

Council reference: EN17/0257

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED BY THE  
PLANNING AND COMPENSATION ACT 1991)**

**ENFORCEMENT NOTICE**

**ISSUED BY: THE LONDON BOROUGH OF CAMDEN**

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 TO WHICH THE NOTICE RELATES**

**Land at: 21-23 Cressy Road, London NW3 2NB** as shown outlined in black on the attached plan ("the Property").

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

**Without planning permission:** *Unauthorised installation of 2 x air conditioning units at first floor level on the rear elevation of the property.*

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 air conditioning units by virtue of their design and location are considered to detract from the character and appearance of the host building and this part of the Mansfield Road Conservation Area, and would set an unacceptable precedent and is thereby contrary to policies D1 (Design) and D2 (Heritage and Conservation) of Camden's Local Plan 2017

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- c) In the absence of sufficient acoustic information in connection to the use of the air conditioning units it has not been demonstrated that the units would not cause loss of amenity through noise nuisance to neighbouring residential occupiers or comply with the Council's noise standards and therefore the development is contrary to policy A4 (Noise and vibration) of Camden's Local Plan 2017

Framework Core Strategy, with particular regard to policy CS14- (Promoting high quality places and conserving our heritage) and the London Borough of Camden Local Development Framework Development Policies with particular regard to policies DP24- (Securing high quality design) and DP25- (Conserving Camden's heritage).

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**

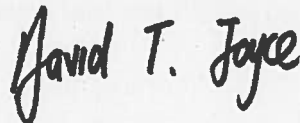
Within a period of **one month** of the Notice taking effect:

1. Totally remove the 2 x air conditioning unit from the rear elevation of the building; and
2. Repair any damage caused as a result of the above works

**6. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on **22<sup>nd</sup> August 2017** unless an appeal is made against it beforehand.

DATED: 25<sup>th</sup> July 2017 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 £172.00**

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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 **21<sup>st</sup> August 2017**, 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.

