

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: 8 August 1996

Section 172 Town and Country Planning Act 1990 (as amended)
Enforcement Notice - 303 Portobello Road, London W10

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 | 303 Portobello Road, London W10 |
| (b) Issuing Authority | Royal Borough K&C |
| (c) Date of Issue | 6 August 1996 |
| (d) Service of Copies: | |

<u>Name</u>	<u>Address</u>	<u>Date of Service</u>
Mr Breslaw	303 Portobello Rd, W10	9 August 1996
The Owner	303 Portobello Rd, W10	9 August 1996
The Occupier	303 Portobello Rd, W10	9 August 1996
Mr Peter W Rankin	303 Portobello Rd, W10	9 August 1996
Mr Steven Sasse	303 Portobello Rd, W10	9 August 1996
Mr Peter A Newell	33 Saville Rd, E16	9 August 1996
Mr Peter A Newell	33 Saville Rd, W4	9 August 1996
Mr Everett Smith	33 Saville Rd, E16	9 August 1996
Mr Everett Smith	33 Saville Rd, W4	9 August 1996
Mr David Bailie	18 Rueby Mansions Bishop Kings Rd	9 August 1996
Mr David Lightfoot	24 Cholmondeley Ave, NW10	9 August 1996

(e) Summary of alleged breach and requirements: Without planning permission, the erection of a rear ground floor corrugated roof extension and garden shed. Remove the rear ground floor corrugated roof extension and garden shed at the rear of the property.

(f) Date on which Notice takes effect: 1 October 1996

(g) Time for Compliance: Two calendar months from Notice taking effect.

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

P Waterson

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 303 Portobello Road, London W10, shown edged red on the attached plan.

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

Without planning permission, the erection of a rear ground floor corrugated roof extension and garden shed.

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 timber structures (rear ground floor corrugated roof extension and garden shed) are considered to be unsympathetic to the rear elevation of this Victorian building and terrace and represent obtrusive and incongruous features which would set an unwelcome precedent. The development therefore runs contrary to Council policies as expressed in the adopted Unitary Development Plan, in particular policies CD26, CD41 and CD56. In addition, the structures result in a significant loss of rear garden space and sense of garden openness, contrary to policies contained in the Unitary Development Plan, in particular policies CD26, CD42, CD56, H4 and S13. The extension of restaurant use also has a detrimental effect on the residential amenity of the area as a result of increased noise and disturbance and is therefore contrary to Council policy as set out in the Unitary Development Plan, in particular policy H4 and S13.

5. WHAT YOU ARE REQUIRED TO DO.

Remove the rear ground floor corrugated roof extension and garden shed at the rear of the property.


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

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 1st October 1996 unless an appeal is made against it beforehand.

Dated: 6th August 1996

Signed:


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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 1st October 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 1st October 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.