

MEMORANDUM

To: Executive Director,
Planning and Conservation
Local Land Charges

From: Director of Legal Services

Our Ref: PW
Room No: 313

Your Ref: Pat Abdelrahman
Patrick Slattery
Lloydon McBarnette
John Stevens

Ext: 2146

Date: 10 July 1996

Section 172 Town and Country Planning Act 1990 (as amended)
Enforcement Notice - 71 Ladbroke Road, London W11

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 71 Ladbroke Road, London W11
- (b) Issuing Authority Royal Borough K&C
- (c) Date of Issue 10 July 1996
- (d) Service of Copies:

<u>Name</u>	<u>Address</u>	<u>Date of Service</u>
Oak Inn (UK) Ltd.	71 Ladbroke Road London W11 3PJ	10 July 1996
Dr Shabita Oak Inn (UK) Ltd.	71 Ladbroke Road London W11	10 July 1996
The Owner	71 Ladbroke Road London W11	10 July 1996
The Occupier	71 Ladbroke Road London W11	10 July 1996

(e) Summary of alleged breach and requirements: Without planning permission, the material change of use of the property from a house in multiple occupation to a guest house. Cease to use 71 Ladbroke Road, London W11 as a hotel or guest house.

(f) Date on which Notice takes effect: 4th September 1996.

(g) Time for Compliance: Three calendar months from Notice taking effect:-

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

Philip Waterson
Philip Waterson
For Director of Legal Services

RECEIVED BY PLANNING SERVICES				
DC	DC	DC	E	Ac
1	C	S		Ack
11 JUL 1996				88
Exec	Rec/As	ARB	Con	Des
Appeals	10	Fees	Forward	Head
Office		Office	Plan	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)**

**ENFORCEMENT NOTICE
(Operational Development)**

ISSUED BY: The Royal Borough of Kensington and Chelsea ("the Council")

1. **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to them that there has been a breach of planning control, under Section 171A(1)(a) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations.

2. **THE LAND AFFECTED**

Land at 71 Ladbroke Road, London W11, shown edged red on the attached plan.

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

Without planning permission, the material change of use of the property from a house in multiple occupation to a guest house.

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last four years. The change of use of the Land involves the loss of a house in multiple occupation which is a valuable form of affordable housing in the Borough. The change of use is therefore contrary to the Council's housing policy, as set out in the adopted Unitary Development Plan, which resists the loss of permanent residential accommodation, in particular Strats 13, 14 and 16 and Policies H1 and H20. The change of use also involves the development of a new hotel/guest house which, by virtue of the increased presence of visitors, would have a detrimental effect on the residential character and amenity of the Borough, contrary to Strat 33 and Policies T1 and T4 of the Council's adopted Unitary Development Plan.

5. WHAT YOU ARE REQUIRED TO DO.

Cease to use 71 Ladbroke Road, London W11 as a hotel or guest house.

Time for compliance: Three calendar months after this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 4th September 1996 unless an appeal is made against it beforehand.

Dated: 10th July 1996

Signed:

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

On behalf of the Royal Borough of Kensington and Chelsea of The Town Hall, Hornton Street, London, W8 7NX

ANNEX

YOUR RIGHT OF APPEAL

You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before 4th September 1996. The enclosed booklet "Enforcement Appeals - A Guide to Procedure" 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 4th September 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(s) 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.



MEMORANDUM

To: Executive Director Planning
and Conservation

From: Director of Legal Services

Our Ref: Philip Waterson

Your Ref: Pat Abdelrahman
Patrick Slattery

Room No: 313

Lloydon McBarnette

Ext: 2146

Date: 2 May 1996

Section 171C Town & Country Planning Act 1990
Planning Contravention Notice - 71 Ladbroke Road, London W11

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: 71 Ladbroke Road, London W11
- (b) Issuing Authority: RBK&C
- (c) Date of issue: 2 May 1996
- (d) Service of copies

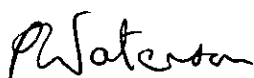
RECEIVED BY PLANNING SERVICES				
DC N	DC C	DC S	E	Ao Ack
3 MAY 1996				
Exec Dir		Records	ARB	Con Des
Appeals Office	Date	Fees	Forward	Head DC

Name

Address

Dr Shabita	c/o Oak Inns UK Ltd. 71 Ladbroke Road London W11	2 May 1996
Mr Webber	Field Fisher Waterhouse 41 Vine Street London EC3N 2AA	2 May 1996

A copy of the notice is attached hereto.



Philip Waterson
for Director of Legal Services

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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: 71 Ladbroke Road, London W11

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 floor plans showing the existing internal layout of the property and its former layout before the internal alterations were carried out.
- (2) A copy or description of the usual forms of agreement, between the owners and occupiers, for occupation of the premises.
- (3) Details of payments for occupancy and any additional charges to the occupiers for services provided.

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 Patrick Slattery on 0171-361-2982 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 2 May 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 71 Ladbroke Road, London W11, shown edged red on the attached plan.

SCHEDULE 2
Suspected breach of planning control

Internal alterations to the property resulting in the self-containment of the bedrooms and the change of use of the property from a house in multiple occupation to a guest house.

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.

