

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
Chris Turner
Lloydon McBarnette
John Stevens

Ext: 2146

Date: 27 November 1996

Section 172 Town and Country Planning Act 1990 (as amended)
Enforcement Notice - 20 Pond Place, London SW3

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 20 Pond Place, London SW3
- (b) Issuing Authority Royal Borough K&C
- (c) Date of Issue 27 November 1996
- (d) Service of Copies:

<u>Name</u>	<u>Address</u>	<u>Date of Service</u>
Thomas Brook Holliday	20 Pond Place, SW3	27 November 1996
The Owner	20 Pond Place, SW3	27 November 1996
The Occupier	20 Pond Place, SW3	27 November 1996

(e) Summary of alleged breach and requirements: Without planning permission, the installation of a satellite dish attached at roof level to the party wall of the property. Remove the satellite dish from the party wall at roof level at the property.

(f) Date on which Notice takes effect: 22nd January 1997

(g) Time for Compliance: One calendar month from Notice taking effect.

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

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 20 Pond Place, London SW3, shown edged red on the attached plan.

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the installation of a satellite dish attached at roof level to the party wall 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 satellite dish, by reason of its location, is considered to detract from the appearance of the street scene and the character and appearance of the surrounding Conservation Area. It is therefore contrary to Council policies, as set out in the adopted Unitary Development Plan, in particular policies CD48, CD52 and CD53, which seek a high standard of design in all development in the Borough, so that it is compatible with the character of its surroundings and seeks to preserve and enhance the character and appearance of Conservation Areas. In addition, the satellite dish does not benefit from permitted development rights under the Town and Country Planning (General Permitted Development) Order 1995, as the height of the satellite dish exceeds the highest part of the roof.

5. WHAT YOU ARE REQUIRED TO DO.

Remove the satellite dish from the party wall at roof level at the property.

Time for compliance: One calendar month after this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 22nd January 1997 unless an appeal is made against it beforehand.

Dated: 27th November 1996

Signed:

A G Phillips
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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 22nd 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 22nd January 1997 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.

