

Date: 17 August 2016  
Our Reference: 1781.858  
Enquiries to: Patricia Tavernier

Law and Governance  
London Borough of Camden  
Town Hall  
Judd Street  
London WC1H 9LP

**FIRST CLASS RECORDED POST**

Occupier  
45 Goldhurst Terrace  
London  
NW6 3HB

DX 161055 Kings Cross 4  
Direct 020 7974 5680  
Fax 020 7974 1920  
e-mail: [Patricia.Tavernier@camden.gov.uk](mailto:Patricia.Tavernier@camden.gov.uk)  
[www.camden.gov.uk](http://www.camden.gov.uk)

**IMPORTANT- THIS COMMUNICATION AFFECTS YOUR LAND**

Dear Sirs

**TOWN AND COUNTRY PLANNING ACT 1990  
SECTION 171A (AS AMENDED BY THE PLANNING AND COMPENSATION ACT 1991)  
ENFORCEMENT NOTICE: EN16/0302  
LAND AND PREMISES AT: 45 Goldhurst Terrace London NW6 3HB**

The Council has issued an Enforcement Notice relating to the above land and I now serve on you a copy of that Notice, in view of your (or your client's) interest in the land. (Copies of the Notice are also being served on others who, it is understood, have an interest in the land).

Unless an appeal is made to the Secretary of State, as described below, the Notice will take effect on **28<sup>th</sup> September 2016** and you (or your client) must ensure that the required steps are taken within the period specified in the Notice.

Should you wish to make an appeal, the enclosed information sheet published by the Planning Inspectorate gives details of how to make an appeal. This can also be accessed via the following website; <http://www.planningportal.gov.uk/uploads/pins/eninfosheet.pdf>.

Your appeal (or your client's) must be received by the Planning Inspectorate before the date shown in paragraph 2 above as that is the date when the notice will take effect i.e. **28<sup>th</sup> September 2016**.

If you have any queries regarding this notice or would like to discuss compliance please contact John Sheehy of the Planning Enforcement team at Supporting Communities, Regeneration and Planning, Development Management, London Borough of Camden, Town Hall, Judd Street London WC1H 8JE or on 020 7974 5649 or [john.sheehy@camden.gov.uk](mailto:john.sheehy@camden.gov.uk).

Yours faithfully



**Patricia Tavernier  
Legal Assistant  
For the Borough Solicitor**

**Borough Solicitor  
Andrew Maughan**

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. **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.

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- 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.

## 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 dormers and reinstate the rear and side roof to match the materials and profile of the original

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roof slope, remove the brick balustrade and reinstate the original bay window roof at rear first floor level, 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 first floor rear bay roof and the upper ground floor rear bay windows 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 **28<sup>th</sup> September 2016** unless an appeal is made against it beforehand.

**DATED: 17 August 2016**

Signed 

**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 **28<sup>th</sup> September 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.



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Centre = 526294 E 184403 N

Date 9/6/2016





CST Room 3/13  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

Direct Line 0303-444 5000

Fax No 0117-372 8782

## THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can do it:-

- on-line at the Appeals Casework Portal (<https://acp.planninginspectorate.gov.uk/>); or
- by getting enforcement appeal forms by phoning us on 0303 444 5000 or by emailing us at [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk)

**You MUST make sure that we receive your appeal before the effective date on the enforcement notice.**

In exceptional circumstances you may give notice of appeal by fax or letter. You should include:-

- the name of the local planning authority;
- the site address;
- your address; and
- the effective date of the enforcement notice.

We MUST receive this before the effective date on the enforcement notice. This should **immediately** be followed by your completed appeal forms.