

**MEMORANDUM**

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

From: Director of Legal Services

Our Ref: LSJ/MS  
 Room No: 313

Your Ref: Pat Adelrahman  
 Allen Hughes  
 John Stevens

Ext: 2118

RECEIVED				
Lloydon McBarnette				
Date:	25	June	1996	
DC	DC	DC	E	Ap
	s			Ack
26 JUN 1996 114				
Exec Dir		Rec'd	ARB	Con Des
Appeals	10	Fees	Forward	Head

**Section 171 Town and Country Planning Act 1990 (as amended)**  
Enforcement Notice  
Flat 3, 246 Old Brompton Road

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 | Flat 3, 246 Old Brompton Road |
| (b) Issuing Authority   | Royal Borough K&C             |
| (c) Date of Issue       | 25 June 1996                  |
| (d) Service of Copies:  |                               |

<u>Name</u>	<u>Address</u>	<u>Date of Service</u>
The Owner	Flat 3 246 Old Brompton Road Kensington SW5	25 June 1996
The Occupier	Flat 3 246 Old Brompton Road Kensington SW5	25 June 1996
The Kensington Mosque Trust	c/o Flat 3 246 Old Brompton Road Kensington SW5	25 June 1996
Sanjay Prabhulal Upadhyaya	210 Tokyngton Avenue Wembly, Middlesex	25 June 1996
Samir Patel	27 Stylecroft Gardens North Wembly, Middlesex	25 June 1996
Isam Majed Shaker	Trustee of the Kensington Mosque Trust 1 Tudor Court North Wembly, Middlesex	25 June 1996

Mustafa Mohamed Bensueied	Trustee of the Kensington Mosque Trust 14 Stoalety House Bessborough Road London SW15 4BP	25 June 1996
Abdula Saleh Mohamed	Trustee of the Kensington Mosque Trust 21B Ainsworth Way London NW8 0SR	25 June 1996
Abdel Kadir	Flat 3 246 Old Brompton Road Kensington, SW5	25 June 1996
The Kensington Mosque	PO Box 628 London SW5 OBD	25 June 1996

- (e) Summary of alleged breach and requirements: cease use of land as a religious meeting place.
- (f) Date on which Notice takes effect: 20 August 1996.
- (g) Time for Compliance: 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*

Louise Jackson  
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**  
(Material Change of Use)

**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**

Flat 3, 246 Old Brompton Road, Kensington, London SW5 ("the Land"). 246 Old Brompton Road is shown edged red on the attached plan, (the plan is for identification purposes only).

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

Without planning permission, the change of use of the Land to use as a religious meeting place.

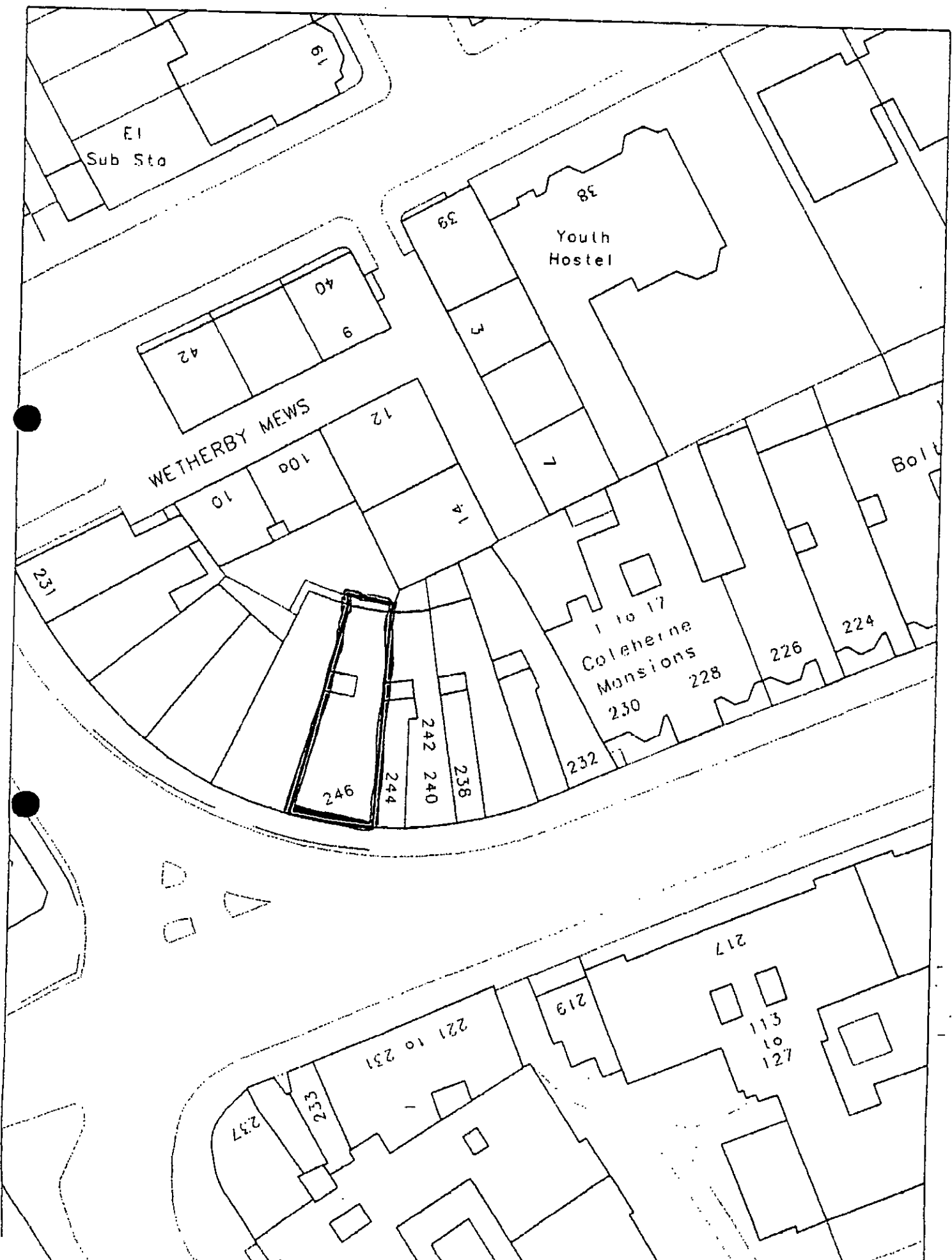
4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last ten years. The use of the Land as a religious meeting place results in the loss of residential floorspace, compromises the residential character of the area and is detrimental to the amenities of the area, contrary to the policies set out in the Unitary Development Plan in particular Principal Strategic Policies STRAT 1 and STRAT 5 and policies H1 and H4.

5. **WHAT YOU ARE REQUIRED TO DO.**

Cease the use of the Land as a religious meeting place.

Time for compliance: one month after this notice takes effect.



6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 20 August 1996 unless an appeal is made against it beforehand.

Dated: 25 June 1996

Signed: .....  
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 20 August 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 20 August 1996 and you must then 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.