

**THE LONDON BOROUGH OF CAMDEN**

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

**ENFORCEMENT NOTICE**

**OF FLAT 1  
APRIL HOUSE  
45 MARESFIELD GARDENS  
LONDON NW3 5TE**

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 171 A (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. The Explanatory Note at the end of the Notice and the enclosures to which it refers contain important additional information.

2. **THE LAND AFFECTED**

**Land at: Flat 1 April House 45 Maresfield Gardens London NW3 5TE**

as shown, for the purposes of identification only, outlined in black on the attached plan.

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

**Without Planning Permission:**

- 1) The erection of a flat roof first floor side extension
- 2) Installation of clear glazing to the bottom sash of the rear first floor side extension

4. **REASONS FOR ISSUING THIS NOTICE:**

- a) It appears to the Council that the above breach of planning control has occurred within the last 4 years.
- b) The flat roofed first floor side extension, by virtue of its scale, bulk and detailed design is considered unduly prominent and obtrusive within the street scene, to the detriment of the appearance of the existing building and the character and local area, contrary to the London Borough of Camden Local Development Framework Core Strategy 2010 policies CS5 (Managing the impact of growth and

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development), CS14 (Promoting high quality places and conserving our heritage), and the London Borough of Camden Local Development Framework Development 2010 Policy DP24 (Securing high quality design).

- c) The clear glazed window on the rear elevation of the side extension at first floor level by virtue of its position allowing overlooking, will have a detrimental impact on the amenity of the neighbouring occupiers resulting in a loss of privacy to the neighbouring terrace and garden areas contrary to Policy DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development 2010.

**The Council do not consider that planning permission should be given because planning conditions could not overcome these problems.**

**5. WHAT YOU ARE REQUIRED TO DO**

Within a period of **six month** of the Notice taking effect:

Either

1. Make the development comply with the terms (including conditions and limitations) of the planning permission granted in respect of the land 2015/1609/P (drawing numbers 2045(PLA)100A, 2045(PLA)101B, 2045(PLA)102, 2045(PLA)103, 2045(PLA)104; or
2. Make the development comply with its previous form as shown on drawings ref: [Prefix 5835] 01, 02, 03, 04, 06, 08, 10, 12, 13, 14, 16, 18.) as shown in application 2013/1071/P;

And

3. Obscure glaze the lower half of the sliding sash window located at the rear of the side extension at first floor level.

**6. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on **1<sup>st</sup> September 2015** unless an appeal is made against it beforehand.

**DATED: 20 July 2015**

Signed.....*Frances Wheat*.....

**Head of service, Development Management, Culture and Environment on behalf of the London Borough of Camden, Town Hall, Judd Street, London WC1H 8JE**

**Council reference: EN14/0704**

**Note Pursuant to Regulation 5 of the Town and Country (Enforcement Notices and Appeals) (England) Regulations 2002**

If you appeal against the notice on Ground (a) "That planning permission should be granted for what is alleged in the enforcement notice, or that the condition which is alleged not to have been complied with should be discharged" there is a fee payable under Regulation 10 of the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012/No.2920 for the deemed application for the planning permission for the development alleged to be in breach of planning control in the enforcement notice.

The fee is payable twice to the "London Borough of Camden", as the Local Planning Authority.

If you wish to appeal under Ground (a), the fee payable to the "London Borough of Camden" should accompany the copy of the appeal form sent to the Council at the following address:

**Culture and Environment Department, Planning Services, London Borough of Camden, Old Town Hall, London WC1H 8JE.**

The fee is £172.00.

**The TOTAL FEE payable is £344.00 (i.e. £172.00 x 2)**

**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 **1<sup>st</sup> September 2015**.

- (a) Send a copy of your appeal to the Secretary of State if you decide to appeal, together with a copy of this enforcement notice.
- (b) Send a second copy of the appeal form and notice to the Council at:

**Planning Services  
Culture and Environment Department  
London Borough of Camden  
Old Town Hall  
Judd Street  
London WC1H 8JE**

**WHAT HAPPENS IF YOU DO NOT APPEAL**

If you do not appeal against this enforcement notice, it will take effect on **1<sup>st</sup> September 2015**, and you must then ensure that the required steps for complying with it, for which you may held responsible, are taken within the period specified in the notice. Failure to comply with an enforcement notice, which has taken effect, can result in prosecution and/or remedial action by the Council.

**Flat 1, April House, 45 Maresfield Gardens**



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