

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
Martyn Coy
Lloydon McBarnette
John Stevens

Ext: 2146

Date: 5 December 1996

Section 172 Town and Country Planning Act 1990 (as amended)
Enforcement Notice - 1 Queens Elm Square, 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 | 1 Queens Elm Square, London SW3 |
| (b) Issuing Authority | Royal Borough K&C |
| (c) Date of Issue | 4 December 1996 |
| (d) Service of Copies: | |

| <u>Name</u> | <u>Address</u> | <u>Date of Service</u> |
|------------------|--------------------------|------------------------|
| Ms Jan Oppenheim | 1 Queens Elm Square, SW3 | 6 December 1996 |
| Mr Guy Oppenheim | 1 Queens Elm Square, SW3 | 6 December 1996 |
| The Owner | 1 Queens Elm Square, SW3 | 6 December 1996 |
| The Occupier | 1 Queens Elm Square, SW3 | 6 December 1996 |

(e) Summary of alleged breach and requirements: Without planning permission, the reconstruction of two dormer windows as one large dormer, the attachment of a canopy to the dormer, the application of an incorrect tiling pattern, the installation of a large flue, the construction of a brick parapet wall at second floor level and the installation of uPVC windows, at the rear of the property. Remove the large rear dormer and reinstate the two rear dormer windows. Remove the dormer canopy. Remove the brick parapet wall on the rear terrace at second floor level, and reinstate the metal railings. Remove the uPVC windows and replace them with timber windows to match the timber framed windows as seen in the rest of Queen's Elm Square. Replace the rear roof tiles to match the roof tiles on the rest of the building. Remove the flue attached to the rear roof slope.

(f) Date on which Notice takes effect: 29th 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

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 1 Queen's Elm Square, London SW3, shown edged red on the attached plan.

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

Without planning permission, the reconstruction of two dormer windows as one large dormer, the attachment of a canopy to the dormer, the application of an incorrect tiling pattern, the installation of a large flue, the construction of a brick parapet wall at second floor level and the installation of uPVC windows, at 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 alterations to the roof and installation of uPVC windows are considered to harm the appearance of the building and detract from the character and appearance of the surrounding Conservation Area. The development is therefore contrary to Council policies as set out in the adopted Unitary Development Plan, in particular policies CD44, CD48, CD49, CD52 and CD53 which seek a high standard of design in all development so that it is compatible with the character of its surroundings and seeks to preserve or enhance the character or appearance of conservation areas.

5. WHAT YOU ARE REQUIRED TO DO.

- (i) Remove the large rear dormer and reinstate the two rear dormer windows.
- (ii) Remove the dormer canopy.
- (iii) Remove the brick parapet wall on the rear terrace at second floor level, and reinstate the metal railings.
- (iv) Remove the uPVC windows and replace them with timber windows to match the timber framed windows as seen in the rest of Queen's Elm Square.
- (v) Replace the rear roof tiles to match the roof tiles on the rest of the building.
- (vi) Remove the flue attached to the rear roof slope.

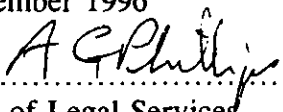
Time for compliance: Three calendar months after this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 29th January 1997 unless an appeal is made against it beforehand.

Dated: 4th December 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 29th 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 29th 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.

