

MEMORANDUM

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

From: Director of Legal Services

Our Ref: PW
Room No: 313

Your Ref: Chris Morris
Melanie Charalambous
~~Claydon McBarrette~~
John Stevens

Ext: 2146

Date: 14 November 1996

Section 172 Town and Country Planning Act 1990 (as amended)
Enforcement Notice - 56 Pembroke Road, 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 56 Pembroke Road, London W8
- (b) Issuing Authority Royal Borough K&C
- (c) Date of Issue 13 November 1996
- (d) Service of Copies:


<u>Name</u>	<u>Address</u>	<u>Date of Service</u>
Ms Paula M O'Donnell	56 Pembroke Road, W8	14 November 1996
Mr Salim Churchill Car Service	56 Pembroke Road, W8	14 November 1996
The Owner	56 Pembroke Road, W8	14 November 1996
The Occupier	56 Pembroke Road, W8	14 November 1996

(e) Summary of alleged breach and requirements: Without planning permission, the material change of use of the ground floor of the property from Class A2 (Financial and Professional Services) to a taxi business (sui generis), as defined by the Town and Country Planning (Use Classes) Order 1987. Cease the use of the ground floor of the property as a taxi business.

(f) Date on which Notice takes effect: 8 January 1997

(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
For Director of Legal Services

MEMORANDUM

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

From: Director of Legal Services

Our Ref: PW
Room No: 313

Your Ref: Chris Morris
Melanie Charalambous
~~Lloydon McBarnette~~
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Ext: 2146

Date: 14 November 1996

Section 172 Town and Country Planning Act 1990 (as amended)
Enforcement Notice - 56 Pembroke Road, London W8


Further to my memo of today, I have now also served the freeholders with copies of the enforcement notice. They are:-

Mr Dennis P Hardy

Mr Christopher M Hardy

Ms Linda S Hardy

all of 3 Grosvenor Road, Southport, Merseyside.


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
(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**

Land at 56 Pembroke Road, London W8, shown edged red on the attached plan.

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

Without planning permission, the material change of use of the ground floor of the property from Class A2 (Financial and Professional Services) to a taxi business (sui generis), as defined by the Town and Country Planning (Use Classes) Order 1987.

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 material change of use of the ground floor of 56 Pembroke Road, London W8 from Class A2, (Financial and Professional Services), to a taxi business (sui generis) as defined by the Town and Country Planning (Use Classes) Order, 1987, has a detrimental effect on the residential amenity of the area. The use also has an adverse effect on parking and traffic flow in the locality. The development is therefore contrary to Council policies, as expressed in the adopted Unitary Development Plan, in particular policies STRAT 1, STRAT 5, H4, TR39 and CD34.

5. WHAT YOU ARE REQUIRED TO DO.

Cease the use of the ground floor of the property as a taxi business.

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

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 8th January 1997 unless an appeal is made against it beforehand.

Dated: 13th November 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 8th January 1997. 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 8th January 1997 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.

Royal Borough of Kensington & Chelsea

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