

Council reference: EN16/0173

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: 91 Regent's Park Road, London, NW1 8UT as shown outlined in black on the attached plan ("the Property").

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

Without planning permission: Installation of new full height aluminium framed glazed shopfront, replacement of timber doors with automatic swing doors, installation of ventilation grills on the side elevation and external roller shutters and roller shutter housing to the front and side elevation of the ground floor retail unit (Class A1)

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

1. It appears that the breach of planning control has occurred within the last 4 years.
2. The new shopfront, automatic swing doors, ventilation grills, external roller shutters and roller shutter housing, by reason of their prominent location, detailed design, materials used and external appearance results in demonstrable harm to the character and appearance of the host building, the surrounding terrace and

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streetscene and fails to preserve and enhance the character and appearance of the Primrose Hill Conservation Area, contrary to Policy D1 (Design), Policy D2 (*Heritage*) and Policy D3 (Shopfronts) of the London Borough of Camden Local Plan and Camden Planning Guidance 1 (CPG1- Design).

3. The external roller shutters and roller shutter housing, 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 Policy C5 (Safety and security), Policy A1 (Managing the impact of development), Policy D1 (Design), and Policy D3 (Shopfronts) of the London Borough of Camden Local Plan and Camden Planning Guidance 1 (CPG1- Design) and 6 (CPG6- Amenity).

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 **three months** of the Notice taking effect:

- 1) Remove the aluminium framed, fully glazed shopfront to the front and side elevation of the ground floor retail unit and replace with a timber shopfront to match the original shopfront.
- 2) Completely remove the roller shutter housing and external roller shutters and associated fixtures from the front and side elevation of the ground floor retail unit.
- 3) Remove the ventilation grills on the side elevation of the ground floor retail unit.
- 4) Remove the automatic swing doors and reinstate timber doors to match the original doors.
- 5) Make good any damage to the building as a result of the works.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **29th December 2017** unless an appeal is made against it beforehand.

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David T. Joyce

DATED: 17th November 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

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 (x2)

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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 **29th December 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.

NORTHGATE SE GIS Print Template



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