

Council reference: EN16/0302

THE LONDON BOROUGH OF CAMDEN

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

ENFORCEMENT NOTICE

**OF 45 GOLDHURST TERRACE
LONDON
NW6 3HB**

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: 45 Goldhurst Terrace London NW6 3HB 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) Erection of a rear dormer, side dormer and rear roof terrace materially different from approved plans so as to be without planning permission;
- 2) Removal of the clay tile roof to the projecting bay at rear first floor level and creation of a brick balustrade to create an external balcony;
- 3) Installation of a uPVC door installed at ground floor rear within the bay;
- 4) Replacement of the timber-framed windows to the first and second floor rear elevation with uPVC windows.

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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 rear and side dormers and the roof terrace, by reason of their location, size and design, are discordant, bulky and intrusive features which have a demonstrably harmful impact on the integrity of the roof, and the appearance of the building, the terrace of which it forms part and the South Hampstead Conservation Area. As such, the works are contrary to policy CS14 (Promoting high Quality Places and Conserving Our Heritage) of the London Borough of Camden Local Development Framework Core Strategy; and DP24 (Securing High Quality Design) and DP25 (Conserving Camden's Heritage) of the London Borough of Camden Local Development Framework Development Policies.
- c) The removal of the clay tile roof from the projecting bay at rear first floor level and the creation of an external balcony, by reason of its design, appearance and the loss of original materials, forms a discordant and incongruous alteration which detracts from the character and visual appearance of the building, which fails to relate to the established architectural character of the property and its neighbours and which neither preserves nor enhances the character and appearance of the South Hampstead Conservation Area. As such, the works are contrary to policy CS14 (Promoting high Quality Places and Conserving Our Heritage) of the London Borough of Camden Local Development Framework Core Strategy; and DP24 (Securing High Quality Design) and DP25 (Conserving Camden's Heritage) of the London Borough of Camden Local Development Framework Development Policies.
- d) The uPCV double door that has been installed to the rear upper ground floor, by reason of its design, materials and appearance is a discordant and incongruous feature that causes harm to the visual appearance and character of the host building, the terrace of which it forms part and the South Hampstead Conservation Area. As such, the works are contrary to policy CS14 (Promoting high Quality Places and Conserving Our Heritage) of the London Borough of Camden Local Development Framework Core Strategy; and DP24 (Securing High Quality Design) and DP25 (Conserving Camden's Heritage) of the London Borough of Camden Local Development Framework Development Policies.
- e) The replacement of the timber-framed windows to the first and second floor rear elevation with uPVC windows, by reason of the

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loss of traditional materials and the unsympathetic appearance and materials of the replacement windows, has caused harm to the appearance of the building, the terrace of which it forms part and the South Hampstead Conservation Area. As such, the works are contrary to policy CS14 (Promoting high Quality Places and Conserving Our Heritage) of the London Borough of Camden Local Development Framework Core Strategy; and DP24 (Securing High Quality Design) and DP25 (Conserving Camden's Heritage) of the London Borough of Camden Local Development Framework Development Policies.

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

Within a period of **six (6) months** of the Notice taking effect:

1. Completely remove the rear and side dormer and reinstate the roof to match the materials and profile of the original roof slope, remove the brick balustrade and reinstate the original bay window roof at rear first floor level, remove the UPVC windows and door at upper floor rear and rear ground floor level and replace them with timber sash windows to match the original, as shown on existing drawings A9743PA/001 and A9743PA/003 approved under application ref. 2015/5564/P: **or**
2. Make the rear roof dormer and terrace, the side dormer, the upper ground floor rear bay windows roof, the rear bay windows and the upper floor rear windows to comply with the terms (including conditions and limitations of the planning permission granted in respect of the land ref: 2015/5564/P as shown on drawings A9743PA/005A, A9743PA/007A and A9743PA/008A.

6. **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on **10th August 2016** unless an appeal is made against it beforehand.

DATED: 29 June 2016

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

Head of service, Supporting Communities, Regeneration and Planning on behalf of the London Borough of Camden, Town Hall, Judd Street, London WC1H 8JE

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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:

Appeals and enforcement
Supporting Communities
Regeneration and Planning
Development Management
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

The fee is £172.00.

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

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ANNEX

YOUR RIGHT OF APPEAL

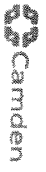
You can appeal against this notice, but any appeal must be received, or posted in time to be **received**, by the Planning Inspectorate acting on behalf of the Secretary of State **before** the date specified in paragraph 6 of the notice.

The enclosed information sheet published by the Planning Inspectorate gives details of how to make an appeal

[link to <http://www.planningportal.gov.uk/uploads/pins/eninfosheet.pdf>]

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on **10th August 2016**, and you must then ensure that the required steps for complying with it, for which you may be 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.



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Date 9/6/2016

