

MEMORANDUM

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

From: Director of Legal Services

Our Ref: LSJ/MS
Room No: 313

RECEIVED BY PLANNING SERVICES				
DC N	DC C	DC S	E	As
60' 26 SEP 1996				
EXEC Dir		REC'D /	AND	Con Des
Appeals Office	IO	Fees Office	Forward Plan	Date: DC

Your Ref: Pat Adelrahman
Helen Cazelet
~~Lloydon McBarnette~~
John Stevens

Ext: 2118

Date: 24 September 1996

Section 38 & 74 Planning (Listed Buildings & Conservation Areas) Act 1990
Listed Building Enforcement Notice: 21 Hereford Square, Kensington, London SW7

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

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

- (a) Address of Property 21 Hereford Square, Kensington, London SW7
- (b) Issuing Authority 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>
The Owner	21 Hereford Square	24 September 1996
The Occupier	21 Hereford Square	24 September 1996
Mr Ambrose Parker	21 Hereford Square	24 September 1996
Mrs Diana Parker	21 Hereford Square	24 September 1996

- (e) Summary of alleged breach and requirements: without listed building consent painted the front elevation off white (cream) colour. Required to repaint building in white (BSOOE55)
- (f) Date on which Notice takes effect: 22 November 1996
- (g) Time for Compliance: three calendar months from Notice taking effect.

I attach hereto a copy of the Enforcement Notice for your file, and an additional copy of this Memorandum for submission to the Department of the Environment if required.

Louise Jackson

Louise Jackson
For Director of Legal Services

Enc

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

LISTED BUILDING ENFORCEMENT NOTICE

(UNAUTHORISED WORKS)

Re: 21 Hereford Square, Kensington, London SW7

WHEREAS

1. The Council of the Royal Borough of Kensington and Chelsea ("the Council") are the local planning authority for the purposes of Part I and Part II of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Act").
2. The building described in Schedule 1 below ("the Building") is a listed building as defined in Section 1 of the Act situated in a Conservation Area to which the provisions of Section 74 of the Act apply.
3. It appears to the Council that the works described in Schedule 2 below ("the Works") have been carried out to the Building and that the Works involve a contravention of Section 7 of the Act in that the Works are works for the alteration of the Building and that the Works are not authorised under Section 8 of the Act no listed building consent having been granted therefor.
4. The Council consider it expedient having regard to the effect of the Works on the character or appearance of the Building to issue this Notice. The reasons for serving this Notice are set out in the Annex to this Notice.

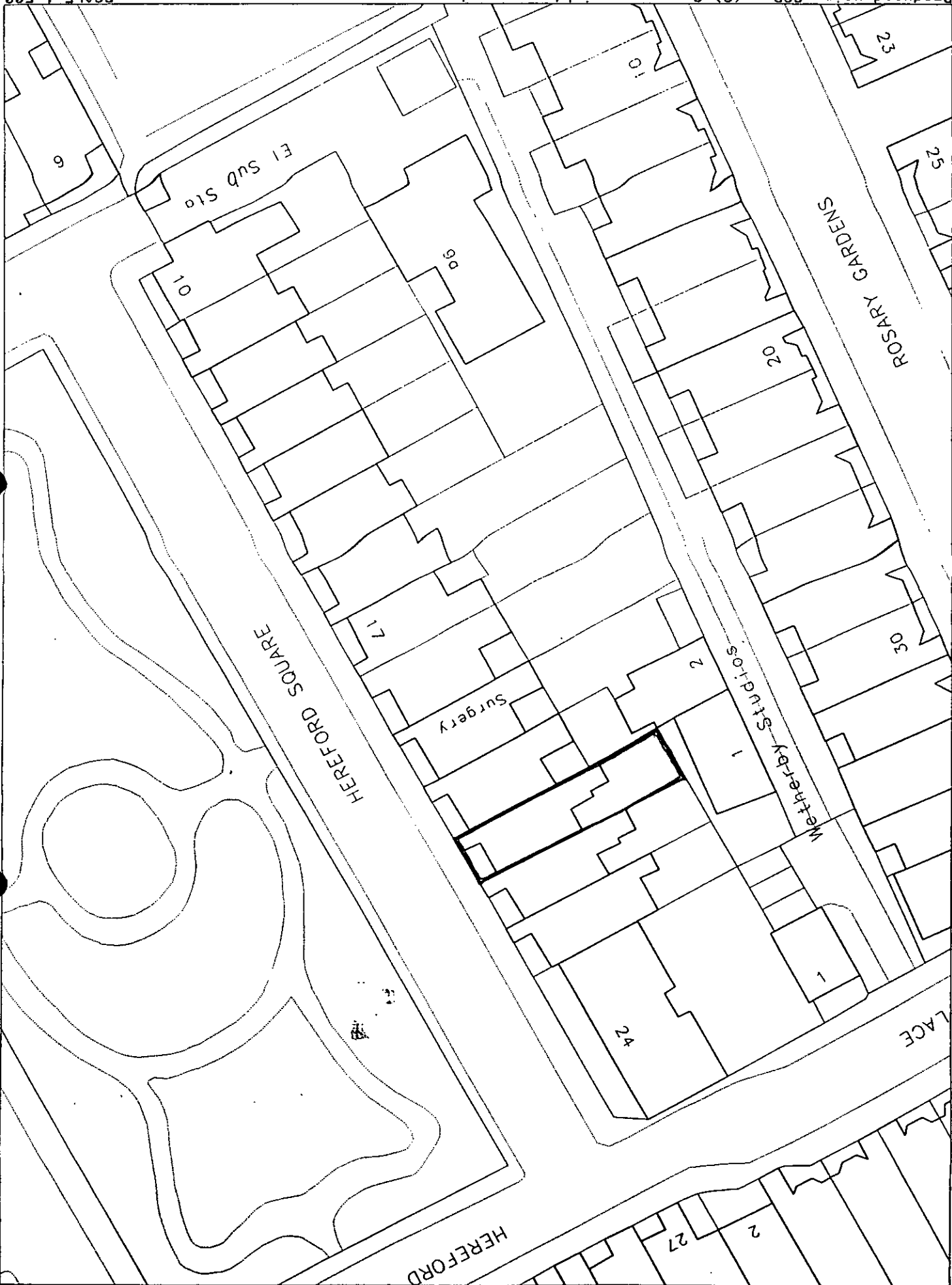
NOW THEREFORE TAKE NOTICE that in exercise of the powers contained in Sections 38 and 74 of the Act the Council **HEREBY REQUIRE** you within three calendar months from the date on which this Notice takes effect to take the steps specified in Schedule 3 below to restore the Building to its former state

THIS NOTICE SHALL TAKE EFFECT, subject to the provisions of Section 39 (3) of the Act, on 22 November 1996

Issued 24 September 1996

Town Hall
Hornton Street
London W8

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



SCALE 1:500

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SCHEDULE 1

The Building to which this Notice relates

21 Hereford Square, Kensington, London SW7 shown edged red on the attached plan.

SCHEDULE 2

Alleged breach of planning control

Without listed building consent, the painting of the stucco on the front elevation of the building an off-white (cream) colour

SCHEDULE 3

Steps required to be taken

Repaint the stucco on the front elevation of the building in white (BS00E55).

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990 ANNEX TO LISTED BUILDING ENFORCEMENT NOTICE

The Council consider it expedient to issue this Enforcement Notice for the following reasons:-

1. The painting of the stucco on the front elevation of the building an off-white (cream) colour has resulted in an unacceptable degree of harm to the historic character and integrity of the listed terrace of which the building is part. It has a detrimental effect on the character of the building as one of special architectural or historic interest and fails to preserve or enhance the character or appearance of the surrounding Conservation Area.
2. The painting of the stucco on the front elevation of the building in an off-white (cream) colour is in contravention of the Council's Conservation and Development Chapter of the Unitary Development Plan and in particular policies CD52 and CD58 and also the guidance contained in the Conservation Area Proposals Statement.

YOUR RIGHT OF APPEAL

You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before 22 November 1996. The enclosed copy of Sections 38 to 43 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out your rights. Read it carefully. You may use the enclosed appeal forms. One is for you to send to the Secretary of State if you decide to appeal. The second is to be returned to the Council at the same time. The third is for you to keep as a duplicate for your own records. You should also send the Secretary of State the spare copy of this enforcement notice which is enclosed.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on 22 November 1996 and you must ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period specified in this notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.