

MEMORANDUM

To: Executive Director
Planning and Conservation
Local Land Charges

From: Director of Legal Services

Our Ref: PW
Room No: 313

Your Ref: Pat Vallely
Anne Salmon
Lloydon McBarnette
John Stevens

Ext: 2146

Date: 1 May 1996

Section 172 Town and Country Planning Act 1990 (as amended)
Enforcement Notice - 16 Lexham Mews, London W8

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 | 16 Lexham Mews, London W8 |
| (b) Issuing Authority | Royal Borough K&C |
| (c) Date of Issue | 30 April 1996 |
| (d) Service of Copies: | |

<u>Name</u>	<u>Address</u>	<u>Date of Service</u>
Mr R Wright	16 Lexham Mews London W8	1 May 1996
The Owner	16 Lexham Mews London W8	1 May 1996
The Occupier	16 Lexham Mews London W8	1 May 1996
Mr M Branston Branston & Co.	212 St Ann's Hill London SW18 2RU	1 May 1996

(e) Summary of alleged breach and requirements: Without planning permission, the erection of a dormer window at roof level to the rear of the property. Remove the dormer window at roof level to the rear of the property and reinstate the roof as permitted by planning permission reference number TP/90/1463.

(f) Date on which Notice takes effect: 25th June 1996

(g) Time for Compliance: Six 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.

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)

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 16 Lexham Mews, London W8, shown edged red on the attached plan.

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

Without planning permission, the erection of a dormer window at roof level to the rear of the property.

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 dormer window, by virtue of its bulk, colour and prominent siting, has a detrimental effect on the roofline of the mews in which the property is situated, and the surrounding Conservation Area. In addition, the dormer window results in a loss of privacy to neighbouring properties at the rear in Lexham Gardens, to the detriment of the residents' amenity. The erection of the dormer window therefore runs contrary to the policies expressed in the Conservation and Development Chapter of the Council's adopted Unitary Development Plan.

5. WHAT YOU ARE REQUIRED TO DO.

Remove the dormer window at roof level to the rear of the property and reinstate the roof as permitted by planning permission reference number TP/90/1463.

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

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 25th June 1996 unless an appeal is made against it beforehand.

Dated: 30th April 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 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 25th June 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 25th June 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.

