

Appeal case: 3355390
Enforcement Notice: EN22/0941
Officer: Miles Peterson
Date: 07/02/2025



Development Management
Regeneration and Planning
London Borough of Camden
5 Pancras Square
N1C 4AG

Switchboard: 020 7974 4444

Email: PlanningAppeals@camden.gov.uk

camden.gov.uk/planning

Dear Sir/Madam

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

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

43-43A Brecknock Road
London
N7 0BT

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

Without planning permission: The installation of 1 x air conditioning unit on the side of the ground floor retail unit.

and the reasons for issuing the enforcement notice are:

The development has occurred within the last 4 years; and

The air conditioning unit by reason of its size and position resulting in additional clutter is harmful to the character of the host building, the wider the terrace of which it forms part and character and appearance of the conservation area contrary to policy D1 of the Council's Local Plan adopted in 2017; and

In absence of a noise report the unit has the potential to result in an unacceptable level of harm to neighbouring residents' living conditions through noise pollution contrary to policies A1 (Managing the impact of development) and A4 (Noise and vibration) of the Council's Local Plan adopted in 2017.

and the required action is:

Within a period of THREE (3) months of the Notice taking effect on 29/11/2024:

1. Completely remove the air conditioning unit shown in appendix A from the land and make good any resulting damage; and
2. Remove any resultant debris and paraphernalia from the land as a result of the above works.

Grounds of Appeal

The appellant/s have appealed on the ground (a) 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.
- 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.
- g) The time given to comply with the notice is too short.

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. You can make comments which will be considered by the Inspector.

Make representation ONLINE (not email):

Search for case **3355390** 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.

All representations must be received by 17 March 2025.



Any representations submitted after the deadline will not usually be considered and will be returned.

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 planning and the appeal documents:

The appeals documents are available on our website under enforcement notice **EN22/0941** at <https://www.camden.gov.uk/planning-enforcement>

Direct link:

<http://camdocs.camden.gov.uk/HPRMWebDrawer/PlanRec?q=recContainer:EN22/0941>

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>

Kind regards
Supporting Communities Directorate