

Enforcement Delegated Report

Receipt date:

15/08/2013

Officer

Clare Tampin

Enforcement Case

EN13/0529

Breach Address

11 Regent's Park Terrace
London
NW1 7EE

Photos & Other material

See File

PO 3/4

Area Team Signature

C&UD

Authorised Officer Signature

O. Fleming 20/8/13

See 20/8/13

Alleged Breach

Unauthorised installation of solid roller shutter and shutter box to rear elevation at first floor level of dwelling house (Class C3).

Recommendation(s):

Issue an Enforcement Notice

Priority:

P2

Site Description

The subject site is a four storey plus basement residential dwelling house. It forms part of a group of 22 terraced houses which were constructed in c.1840-50.

The building is constructed from yellow stock brick with rusticated stucco ground floor level and has cast-iron balcony installed at first floor level to the front elevation. The property is a Grade II listed building and falls within the Primrose Hill Conservation Area.

Investigation History

20th May 2013 - A complaint was received on regarding a roller shutter which had been installed to the above property.

19th June 2013 - A letter was sent to the owner/occupier stating that the roller shutter is unacceptable and should be removed within 21 days of the date of the letter.

25th June 2013 - Phone call with the owner of the property and discussed painting the roller shutter with brick pattern, however advised not acceptable.

3rd July 2013 - Email received requesting site visit to property.

4th July 2013 - Email to owner following discussions with conservation officer advising on more appropriate security features (e.g. internal locks on meeting rail).

11th July 2013 - Site visit to property and advised that roller shutter is unacceptable and is unlikely to gain consent.

23rd July 2013 – Sent email advising again that works were unacceptable and stated that would serve enforcement notice on unauthorised roller shutter as it remains in place.

Relevant policies / GPDO Category

LDF Core Strategy and Development Policies

CS14 - Promoting high quality places and conserving our heritage

CS17 - Making Camden a safer place

DP24 - Securing high quality design

DP25 – Conserving Camden's Heritage

Camden Planning Guidance Chapter 1 Design (Chapter 3, pages 24-26 and 66-67)

Primrose Hill Conservation Area Appraisal (pages 30-31)

Assessment

A solid roller shutter and shutter box has been installed to the rear elevation at first floor level of a grade II listed building without planning permission or listed building consent. The main issues are the design, location and impact on the special architectural and historic interest of the host building, adjoining properties and surrounding conservation area.

Policy CS14 seeks to promote high quality places and conserve our heritage and to ensure that development is of the highest standard. Para 14.4 states that high quality design is required through the borough and the Council will not accept design that is considered inappropriate to its context or fails to take opportunities to improve the character and quality of an area.

Cores Strategy policy CS17 addresses Making Camden a Safer Place and aims to encourage appropriate security and community safety measures. It is stated within this policy under paragraph 17.6 *that the provision of appropriate management and maintenance arrangements can play a key role in reducing the opportunity for crime and disorder and making the borough feel safer.*

Policy DP24 requires high quality design and development to consider the character and proportions of the existing building and quality of materials to be used. Para 24.7 states that development should consider the suitability of the proposed design to its intended use, its contribution to the public realm, the wider historic environment and buildings, spaces and features of local historic value. Para 24.12 also advises that alterations should respect the character and appearance of the local area and neighbouring buildings.

Policy DP25 specifically accounts for conserving Camden's heritage and the responsibility for preserving and where possible enhancing conservation areas and listed buildings. The Council will; only permit development within conservation area that preserves and enhances the character and appearance of the area, and not permit development it considers would cause harm to the setting of a listed building.

Camden Planning Guidance Chapter 1 provides further information in chapter 7 (Para 7.28) that on listed buildings, there will be a presumption against the use of external security shutters and grilles in favour of internal which is further reiterated in the Primrose Hill conservation area appraisal.

The shutter and shutter box are contrary to adopted policies and guidance, which seek to ensure that developments provide high quality design and are appropriate to their context. The roller shutter is not characteristic of this type of residential property and it is an extremely obtrusive and incongruous addition to this grade II listed building. The roller shutter and shutter box add visual clutter to the rear elevation to the detriment of the special interest of the host building, the character and appearance of the wider terrace and the conservation area.

The solid roller shutter and shutter box is considered contrary to policies CS14 (Promoting high quality places and conserving our heritage) and CS17 (Making Camden a safer place) of the London Borough of Camden Local Development Framework Core Strategy; and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's Heritage).

Recommendation:

That the Head of Legal Services issue an Enforcement Notice under section 172 of the Town & Country Planning Act 1990 as amended, and officers be authorised in the event of non-compliance to prosecute under section 179 or appropriate power and/or take direct action under section 178 in order to secure cessation of the breach of planning control.

The Notice shall allege the following breach of planning control:

Unauthorised installation of roller shutter and shutter box to rear elevation at first floor level of dwelling house (Class C3).

The Notice shall require:

Within a period of **3 months** of the notice taking effect, the solid roller shutter, shutter box and associated fixtures and fittings shall be completely removed.

Reasons for Issuing the Notice:

The solid roller shutter and shutter box, by reason of its design and location, is an unsightly form of development which has a detrimental impact on the special historic and architectural interest of the host building and the character and appearance of the adjoining properties and the surrounding Primrose Hill conservation area. The development is therefore contrary to policies CS14 (Promoting high quality places and conserving our heritage) and CS17 (Making Camden a safer place) of the London Borough of Camden Local Development Framework Core Strategy; and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's Heritage) of the London Borough of Camden Development Policies Development Plan 2010.

