

Appeal case: 3349567
Enforcement Notice: EN23/0915
Officer: Katrina Lamont
Date: 03/12/2024



Development Management
Regeneration and Planning
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Dear Sir/Madam

Town and Country Planning Act 1990 (as amended)
NOTIFICATION OF AN APPEAL

The Council has been notified of an appeal against its enforcement notice, which has been made to the Planning Inspectorate. The appeal concerns property at:

Flat 5, 9 - 11 Belsize Grove
London
NW3 4UU

and the breach of planning control alleged in the enforcement notice is:

Without planning permission: the erection of a wooden structure in the rear garden.

and the reasons for issuing the enforcement notice are:

The development has occurred within the last 4 years.

The development, by reason of its size, height, position and bulk, would appear as an incongruous development that would have an adverse impact on the character and appearance of the host building, its neighbours and garden setting, and the Belsize Conservation Area. As such, the proposed development is contrary to Policies A1 (Managing the impact of development), D1 (Design) and Policy D2 (Heritage) of the London Borough of Camden Local Plan 2017.

The development, by reason of construction methods and lack of protection, has resulted in unacceptable harm to trees contrary to the aims of policies A2 (Open space) and A3 (Biodiversity) of the Camden Local Plan 2017.

and within a period of ONE (1) month of the Notice taking effect on 07 August 2024:

1. Completely remove the wooden structure, including the frame and concrete slab with tree protection measures in place for adjacent trees in accordance with British Standard 5837:2012.
2. Remove associated debris from the site.
3. Make good any damage caused.

Grounds of Appeal

The appellant/s have appealed on the following grounds (a) (f) (g) as set out at Section 174(2) of the 1990 Act.

- (a) That planning permission should be granted for what is alleged in the notice. (x)
- (b) That the breach of control alleged in the enforcement notice has not occurred as a matter of fact ()
- (c) That there has not been a breach of planning control. ()
- (d) That, at the time the enforcement notice was issued, it was too late to take enforcement action against the matters stated in the notice. ()
- (e) Copies of the enforcement notice were not served on everyone who has an interest in the land. ()

- (f) The steps required to comply with the requirements of the notice are excessive, and lesser steps would overcome the objections. (x)
- (g) The time given to comply with the notice is too short. (x)

The appeal is to be decided by an Inspector from the Planning Inspectorate on the basis of an exchange of **written statements** between the people who have made the appeal and the Council, followed by a site visit.

The Planning Inspectorate is seeking comments on the appeal:

Make representation ONLINE (not email):

Search for case **3349567** at <https://acp.planninginspectorate.gov.uk>

This will open this appeal's page and allow you to make representation.

The appeal decision will be published here, too.

Make representation BY POST:

Send 3 copies of your letter quoting case **3349567** to:

The Planning Inspectorate
Temple Quay House, Room 3B
Bristol BS1 6PN

All representations must be received by Tuesday 7 January 2025.

Any representations submitted after the deadline will not usually be considered and will be returned. PINs does not acknowledge receipt of representations. All representations made to PINs must quote the appeal case number. **Please do not email PINs - use the online or postal option to make representation.**

Please ensure that all comments/documents submitted are GDPR compliant. There is guidance on what GDPR is available on gov.uk - principally it is about not revealing *sensitive* information about yourself or others in your representation, such as personal telephone numbers, email addresses, background, religion, health, sheltered address, etc. This is because your representation to PINs will be shared with the Appellant and this LPA - Local Planning Authority.

Your representation will be considered by the Inspector when determining the appeal.

How to view the enforcement and appeal documents:

The appeals documents are available on our website under enforcement notice **EN23/0915** at <https://www.camden.gov.uk/planning-enforcement>

Direct link:

<http://camdocs.camden.gov.uk/HPRMWebDrawer/PlanRec?q=recContainer:EN23/0915>

You can look at this case through GOV.UK <https://www.gov.uk/appeal-planning-inspectorate> by typing in the appeal reference number and clicking on "Search for Cases".

You can get a copy of our guidance booklet free of charge from you, or on your website, or on GOV.UK <https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal>

Supporting Communities Directorate