnette  
John Stevens

Ext: 2146

Date: 29 August 1996

**Section 187A Town and Country Planning Act 1990 (as amended)**  
**Breach of Condition Notice - Flat 49, Crown Lodge, 12 Elystan Street, London SW3**

With reference to the above, I write to advise you that the Breach of Condition Notice has been issued and copies served on all interested parties.

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- |     |                     |   |
|-----|---------------------|---|
| (a) | Address of Property | Flat 49, Crown Lodge, 12 Elystan Street, London SW3 |
| (b) | Issuing Authority   | The Royal Borough K&C                               |
| (c) | Date of Issue       | 29 August 1996                                      |
| (d) | Service of Copies   |   |

<u>Name</u>	<u>Address</u>	<u>Date of Service</u>
Mr Victor Apps	A4 Stanley Knoll 42 Stanley Village Road Stanley Hong Kong	30 August 1996
Messrs Wilcox Johnson & Higgins Reinsurance Brokers	Aldgate House 33 Aldgate High Street London EC3N 1AQ	30 August 1996
Crown Lodge Freehold Ltd.	305 Great Portland Street London W1N 6AL	30 August 1996
Crown Lodge Management c/o Messrs Gross Fine	305 Great Portland Street London W1N 6AL	30 August 1996

e) Summary of alleged breach and requirements:- The relevant planning permission to which this notice relates is the permission granted by the Council on 2nd April 1987 for the erection of roof extensions, formation of an underground car park for 117 cars, and provision of a landscaped courtyard, porter's lodge, swimming pool and sports hall and for the conversion into

**IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990**  
**(as amended by the Planning and Compensation Act 1991)**

**BREACH OF CONDITION NOTICE**

Issued by: The Royal Borough of Kensington and Chelsea ("The Council")

1. **This is a formal notice** which is issued by the Council, under Section 187A of the above Act, because they consider that a condition imposed on a grant of planning permission, relating to the land described below, has not been complied with. They consider that you should be required to secure compliance with the condition specified in this notice.

2. **The land affected by the notice**

The land at Flat 9, Crown Lodge, 12 Elystan Street, London SW3, ("the Land"), shown, for identification purposes only, edged in red on the attached plan.

3. **The relevant planning permission**

The relevant planning permission to which this notice relates is the permission granted by the Council on 2nd April 1987 for the erection of roof extensions, formation of an underground car park for 117 cars, and provision of a landscaped courtyard, porter's lodge, swimming pool and sports hall and for the conversion into 130 self-contained flats under reference number TP/87/0113, a copy of which is attached.

4. **The breach of condition**

The following condition has not been complied with:-

"11. The premises subject of this permission shall not be used at any time for any purpose specified in Section 25 of the Greater London Council (General Powers) Act 1973, shall not be used for any purpose specified in Section 5 of the Greater London Council (General Powers) Act 1984 and shall not be used at any time for the purpose of holiday lettings. (Explanatory note: this condition prohibits the use of the premises for the purposes of temporary sleeping accommodation for periods of less than 90 days, and prohibits use for time sharing and holiday lettings)".

5. **What you are required to do**

As the person responsible for the breach of the condition specified in paragraph 4 of this notice, you are required to secure compliance/comply with the stated condition by:

Ceasing the use of the Land as "temporary sleeping accommodation", as defined in Section 25 of the Greater London Council (General Powers) Act 1973, (see below).

(Explanatory note. Temporary sleeping accommodation is defined in Section 25 of the Greater London Council (General Powers) Act 1973 as:-

"sleeping accommodation which is occupied by the same person for less than ninety consecutive nights and which is provided (with or without other services) for a consideration arising either:-

(i) by way of trade for money or moneys worth; or

(ii) by reason of the employment of the occupant

whether or not the relationship of landlord and tenant is thereby created;"

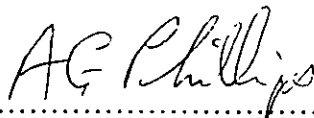
**Time for compliance: Six calendar months beginning with the day on which this notice is served on you.**

**6. When this notice takes effect**

This notice takes effect **immediately** it is served on you or you receive it by postal delivery.

Dated: 16th July 1996

Signed: .....



Director of Legal Services

(The Officer appointed for the purpose)

On behalf of the Royal Borough of Kensington and

Chelsea, Town Hall, Hornton Street, London, W8 7NX.

**Warning:**

**There is no right of appeal against this notice.**

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of **immediate prosecution** in the Magistrates' Court, for which the maximum penalty is £1000. If you are in any doubt about what this notice requires you to do, you should get in touch **immediately** with Mr Martyn Coy in the Council's Planning Department on 0171 361 2186.

If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review. A lawyer will advise you on what this procedure involves.

**DO NOT LEAVE YOUR RESPONSE TO THE LAST MINUTE**



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SCALE 1

527300E

527400E

Ma  
Pr imo.

Gar

1 to 12  
Colebrook  
Court

Police  
Station

PETWARD

181 to 220

1 to 24  
Marlowe Court

Philip Gane  
House  
(Police Section  
House)

Place

House

130 self-contained flats under reference number TP/87/0113. The following condition has not been complied with:-

"11. The premises subject of this permission shall not be used at any time for any purpose specified in Section 25 of the Greater London Council (General Powers) Act 1973, shall not be used for any purpose specified in Section 5 of the Greater London Council (General Powers) Act 1984 and shall not be used at any time for the purpose of holiday lettings. (Explanatory note: this condition prohibits the use of the premises for the purposes of temporary sleeping accommodation for periods of less than 90 days, and prohibits use for time sharing and holiday lettings)". Cease the use of the Land as "temporary sleeping accommodation", as defined in Section 25 of the Greater London Council (General Powers) Act 1973, (see below). (Explanatory note. Temporary sleeping accommodation is defined in Section 25 of the Greater London Council (General Powers) Act 1973 as:-

"sleeping accommodation which is occupied by the same person for less than ninety consecutive nights and which is provided (with or without other services) for a consideration arising either:-

(i) by way of trade for money or moneys worth; or  
(ii) by reason of the employment of the occupant  
whether or not the relationship of landlord and tenant is thereby created;"

(f) Date on which Notice takes effect: immediately

(g) Time for Compliance: Six calendar months from Notice taking effect.

I attach hereto a copy of the Breach of Condition Notice for your file.



Philip Waterson  
for Director of Legal Services

**MEMORANDUM**

To: **Executive Director**  
**Planning and Conservation**  
**Local Land Charges**

From: **Director of Legal Services/CES**

DC N	DC C	DC S	≡	Ao Ack
---------	---------	---------	---	-----------

Our Ref: Philip Waterson  
 Room No: 313

Your Ref: Pat Abdelrahman **40**

Martyn Coy	Recd	A 25	Con Des
<del>Lloydon McBarney</del>			
John Stevens	0	Fees	Forward Head

Ext: 2146

Date: 16 July 1996

**Section 187A Town and Country Planning Act 1990 (as amended)**  
**Breach of Condition Notice - Flat 9, Crown Lodge, 12 Elystan Street, London SW3**

With reference to the above, I write to advise you that the Breach of Condition Notice has been issued and copies served on all interested parties.

I set down below details of the Breach of Condition Notice for insertion in the Enforcement Register:-

- |     |                     |  |
|-----|---------------------|--|
| (a) | Address of Property | Flat 9, Crown Lodge, 12 Elystan Street, London SW3 |
| (b) | Issuing Authority   | The Royal Borough K&C                              |
| (c) | Date of Issue       | 16 July 1996                                       |
| (d) | Service of Copies   |  |

<u>Name</u>	<u>Address</u>	<u>Date of Service</u>
Lawrie Plantation Services Ltd.	Wrotham Place Wrotham Sevenoaks Kent TN15 7AE	17 July 1996
Crown Lodge Freehold Ltd.	305 Great Portland Street London W1N 6AL	17 July 1996
Crown Lodge Management c/o Messrs Gross Fine	305 Great Portland Street London W1N 6AL	17 July 1996
Messrs Travers Smith Braithwaite	DX 79 LONDON	17 July 1996

e) Summary of alleged breach and requirements:- The relevant planning permission to which this notice relates is the permission granted by the Council on 2nd April 1987 for the erection of roof extensions, formation of an underground car park for 117 cars, and provision of a landscaped courtyard, porter's lodge, swimming pool and sports hall and for the conversion into

130 self-contained flats under reference number TP/87/0113. The following condition has not been complied with:-

"11. The premises subject of this permission shall not be used at any time for any purpose specified in Section 25 of the Greater London Council (General Powers) Act 1973, shall not be used for any purpose specified in Section 5 of the Greater London Council (General Powers) Act 1984 and shall not be used at any time for the purpose of holiday lettings. (Explanatory note: this condition prohibits the use of the premises for the purposes of temporary sleeping accommodation for periods of less than 90 days, and prohibits use for time sharing and holiday lettings)". Cease the use of the Land as "temporary sleeping accommodation", as defined in Section 25 of the Greater London Council (General Powers) Act 1973, (see below). (Explanatory note. Temporary sleeping accommodation is defined in Section 25 of the Greater London Council (General Powers) Act 1973 as:-

"sleeping accommodation which is occupied by the same person for less than ninety consecutive nights and which is provided (with or without other services) for a consideration arising either:- (i) by way of trade for money or moneys worth; or (ii) by reason of the employment of the occupant whether or not the relationship of landlord and tenant is thereby created;"

(f) Date on which Notice takes effect: immediately

(g) Time for Compliance: Six calendar months from Notice taking effect.

I attach hereto a copy of the Breach of Condition Notice for your file.



Philip Waterson  
for Director of Legal Services

**IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990**  
**(as amended by the Planning and Compensation Act 1991)**

**BREACH OF CONDITION NOTICE**

Issued by: The Royal Borough of Kensington and Chelsea ("The Council")

1. **This is a formal notice** which is issued by the Council, under Section 187A of the above Act, because they consider that a condition imposed on a grant of planning permission, relating to the land described below, has not been complied with. They consider that you should be required to secure compliance with the condition specified in this notice.

2. **The land affected by the notice**

The land at Flat 49, Crown Lodge, 12 Elystan Street, London SW3, ("the Land"), shown, for identification purposes only, edged in red on the attached plan.

3. **The relevant planning permission**

The relevant planning permission to which this notice relates is the permission granted by the Council on 2nd April 1987 for the erection of roof extensions, formation of an underground car park for 117 cars, and provision of a landscaped courtyard, porter's lodge, swimming pool and sports hall and for the conversion into 130 self-contained flats under reference number TP/87/0113, a copy of which is attached.

4. **The breach of condition**

The following condition has not been complied with:-

"11. The premises subject of this permission shall not be used at any time for any purpose specified in Section 25 of the Greater London Council (General Powers) Act 1973, shall not be used for any purpose specified in Section 5 of the Greater London Council (General Powers) Act 1984 and shall not be used at any time for the purpose of holiday lettings. (Explanatory note: this condition prohibits the use of the premises for the purposes of temporary sleeping accommodation for periods of less than 90 days, and prohibits use for time sharing and holiday lettings)".

5. **What you are required to do**

As the person responsible for the breach of the condition specified in paragraph 4 of this notice, you are required to secure compliance/comply with the stated condition by:

Ceasing the use of the Land as "temporary sleeping accommodation", as defined in Section 25 of the Greater London Council (General Powers) Act 1973, (see below).

(Explanatory note. Temporary sleeping accommodation is defined in Section 25 of the Greater London Council (General Powers) Act 1973 as:-

"sleeping accommodation which is occupied by the same person for less than ninety consecutive nights and which is provided (with or without other services) for a consideration arising either:-

(i) by way of trade for money or moneys worth; or

(ii) by reason of the employment of the occupant

whether or not the relationship of landlord and tenant is thereby created;"

**Time for compliance: Six calendar months beginning with the day on which this notice is served on you.**

**6. When this notice takes effect**

This notice takes effect **immediately** it is served on you or you receive it by postal delivery.

Dated: 29 August 1996

Signed: .....

*AG Phillips*

Director of Legal Services

(The Officer appointed for the purpose)

On behalf of the Royal Borough of Kensington and

Chelsea, Town Hall, Hornton Street, London, W8 7NX.

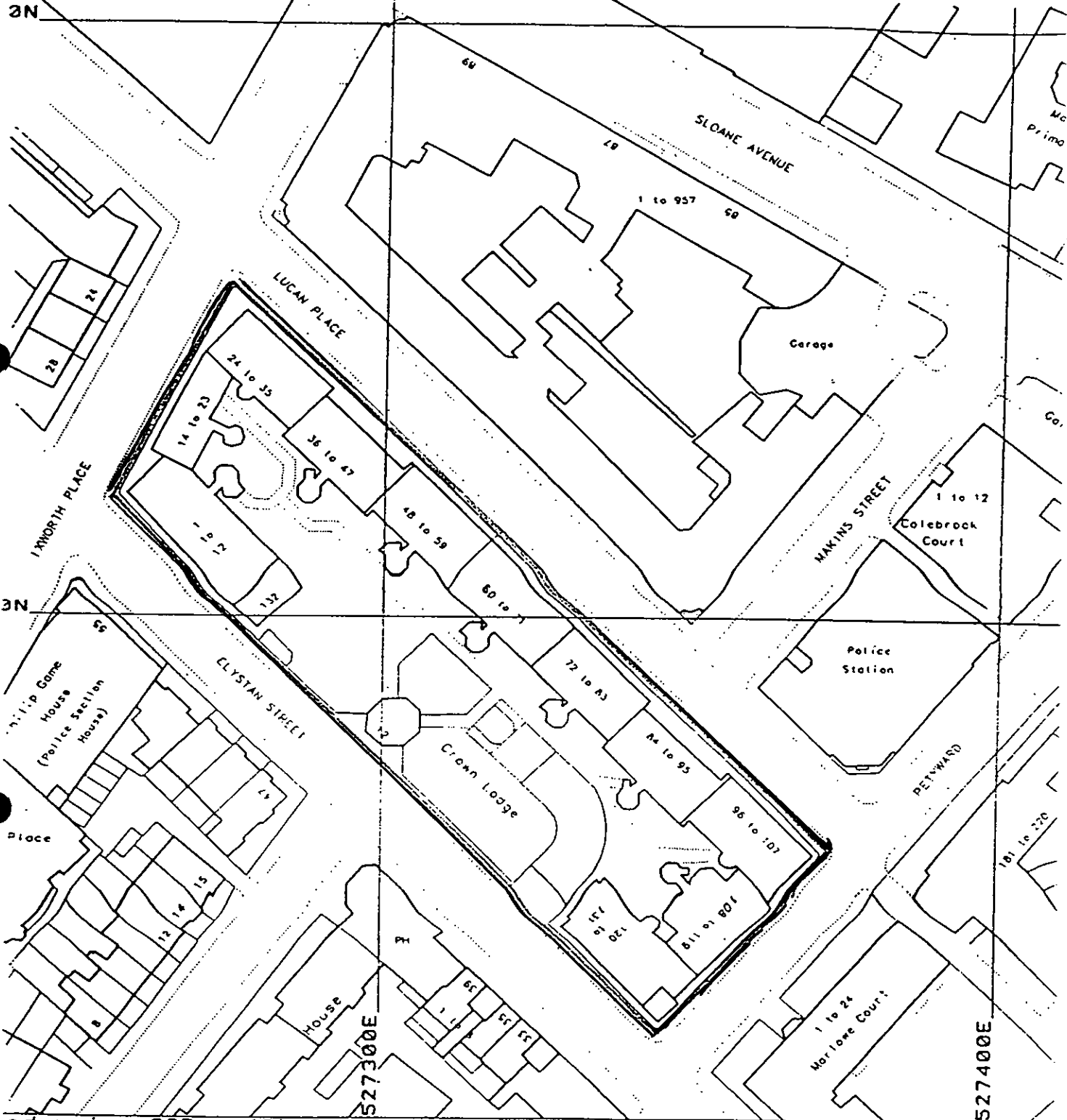
**Warning:**

**There is no right of appeal against this notice.**

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of **immediate prosecution** in the Magistrates' Court, for which the maximum penalty is £1000. If you are in any doubt about what this notice requires you to do, you should get in touch **immediately** with Mr Martyn Coy in the Council's Planning Department on 0171 361 2186.

If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review. A lawyer will advise you on what this procedure involves.

**DO NOT LEAVE YOUR RESPONSE TO THE LAST MINUTE**



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SCALE 1

527300E

527400E

# THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA



E.A. SANDERS, ARICS.  
Director of Planning and Transportation  
M.J. FRENCH, ARICS, Dip.T.P.  
Deputy Director of Planning and Transportation

Department 705  
The Town Hall  
Hornton Street  
London  
W8 7NX

John Gill Associates,  
146-148, Eltham Hill,  
London, SE9 5EA

Telephone 01 937 5464  
Extension 2081

Date 2 APR 1987

By reference

Your reference

Please refer to

Miss P. Vailely

PV/TP/87/0113/A/09/4113

Dear Sir/Madam,

## TOWN AND COUNTRY PLANNING ACT, 1971 TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER, 1977

### Permission for development (Conditional) (TP6a)

The Borough Council hereby permit the development referred to in the under-mentioned Schedule, subject to the conditions set out therein and in accordance with the plans submitted, save insofar as may otherwise be required by the said conditions. Your attention is also drawn to the enclosed Information Sheet.

### SCHEDULE

#### DEVELOPMENT

Erection of roof extensions, formation of an underground car park for 117 cars, and provision of a landscaped courtyard, porters lodge, swimming pool and sports hall and for conversion into 130 self-contained flats, at WRAY HOUSE, ELYSTAN STREET, CHELSEA, S.W.3, as shown on submitted drawings Nos. TP/87/0113, TP/87/113A and TP/87/0113B, Applicant's drawings Nos. 1819/50-PB, /51-PA, /52-PA, 53-PA, /54-P, /55-P, /56-PA, /57-PA, /58-PA, 1819/213 and 1819/41, in accordance with your application dated 12/01/87, completed 21/01/87, revised 26/03/87.

/ CONDITIONS



CONDITIONS

1. Satisfactory details of the external appearance of the porters lodge and security screen shall be submitted to and approved by the Council before any work on the site is commenced, and the development hereby permitted shall not be carried out except in accordance with the detailed plans, sections and elevations to be approved in accordance with this condition. (C.6)
2. The facing materials to be used on the building shall not be otherwise than those approved by the Council before any work on the site is commenced, and samples of such facing materials, including details of any pointing shall be submitted for the Council's consideration. (C.8)
3. No plumbing or pipes, other than rainwater pipes, shall be fixed on the external faces of the building. (C.11)
4. The whole of the car parking accommodation shown on the drawings shall be provided and retained permanently for the parking of vehicles of the occupiers and users of the remainder of the building provided that nothing in this condition shall prevent the use of part of such car parking accommodation by persons or bodies for such periods and at such times as the Council may from time to time approve in writing, and no trade or business shall be carried on therefrom. (C.12)
5. The garage accommodation shall not be adapted for living, commercial or other purposes and shall be available at all times for car parking. (C.14)
6. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission; and the development permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later. (C.23)
7. Particulars of the facing materials shall be submitted to the Council within three years from the date of this permission, and the development to which this permission relates must be begun not later than two years from the final approval of the facing materials. (C.24)

/S. No development...

8. No development shall take place until there has been submitted to and approved by the local planning authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development; and all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. (C.25)
9. Trees shall be planted on the site, as indicated on Drawing No. 1819/56 PA within twelve months of the commencement of development; or as soon as practicable thereafter. (C.28)
10. No water tank, lift motor room or other roof structure shall be erected which rises above the level of the roof hereby approved. (C.34)
11. The premises subject of this permission shall not be used at any time for any purpose specified in Section 25 of the Greater London Council (General Powers) Act, 1973, shall not be used for any purpose specified in Section 5 of the Greater London Council (General Powers) Act, 1984, and shall not be used at any time for the purpose of holiday lettings (explanatory note : this condition prohibits the use of the premises for the purposes of temporary sleeping accommodation for periods of less than 90 days, and prohibits use for time sharing and holiday lettings). (C.48)

#### REASONS FOR THE IMPOSITION OF CONDITIONS

1. In order that the Council may be satisfied as to the detail of the proposal. (R.4)
2. To ensure that the external appearance of the building is satisfactory. (R.5)
3. It is considered that external plumbing would seriously detract from the appearance of the building and injure visual amenities. (R.6)
4. To ensure the permanent retention of the parking space for parking purposes, to avoid obstruction of the surrounding streets by waiting vehicles, and to safeguard the amenities of adjacent premises. (R.7)

/5. To ensure the...

TP/87/0113 : 4

5. To ensure the permanent retention of the parking space for parking purposes, to avoid obstruction of the surrounding streets by waiting vehicles, and to safeguard the amenities of adjacent premises. (R.7)
6. To prevent an accumulation of permissions which have not been acted upon, and as required by Section 42 of the Town and Country Planning Act, 1971. (R.14)
7. To prevent an accumulation of permissions which have not been acted upon, and as required by Section 42 of the Town and Country Planning Act, 1971. (R.14)
8. To ensure the preservation and/or planting of trees as required by the Town and Country Planning Act 1971-74. (R.18)
9. To ensure the preservation and/or planting of trees as required by the Town and Country Planning Act 1971-74. (R.18)
10. To ensure that the external appearance of the building is satisfactory. (R.5)
11. To ensure the permanent retention of the accommodation for normal residential purposes. (R.21)

#### INFORMATIVES

1. Any proposed signs may need consent under the Town and Country Planning (Control of Advertisement) Regulations, 1984. The Director of Planning and Transportation at the Town Hall, Hornton Street, London, W8 7NX, will be pleased to advise in this respect. Proposals to place signs on the public highway must be checked also with the Director of Engineering and Works Services, Central Depot, Warwick Road, W14 8PT. (I.1)
2. Refuse storage accommodation and access thereto must be provided to the Council's satisfaction. You are therefore advised to consult with the Director of Engineering and Works Services, Central Depot, Warwick Road, W14. (01-373-6099) who has a code of practice available. Advice can also be given on certain aspects of industrial and commercial waste, as well as household waste. The Council operates a trade refuse service on a rechargeable basis. (I.3)
3. Your attention is drawn to the Building Act, 1984, the Building Regulations, 1985, and, insofar as they are applicable, the London Building Acts, 1930-39. The Council's District Surveyors (01-373-7702), must be consulted in these respects.

In the case of new residential accommodation (or works to existing residential premises) attention is drawn also to the Housing Act, 1984, and to the Council's Underground Rooms regulations. The Borough Environmental Health Officer (01-937-5464) can advise on requirements necessary to satisfy this legislation. (I.12)

4. This permission...

TP/87/0113 :5

4. This permission is given without prejudice to the Council's powers under Section 35 the London Building Acts (Amendment) Act 1939. (as regards means of escape in case of fire) in which respect the Council's officers should be consulted at an early date. Any proposals for external fire escapes or roof walkways or safety railings will need to be the subject of a further application for planning permission. The District Surveyor will advise on the Building Regulations, 1985, which are operative in Inner London from 1st January, 1986. (I.18)
5. I have to advise you that the Director of Engineering and Works Services, Central Depot, Warwick Road, W14 (01-373-6099) should be consulted with a view to the construction of a pavement crossover. The crossover will be constructed by the Council upon payment of a deposit to cover the cost of the work. As a general rule, sunken crossovers will not be permitted. (I.15)
6. The development hereby permitted must comply with the relevant provisions of the Highways Acts 1959-71. Advice in respect of the relative positioning of buildings to the highway, points of vehicle access, and width of the highway may be obtained from the Director of Planning and Transportation at the Town Hall, Hornton Street, London, W8 7NX. (I.17)
7. The Director of Engineering and Works Services whose office is situated at Warwick Road, W14 (01-373-6099) shall be advised 7 days before any earth moving or abnormal use of adjacent highways commences in order to discuss arrangements for the routing of earth removing vehicles and for ensuring cleansing of the carriageway. Contractors are reminded that it is an offence to deposit mud upon the public highway. In the event that any spillage etc. is not immediately cleared, the Council will carry out the necessary cleansing and re-charge the cost of the work to the Contractor. (I.33)
8. The development hereby approved must be carried out in strict compliance with the plans referred to in this permission. Any alteration to the approved scheme resulting either from the requirements of the District Surveyor, or for any other cause, must not take place except with the written agreement of the Council as local planning authority. (I.36)
9. Alterations to boundary walls and railings, or the erection of dustbin enclosures, may require a further grant of planning permission. The Council's officers (937-5464 extn. 2087) are often able to offer advice on an appropriate design for these kind of features - which are important in the street scene - and they must be consulted if any alterations of this kind are proposed. (I.40)

Yours faithfully,

W. K. [Signature]

Director of Planning and Transportation

MEMORANDUM

To: Executive Director Planning  
and Conservation

From: Director of Legal Services

Our Ref: Philip Waterson

Your Ref: Pat Abdelrahman  
Martyn Coy

Room No: 313

~~Lloydon McBarnette~~

Ext: 2146

Date: 2 February 1996

Section 171C Town & Country Planning Act 1990

Planning Contravention Notice - Flat 49, Crown Lodge, 12 Elystan Street, London SW3

I write to advise you that the above Notice has been issued and served. I set out below details of the Notice for your records:-

- (a) Address of property: Flat 49, Crown Lodge, 12 Elystan Street, London SW3
- (b) Issuing Authority: RBK&C
- (c) Date of issue: 1 February 1996
- (d) Service of copies

<u>Name</u>	<u>Address</u>	<u>Date of service</u>
The Owner	Flat 49, Crown Lodge, 12 Elystan Street, London SW3	2 February 1996
The Occupier	Flat 49, Crown Lodge, 12 Elystan Street, London SW3	2 February 1996

A copy of the notice is attached hereto.

  
Philip Waterson  
for Director of Legal Services

RECEIVED BY PLANNING				
DC N	DC C	DC S	E	A
15 6 - FEB 1996				
Exec Dir		Records	ARB	Con Dos
Appeals Office	10	Fees Officer	Forward Plan	Heac DC

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

TOWN AND COUNTRY PLANNING ACT 1990  
(as amended by the PLANNING AND COMPENSATION ACT 1991)

PLANNING CONTRAVENTION NOTICE

Re: Flat 49, Crown Lodge, 12 Elystan Street, London SW3.

1. It appears to the Council of the Royal Borough of Kensington and Chelsea ("the Council"), being the local planning authority for the purposes of section 171C of the Town and Country Planning Act 1990 ("the Act"), that there may have been a breach of planning control in respect of the land described in Schedule 1 below ("the land").

2. The breach of planning control which may have occurred is specified in Schedule 2 below.

3. This notice is served on you as a person who:-

- (1) is the owner or occupier of the land or has any other interest in it; or
- (2) is carrying out operations in, on, over or under the land or is using it for any purpose.

4. In exercise of their powers under Section 171C(2) and (3) of the Act the Council require you, so far as you are able, to give them the following information in writing *within twenty-one days* beginning with the day on which this notice is served on you:

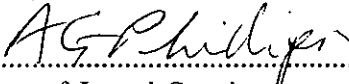
- (1) A copy of the tenancy agreement for the property.
- (2) The names and dates of arrival and departure of persons who have stayed at the property within the last two years.

5. If you wish to make:-

- (1) an offer to apply for planning permission, or to refrain from carrying out any operations or activities, or to undertake remedial works; or
- (2) any representations about this notice,

please telephone Mr Martyn Coy on 0171-361-2186 to arrange an appointment at which you will be able to make any such offer or representations in person. If replying on behalf of a company please state your name in BLOCK CAPITALS and designation.

Dated 1 February 1996.

Signed .....  .....  
Director of Legal Services  
(The Officer appointed for the purpose)

SCHEDULE 1  
Land to which this Notice relates

Flat 49, Crown Lodge, 12 Elystan Street, London SW3.

SCHEDULE 2  
Suspected breach of planning control

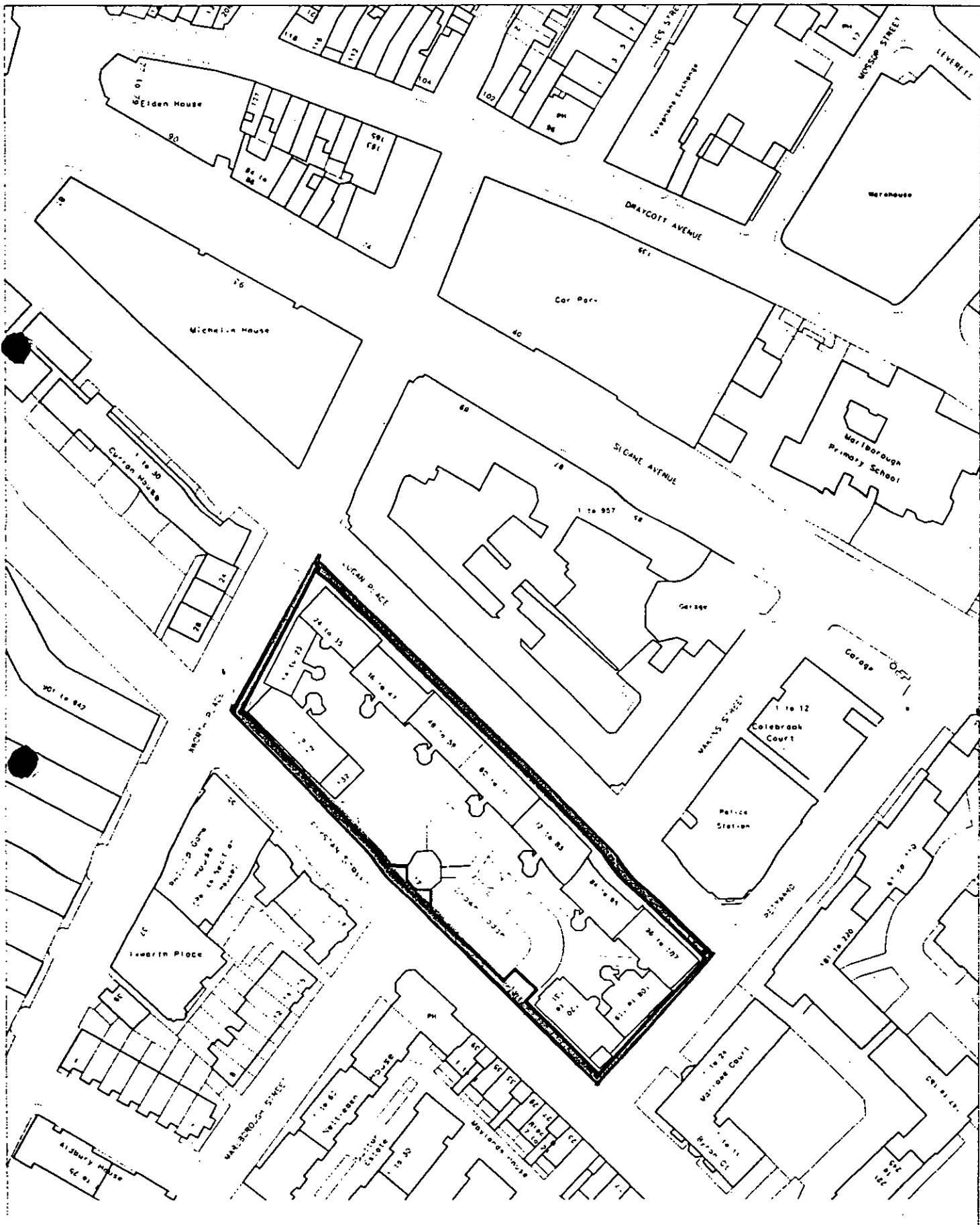
The unauthorised change of use from permanent residential accommodation to short term lets.

***WARNING***

1. It is an offence to fail, without reasonable excuse, to comply with any requirement of this notice within twenty-one days beginning with the day on which it was served on you. The maximum penalty on conviction of this offence is a fine of £1000. Continuing failure to comply following a conviction will constitute a further offence.
2. It is also an offence knowingly or recklessly to give information, in response to this notice, which is false or misleading in a material particular. The maximum penalty on conviction of this offence is a fine of £5000.

***ADDITIONAL INFORMATION***

3. If you fail to respond to this notice, the Council may take further action in respect of the suspected breach of planning control. In particular, they may issue an enforcement notice, under section 172 of the 1990 Act, requiring the breach, or any injury to amenity caused by it, to be remedied.
4. If the Council serve a stop notice, under section 183 of the 1990 Act, section 186(5)(b) of the Act provides that should you otherwise become entitled (under section 186) to compensation for loss or damage attributable to that notice, no such compensation will be payable in respect of any loss or damage which could have been avoided had you given the Council the information required by this notice, or had you otherwise co-operated with the Council when responding to it.





**MEMORANDUM**

To: ~~Executive Director~~  
~~Planning and Conservation~~

From: Director of Legal Services

Local Land Charges **RECEIVED BY PLANNING SERVICES**

Our Ref: Philip Waterson  
Room No: 313

DC N	DC C	DC S	E	As Y
18 JUL 1996				As Y
Exec Dir		Records	ARB	Com Des
Appeals Office	10	Fees Officer	Forward Plan	Date: DC

Your Ref: Pat Abdelrahman  
Marty Coy  
~~Lloydon McBarrette~~  
John Stevens

Ext: 2146

Date: 17 July 1996

**Section 187A Town and Country Planning Act 1990 (as amended)**  
**Breach of Condition Notice - Flat 55, Crown Lodge, 12 Elystan Street, London SW3**

With reference to the above, I write to advise you that the Breach of Condition Notice has been issued and copies served on all interested parties.

I set down below details of the Breach of Condition Notice for insertion in the Enforcement Register:-

- |     |                     |   |
|-----|---------------------|---|
| (a) | Address of Property | Flat 55, Crown Lodge, 12 Elystan Street, London SW3 |
| (b) | Issuing Authority   | The Royal Borough K&C                               |
| (c) | Date of Issue       | 17th July 1996                                      |
| (d) | Service of Copies   |   |

<u>Name</u>	<u>Address</u>	<u>Date of Service</u>
Graham Properties Ltd. c/o Messrs Conrathe Chivers Brown	420-424 Ewell Road Tolworth Surrey KT6 7EH	17 July 1996
Messrs Alexander & Alexander	10 Devonshire Square London EC2M 4LE	17 July 1996
Regalian Developments Ltd.	PO Box 4NR 44 Grosvenor Hill London W1A 4NR	17 July 1996
Crown Lodge Freehold Ltd.	305 Great Portland Street London W1N 6AL	17 July 1996
Crown Lodge Management c/o Messrs Gross Fine	305 Great Portland Street London W1N 6AL	17 July 1996
Palace Gate Property Services	11 Palace Gate London W8	17 July 1996
Messrs Simmons & Simmons	DX Box No 12	17 July 1996

e) Summary of alleged breach and requirements:- The relevant planning permission to which this notice relates is the permission granted by the Council on 2nd April 1987 for the erection of roof extensions, formation of an underground car park for 117 cars, and provision of a landscaped courtyard, porter's lodge, swimming pool and sports hall and for the conversion into 130 self-contained flats under reference number TP/87/0113. The following condition has not been complied with:-

"11. The premises subject of this permission shall not be used at any time for any purpose specified in Section 25 of the Greater London Council (General Powers) Act 1973, shall not be used for any purpose specified in Section 5 of the Greater London Council (General Powers) Act 1984 and shall not be used at any time for the purpose of holiday lettings. (Explanatory note: this condition prohibits the use of the premises for the purposes of temporary sleeping accommodation for periods of less than 90 days, and prohibits use for time sharing and holiday lettings)". Cease the use of the Land as "temporary sleeping accommodation", as defined in Section 25 of the Greater London Council (General Powers) Act 1973, (see below).

(Explanatory note. Temporary sleeping accommodation is defined in Section 25 of the Greater London Council (General Powers) Act 1973 as:-

"sleeping accommodation which is occupied by the same person for less than ninety consecutive nights and which is provided (with or without other services) for a consideration arising either:-

(i) by way of trade for money or moneys worth; or

(ii) by reason of the employment of the occupant

whether or not the relationship of landlord and tenant is thereby created;"

(f) Date on which Notice takes effect: immediately

(g) Time for Compliance: Six calendar months from Notice taking effect.

I attach hereto a copy of the Breach of Condition Notice for your file.



Philip Waterson  
for Director of Legal Services

**IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990**  
**(as amended by the Planning and Compensation Act 1991)**

**BREACH OF CONDITION NOTICE**

Issued by:           The Royal Borough of Kensington and Chelsea ("The Council")

1.       **This is a formal notice** which is issued by the Council, under Section 187A of the above Act, because they consider that a condition imposed on a grant of planning permission, relating to the land described below, has not been complied with. They consider that you should be required to secure compliance with the condition specified in this notice.

2.       **The land affected by the notice**

The land at Flat 55, Crown Lodge, 12 Elystan Street, London SW3, ("the Land"), shown, for identification purposes only, edged in red on the attached plan.

3.       **The relevant planning permission**

The relevant planning permission to which this notice relates is the permission granted by the Council on 2nd April 1987 for the erection of roof extensions, formation of an underground car park for 117 cars, and provision of a landscaped courtyard, porter's lodge, swimming pool and sports hall and for the conversion into 130 self-contained flats under reference number TP/87/0113, a copy of which is attached.

4.       **The breach of condition**

The following condition has not been complied with:-

"11. The premises subject of this permission shall not be used at any time for any purpose specified in Section 25 of the Greater London Council (General Powers) Act 1973, shall not be used for any purpose specified in Section 5 of the Greater London Council (General Powers) Act 1984 and shall not be used at any time for the purpose of holiday lettings. (Explanatory note: this condition prohibits the use of the premises for the purposes of temporary sleeping accommodation for periods of less than 90 days, and prohibits use for time sharing and holiday lettings)".

5.       **What you are required to do**

As the person responsible for the breach of the condition specified in paragraph 4 of this notice, you are required to secure compliance/comply with the stated condition by:

Ceasing the use of the Land as "temporary sleeping accommodation", as defined in Section 25 of the Greater London Council (General Powers) Act 1973, (see below).

(Explanatory note. Temporary sleeping accommodation is defined in Section 25 of the Greater London Council (General Powers) Act 1973 as:-

"sleeping accommodation which is occupied by the same person for less than ninety consecutive nights and which is provided (with or without other services) for a consideration arising either:-

(i) by way of trade for money or moneys worth; or

(ii) by reason of the employment of the occupant

whether or not the relationship of landlord and tenant is thereby created;"

**Time for compliance:** Six calendar months beginning with the day on which this notice is served on you.

6. **When this notice takes effect**

This notice takes effect **immediately** it is served on you or you receive it by postal delivery.

Dated: 17th July 1996

Signed: .....

*A G Phillips*

Director of Legal Services

(The Officer appointed for the purpose)

On behalf of the Royal Borough of Kensington and

Chelsea, Town Hall, Hornton Street, London, W8 7NX.

**Warning:**

**There is no right of appeal against this notice.**

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of **immediate prosecution** in the Magistrates' Court, for which the maximum penalty is £1000. If you are in any doubt about what this notice requires you to do, you should get in touch **immediately** with Mr Martyn Coy in the Council's Planning Department on 0171 361 2186.

If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review. A lawyer will advise you on what this procedure involves.

**DO NOT LEAVE YOUR RESPONSE TO THE LAST MINUTE**



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SCALE 1

MEMORANDUM

To: Executive Director Planning  
and Conservation

From: Director of Legal Services

Our Ref: Philip Waterson

Your Ref: Pat Abdelrahman  
Martyn Coy

Room No: 313

~~Lloydon McBarnette~~

Ext: 2146

Date: 2 February 1996

Section 171C Town & Country Planning Act 1990

Planning Contravention Notice - Flat 55, Crown Lodge, 12 Elystan Street, London SW3

I write to advise you that the above Notice has been issued and served. I set out below details of the Notice for your records:-

- (a) Address of property: Flat 55, Crown Lodge, 12 Elystan Street, London SW3
- (b) Issuing Authority: RBK&C
- (c) Date of issue: 1 February 1996
- (d) Service of copies

<u>Name</u>	<u>Address</u>	<u>Date of service</u>
The Owner	Flat 55, Crown Lodge, 12 Elystan Street, London SW3	2 February 1996
The Occupier	Flat 55, Crown Lodge, 12 Elystan Street, London SW3	2 February 1996

A copy of the notice is attached hereto.

*PH Waterson*  
Philip Waterson  
for Director of Legal Services

RECEIVED BY PLANNING SERVICES				
DC N	DC C	DC S	E	Ao Ack
9		6 - FEB 1996		
Exec Dir		Records	ARB	Con Des
Appeals Office	IO	Fees Officer	Forward Plan	Head DC

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

TOWN AND COUNTRY PLANNING ACT 1990  
(as amended by the PLANNING AND COMPENSATION ACT 1991)

PLANNING CONTRAVENTION NOTICE

Re: Flat 55, Crown Lodge, 12 Elystan Street, London SW3.

1. It appears to the Council of the Royal Borough of Kensington and Chelsea ("the Council"), being the local planning authority for the purposes of section 171C of the Town and Country Planning Act 1990 ("the Act"), that there may have been a breach of planning control in respect of the land described in Schedule 1 below ("the land").

2. The breach of planning control which may have occurred is specified in Schedule 2 below.

3. This notice is served on you as a person who:-

- (1) is the owner or occupier of the land or has any other interest in it; or
- (2) is carrying out operations in, on, over or under the land or is using it for any purpose.

4. In exercise of their powers under Section 171C(2) and (3) of the Act the Council require you, so far as you are able, to give them the following information in writing *within twenty-one days* beginning with the day on which this notice is served on you:

- (1) A copy of the tenancy agreement for the property.
- (2) The names and dates of arrival and departure of persons who have stayed at the property within the last two years.

5. If you wish to make:-

- (1) an offer to apply for planning permission, or to refrain from carrying out any operations or activities, or to undertake remedial works; or
- (2) any representations about this notice,

please telephone Mr Martyn Coy on 0171-361-2186 to arrange an appointment at which you will be able to make any such offer or representations in person. If replying on behalf of a company please state your name in BLOCK CAPITALS and designation.

Dated 2nd February 1996.

Signed AG Phillips  
Director of Legal Services  
(The Officer appointed for the purpose)

SCHEDULE 1  
Land to which this Notice relates

Flat 55, Crown Lodge, 12 Elystan Street, London SW3.

SCHEDULE 2  
Suspected breach of planning control

The unauthorised change of use from permanent residential accommodation to short term lets.

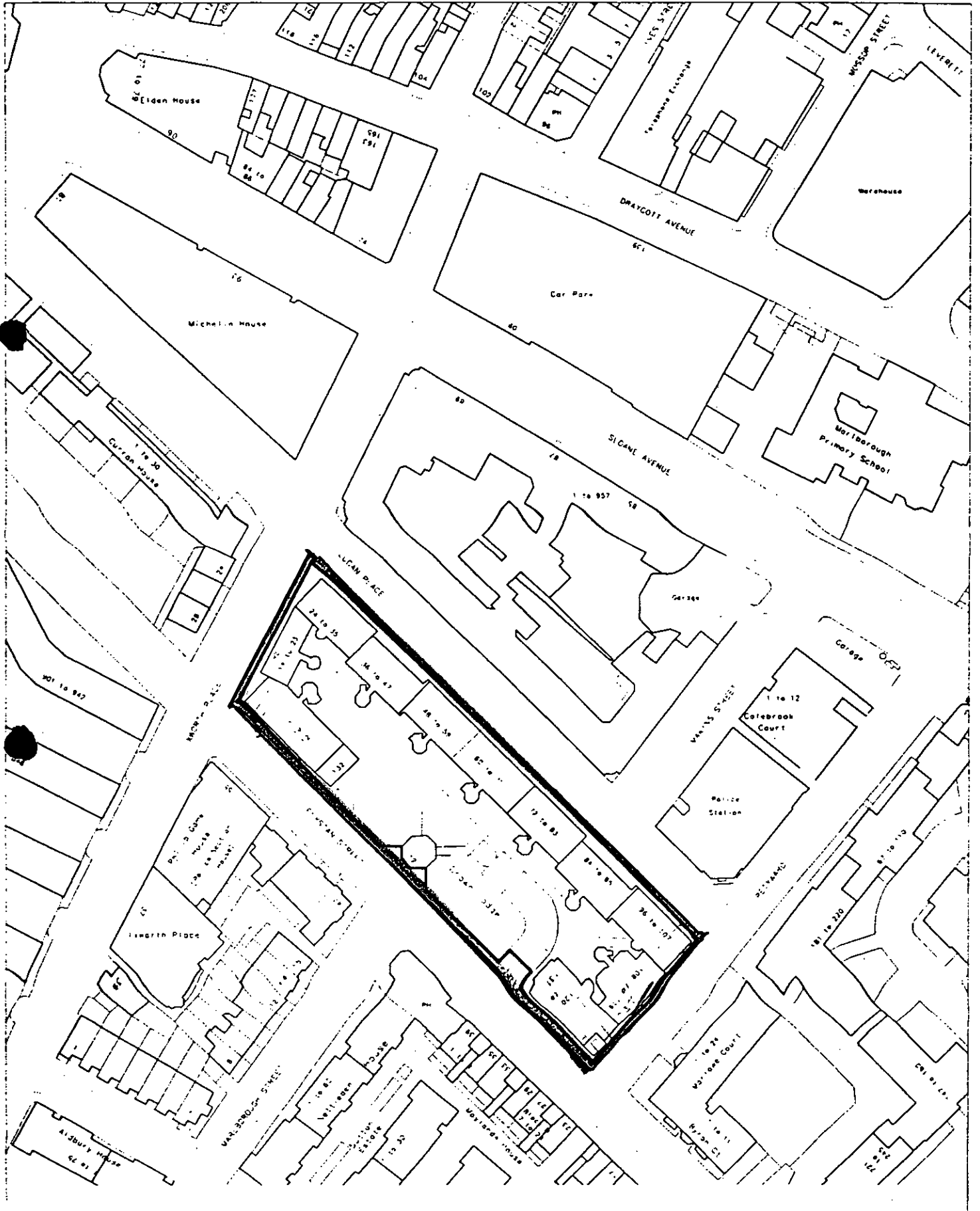
***WARNING***

1. It is an offence to fail, without reasonable excuse, to comply with any requirement of this notice within twenty-one days beginning with the day on which it was served on you. The maximum penalty on conviction of this offence is a fine of £1000. Continuing failure to comply following a conviction will constitute a further offence.
2. It is also an offence knowingly or recklessly to give information, in response to this notice, which is false or misleading in a material particular. The maximum penalty on conviction of this offence is a fine of £5000.

***ADDITIONAL INFORMATION***

3. If you fail to respond to this notice, the Council may take further action in respect of the suspected breach of planning control. In particular, they may issue an enforcement notice, under section 172 of the 1990 Act, requiring the breach, or any injury to amenity caused by it, to be remedied.
4. If the Council serve a stop notice, under section 183 of the 1990 Act, section 186(5)(b) of the Act provides that should you otherwise become entitled (under section 186) to compensation for loss or damage attributable to that notice, no such compensation will be payable in respect of any loss or damage which could have been avoided had you given the Council the information required by this notice, or had you otherwise co-operated with the Council when responding to it.





**MEMORANDUM**

To: ~~Executive Director~~  
~~Planning and Conservation~~  
Local Land Charges

From: Director of Legal Services

Our Ref: Philip Waterson  
Room No: 313

Your Ref: Pat Abdelrahman  
Martyn Coy

~~Lloydon McBarnette~~  
John Stevens

Ext: 2146

Date: 18 July 1996

**Section 6187A Town and Country Planning Act 1990 (as amended)**  
**Breach of Condition Notice - Flat 74, Crown Lodge, 12 Elystan Street, London SW3**

With reference to the above, I write to advise you that the Breach of Condition Notice has been issued and copies served on all interested parties.

I set down below details of the Breach of Condition Notice for insertion in the Enforcement Register:-

- |     |                     |   |
|-----|---------------------|---|
| (a) | Address of Property | Flat 74, Crown Lodge, 12 Elystan Street, London SW3 |
| (b) | Issuing Authority   | The Royal Borough K&C                               |
| (c) | Date of Issue       | 17th July 1996                                      |
| (d) | Service of Copies   |   |

<u>Name</u>	<u>Address</u>	<u>Date of Service</u>
Greig Fester (Properties) Ltd.	Devon House 58-60 St Katherine's Way London E1 9LB	18 July 1996
Regalian Developments Ltd.	PO Box 4NR 44 Grosvenor Hill London W1A 4NR	18 July 1996
Crown Lodge Freehold Ltd.	305 Great Portland Street London W1N 6AL	18 July 1996
Crown Lodge Management c/o Messrs Gross Fine	305 Great Portland Street London W1N 6AL	18 July 1996

e) Summary of alleged breach and requirements:- The relevant planning permission to which this notice relates is the permission granted by the Council on 2nd April 1987 for the erection of roof extensions, formation of an underground car park for 117 cars, and provision of a landscaped courtyard, porter's lodge, swimming pool and sports hall and for the conversion into 130 self-contained flats under reference number TP/87/0113. The following condition has not been complied with:-

"11. The premises subject of this permission shall not be used at any time for any purpose specified in Section 25 of the Greater London Council (General Powers) Act 1973, shall not be used for any purpose specified in Section 5 of the Greater London Council (General Powers) Act 1984 and shall not be used at any time for the purpose of holiday lettings. (Explanatory note: this condition prohibits the use of the premises for the purposes of temporary sleeping accommodation for periods of less than 90 days, and prohibits use for time sharing and holiday lettings)". Cease the use of the Land as "temporary sleeping accommodation", as defined in Section 25 of the Greater London Council (General Powers) Act 1973, (see below).

(Explanatory note. Temporary sleeping accommodation is defined in Section 25 of the Greater London Council (General Powers) Act 1973 as:-

"sleeping accommodation which is occupied by the same person for less than ninety consecutive nights and which is provided (with or without other services) for a consideration arising either:-

(i) by way of trade for money or moneys worth; or

(ii) by reason of the employment of the occupant

whether or not the relationship of landlord and tenant is thereby created;"

(f) Date on which Notice takes effect: immediately

(g) Time for Compliance: Six calendar months from Notice taking effect.

I attach hereto a copy of the Breach of Condition Notice for your file.



Philip Waterson

for Director of Legal Services

**IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990**  
**(as amended by the Planning and Compensation Act 1991)**

**BREACH OF CONDITION NOTICE**

Issued by:           The Royal Borough of Kensington and Chelsea ("The Council")

1.       **This is a formal notice** which is issued by the Council, under Section 187A of the above Act, because they consider that a condition imposed on a grant of planning permission, relating to the land described below, has not been complied with. They consider that you should be required to secure compliance with the condition specified in this notice.

2.       **The land affected by the notice**

The land at Flat 74, Crown Lodge, 12 Elystan Street, London SW3, ("the Land"), shown, for identification purposes only, edged in red on the attached plan.

3.       **The relevant planning permission**

The relevant planning permission to which this notice relates is the permission granted by the Council on 2nd April 1987 for the erection of roof extensions, formation of an underground car park for 117 cars, and provision of a landscaped courtyard, porter's lodge, swimming pool and sports hall and for the conversion into 130 self-contained flats under reference number TP/87/0113, a copy of which is attached.

4.       **The breach of condition**

The following condition has not been complied with:-

"11. The premises subject of this permission shall not be used at any time for any purpose specified in Section 25 of the Greater London Council (General Powers) Act 1973, shall not be used for any purpose specified in Section 5 of the Greater London Council (General Powers) Act 1984 and shall not be used at any time for the purpose of holiday lettings. (Explanatory note: this condition prohibits the use of the premises for the purposes of temporary sleeping accommodation for periods of less than 90 days, and prohibits use for time sharing and holiday lettings)".

5.       **What you are required to do**

As the person responsible for the breach of the condition specified in paragraph 4 of this notice, you are required to secure compliance/comply with the stated condition by:

Ceasing the use of the Land as "temporary sleeping accommodation", as defined in Section 25 of the Greater London Council (General Powers) Act 1973, (see below).

(Explanatory note. Temporary sleeping accommodation is defined in Section 25 of the Greater London Council (General Powers) Act 1973 as:-

"sleeping accommodation which is occupied by the same person for less than ninety consecutive nights and which is provided (with or without other services) for a consideration arising either:-

(i) by way of trade for money or moneys worth; or

(ii) by reason of the employment of the occupant

whether or not the relationship of landlord and tenant is thereby created;"

**Time for compliance: Six calendar months beginning with the day on which this notice is served on you.**

**6. When this notice takes effect**

This notice takes effect **immediately** it is served on you or you receive it by postal delivery.

Dated: 18th July 1996

Signed: .....



Director of Legal Services

(The Officer appointed for the purpose)

On behalf of the Royal Borough of Kensington and

Chelsea, Town Hall, Hornton Street, London, W8 7NX.

**Warning:**

**There is no right of appeal against this notice.**

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of **immediate prosecution** in the Magistrates' Court, for which the maximum penalty is £1000. If you are in any doubt about what this notice requires you to do, you should get in touch **immediately** with Mr Martyn Coy in the Council's Planning Department on 0171 361 2186.

If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review. A lawyer will advise you on what this procedure involves.

**DO NOT LEAVE YOUR RESPONSE TO THE LAST MINUTE**



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SCALE 1

**MEMORANDUM**

To: Executive Director  
Planning and Conservation  
Local Land Charges

From: Director of Legal Services

Our Ref: Philip Waterson  
 Room No: 313

RECEIVED BY PLANNING SERVICE

DC N	DC C	DC S	E	AD Ack
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Your Ref: Pat Abdelrahman  
 Martyn Coy

19 JUL 1996

Lloydon McBarnette  
 John Stevens

Ext: 2146

Exec Dir	Records	ARB	Con Des
Appeals	Fees	Forward	Head

Date: 18 July 1996

**Section 6187A Town and Country Planning Act 1990 (as amended)**  
**Breach of Condition Notice - Flat 76, Crown Lodge, 12 Elystan Street, London SW3**

With reference to the above, I write to advise you that the Breach of Condition Notice has been issued and copies served on all interested parties.

I set down below details of the Breach of Condition Notice for insertion in the Enforcement Register:-

- |     |                     |   |
|-----|---------------------|---|
| (a) | Address of Property | Flat 76, Crown Lodge, 12 Elystan Street, London SW3 |
| (b) | Issuing Authority   | The Royal Borough K&C                               |
| (c) | Date of Issue       | 17th July 1996                                      |
| (d) | Service of Copies   |   |

<u>Name</u>	<u>Address</u>	<u>Date of Service</u>
Greig Fester (Properties) Ltd.	Devon House 58-60 St Katherine's Way London E1 9LB	18 July 1996
Regalian Developments Ltd.	PO Box 4NR 44 Grosvenor Hill London W1A 4NR	18 July 1996
Crown Lodge Freehold Ltd.	305 Great Portland Street London W1N 6AL	18 July 1996
Crown Lodge Management c/o Messrs Gross Fine	305 Great Portland Street London W1N 6AL	18 July 1996

e) Summary of alleged breach and requirements:- The relevant planning permission to which this notice relates is the permission granted by the Council on 2nd April 1987 for the erection of roof extensions, formation of an underground car park for 117 cars, and provision of a landscaped courtyard, porter's lodge, swimming pool and sports hall and for the conversion into 130 self-contained flats under reference number TP/87/0113. The following condition has not been complied with:-

"11. The premises subject of this permission shall not be used at any time for any purpose specified in Section 25 of the Greater London Council (General Powers) Act 1973, shall not be used for any purpose specified in Section 5 of the Greater London Council (General Powers) Act 1984 and shall not be used at any time for the purpose of holiday lettings. (Explanatory note: this condition prohibits the use of the premises for the purposes of temporary sleeping accommodation for periods of less than 90 days, and prohibits use for time sharing and holiday lettings)". Cease the use of the Land as "temporary sleeping accommodation", as defined in Section 25 of the Greater London Council (General Powers) Act 1973, (see below).

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(i) by way of trade for money or moneys worth; or

(ii) by reason of the employment of the occupant

whether or not the relationship of landlord and tenant is thereby created;"

(f) Date on which Notice takes effect: immediately

(g) Time for Compliance: Six calendar months from Notice taking effect.

I attach hereto a copy of the Breach of Condition Notice for your file.



Philip Waterson  
for Director of Legal Services



**IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990**  
**(as amended by the Planning and Compensation Act 1991)**

**BREACH OF CONDITION NOTICE**

Issued by:           The Royal Borough of Kensington and Chelsea ("The Council")

1.           **This is a formal notice** which is issued by the Council, under Section 187A of the above Act, because they consider that a condition imposed on a grant of planning permission, relating to the land described below, has not been complied with. They consider that you should be required to secure compliance with the condition specified in this notice.

2.           **The land affected by the notice**

The land at Flat 76, Crown Lodge, 12 Elystan Street, London SW3, ("the Land"), shown, for identification purposes only, edged in red on the attached plan.

3.           **The relevant planning permission**

The relevant planning permission to which this notice relates is the permission granted by the Council on 2nd April 1987 for the erection of roof extensions, formation of an underground car park for 117 cars, and provision of a landscaped courtyard, porter's lodge, swimming pool and sports hall and for the conversion into 130 self-contained flats under reference number TP/87/0113, a copy of which is attached.

4.           **The breach of condition**

The following condition has not been complied with:-

"11. The premises subject of this permission shall not be used at any time for any purpose specified in Section 25 of the Greater London Council (General Powers) Act 1973, shall not be used for any purpose specified in Section 5 of the Greater London Council (General Powers) Act 1984 and shall not be used at any time for the purpose of holiday lettings. (Explanatory note: this condition prohibits the use of the premises for the purposes of temporary sleeping accommodation for periods of less than 90 days, and prohibits use for time sharing and holiday lettings)".

5.           **What you are required to do**

As the person responsible for the breach of the condition specified in paragraph 4 of this notice, you are required to secure compliance/comply with the stated condition by:

Ceasing the use of the Land as "temporary sleeping accommodation", as defined in Section 25 of the Greater London Council (General Powers) Act 1973, (see below).

(Explanatory note. Temporary sleeping accommodation is defined in Section 25 of the Greater London Council (General Powers) Act 1973 as:-

"sleeping accommodation which is occupied by the same person for less than ninety consecutive nights and which is provided (with or without other services) for a consideration arising either:-

(i) by way of trade for money or moneys worth; or

(ii) by reason of the employment of the occupant

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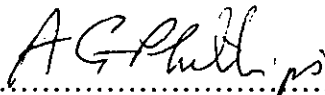
**Time for compliance: Six calendar months beginning with the day on which this notice is served on you.**

**6. When this notice takes effect**

This notice takes effect **immediately** it is served on you or you receive it by postal delivery.

Dated: 18th July 1996

Signed: .....



Director of Legal Services

(The Officer appointed for the purpose)

On behalf of the Royal Borough of Kensington and

Chelsea, Town Hall, Hornton Street, London, W8 7NX.

**Warning:**

**There is no right of appeal against this notice.**

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of **immediate prosecution** in the Magistrates' Court, for which the maximum penalty is £1000. If you are in any doubt about what this notice requires you to do, you should get in touch **immediately** with Mr Martyn Coy in the Council's Planning Department on 0171 361 2186.

If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review. A lawyer will advise you on what this procedure involves.

**DO NOT LEAVE YOUR RESPONSE TO THE LAST MINUTE**



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SCALE 1