

Statement of Case

RE: 16 Hampstead High Street, Camden NW3 1PX

**Appeal against Enforcement Notice issued by Camden Planning
Enforcement in relation to removal of a metal roller shutter on the facade of
the building at the above address**

Notice dated 29th January 2025

1. The Appellant appeals against the decision of Camden Planning Authority to issue an enforcement notice dated 29th January 2025 requiring the removal of a metal roller shutter installed on the front facade of the building at 16 Hampstead High Street, Camden.
2. The Appellant submitted an application on the 4th December 2024 to the Camden Planning Authority requesting that retrospective consent should be granted for the metal roller shutter installed at the front façade of the building. That Application was refused on the 22nd January 2025. An appeal has been lodged against the refusal.
3. The Appellant had installed the metal roller shutter because of a series of violent damaging attacks on the glass frontage of the premises.
4. In making his appeal the Appellant asks that the Planning and Heritage Statement lodged by his Architect in relation to that application for retrospective consent should be noted. A copy is annexed to this application. The appellant also relies on the two drawings that were lodged on his behalf. They show the front facade both with and without the metal shutters.
5. The "proposed" façade drawing also has a photograph of the front façade with the shutters as currently installed.
6. In his appeal the Appellant refers to Chapter 6.9 of the CPG (Design) which states "that in assessing applications to alter shop fronts within conservation areas special attention will be given to the desirability of preserving and enforcing the character and appearance of the conservation areas Solid shutters will only be considered acceptable in *exceptional circumstances*"

7. This clearly suggests that if the Local Authority were to find that exceptional circumstances applied they should then find in favor of the Appellant. In his Appeal against refusal of retrospective planning consent the Appellant relies upon the specific circumstances of his case.

8. Are there exceptional circumstances in this situation? Three incidents have occurred when the original glass frontage of the premises was seen from CCTV to have been attacked by a person with a hammer. That attacker broke all the glass panels of the frontage. The first incident occurred on 9th September 2024 at 23:16, the second on the 29th October 2024 at 05:16 and the last incident on the 12th November 2024 at 04:46. . The Police were informed as was the local Councillor. The Police logged the attacks as Criminal damage. The relevant crime references appear on the attached incident report sheet. As nothing was taken from the premises on any of the occasions, the motive appears to have been to solely cause serious damage to the Appellants premises. Although the Police were notified they have been unable to take further action. It was after the last of these violent attacks that the Appellant installed the metal roller shutter at the premises.

9. The Appellant regards the attacks as being serious hate crimes. They have put the staff and customers of the Appellant in danger, particularly those members of staff who stay at the premises in the upper floors. Customers and members of staff are not being unreasonable in expecting that their safety should be fully taken into account when coming to a decision in this case.

10. Another premises owned by the Appellant in Mayfair suffered a similar attack on its glass frontage in November 2024. This further incident may be connected with the damage caused at the appeal premises. The Appellant is rightly concerned about the cumulative effect of the damage to his premises

11. The Appellants Property at this location has been under serious attack on three occasions. The Appellant believes that this constitutes exceptional circumstances which would enable the Authority to retrospectively authorise the installation of solid shutters over the front facade of the premises. It is on that basis that the Appeal against refusal of retrospective planning consent has been lodged.

12. The Appellant has also asked in his appeal that full consideration should be taken of another exception to the rule which exists at 19 Heath Street, London NW3 6TR where - within the same conservation area - a security gate has been allowed and installed. (Application no 800190).

12. The Appellant has lodged his appeal against refusal of retrospective approval for the installation of the metal roller shutter. The Appellant asks that his appeal against the Enforcement Notice be allowed under Regulation 5.

Dated 11/3/2025.....



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