

THE LONDON BOROUGH OF CAMDEN

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

ENFORCEMENT NOTICE

OF **137-139 KENTISH TOWN ROAD**
LONDON
NW1 8PB

1. **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to it that there has been a breach of planning control, under Section 171 A (1) (a) of the above Act, at the land described below. It considers 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 **137-139 Kentish Town Road London NW1 8PB** ("the Property") as shown, for the purposes of identification only, outlined in black on the attached plan.

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

The unauthorised installation of a solid roller shutter and associated fixtures to the front elevation of the ground floor café.

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 external solid roller shutter, by reason of their location, design and external appearance result in an incongruous addition to the building which harms the character and appearance of the building and surrounding area, contrary to policies CS5 (Managing the impact of growth and development), CS7 (Promoting Camden's centres and shops) and CS17 (Making Camden a safer place) of the Camden Core Strategy and policies DP24 (Securing high quality design), DP26 (Managing the impact of development on occupiers and neighbours), DP30 (Shopfronts)

Council reference: EN12/0271

and Camden Planning Guidance 1: Design of the Camden Development policies LDF.

- c) The external solid roller shutter, by reason of its form and impact on natural surveillance would be detrimental to visual amenity and community safety creating a hostile and unsafe appearance, 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 Core Strategy Development Plan Document and policies DP24 (Securing high quality design) and DP30 (Shopfronts) of the London Borough of Camden Development Framework Development Policies.

The Council does not consider that planning permission should be granted because planning conditions could not overcome these problems.

5. WHAT YOU ARE REQUIRED TO DO

Within a period of three (3) months of the Notice taking effect:

1. Completely remove the roller shutter and associated fixtures from the shop frontage.
2. Make good any damage to the building as a result of the works.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **27th April 2016** unless an appeal is made against it beforehand.

DATED: 15 March 2016 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 9LP

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, Argyle Street, London WC1H 8EQ.

The fee is £172.00 for each new dwelling.

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 **27th April 2016**.

- (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
Town hall
Argyle Street
London WC1H 8EQ**

WHAT HAPPENS IF YOU DO NOT APPEAL

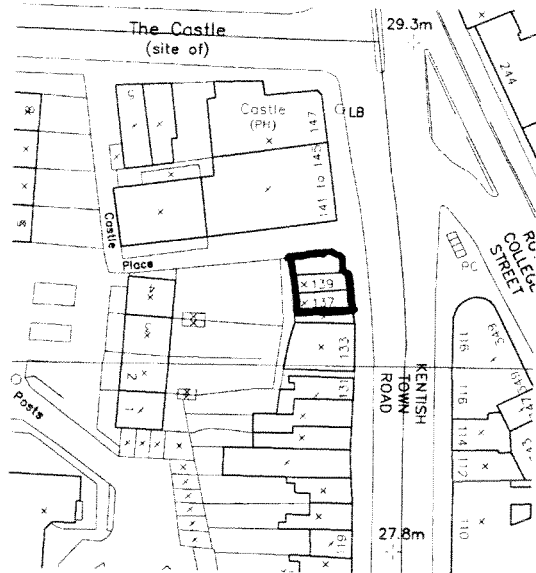
If you do not appeal against this enforcement notice, it will take effect on **27th April 2016**, and you must then ensure that the required steps for complying with it, for which you may held responsible, are taken within the period specified in the notice. Failure to comply with an enforcement notice, which has taken effect, can result in prosecution and/or remedial action by the Council.

NOTES

DO NOT SCALE FROM THIS DRAWING

PLANNING

137-139 Kentish Town Road.



Evans Davies

Architects c

18 Charlotte Road
London EC2A 3PB
tel 020 7729 2474



JOB

Mustafa Simsek
137-139 Kentish Town Road
London NW1 8PB

TITLE

SITE PLAN

DATE

28.04.2009

SCALE

1:1250

DRAWING NO.

KTR-PL-GA-00