

20.12.18

GUY SOULSBY & CHRISTINE BEARDSSELL

31 EDIS STREET

EMAIL BACKGROUND TO SUPPORT OUR APPEAL

***The following are all the correspondence (to and from) John Sheehy at Camden Council via email to myself, Guy Soulsby 31 Edis Street. This communication was started after we received the letter in the post at the end of August 2018.**

Guy Soulsby [REDACTED]
to: john.sheehy@camden.gov.uk,
planning@camden.gov.uk
bcc: GUY SOULSBY [REDACTED],
Christine Beardsell <[REDACTED]>
date: **Sep 7, 2018, 2:33 PM**
subject: Hi John... (31 Edis Street - Letter dated 29-08-2018)
mailed-by: [REDACTED]

Hi John,

I am contacting you regarding a letter that was delivered last week.

Firstly we wanted to be sure this was a genuine letter as the envelope was hand written and was delivered late Friday afternoon/early evening, not when the post man would normally deliver a 1st class letter, added to that the postcode for the property is incorrect in the body of the letter.

If this is a genuine letter then we are confused and have a number of questions regarding its content.

1. The lights on the property were added well before we bought the apartment in fact over 3 and a half years ago, so it's odd that you have received an "enquiry" now.
2. You mentioned you visited the property but the photograph in the letter is over two years old, not a recent image.
3. The lights either side of our front door (31 Edis Street) don't alter the lines of the external building as stated in your letter, they are on the inside edge, so the

wall facing Chalcot Road isn't interrupted and neither is the wall on Edis Street.

4. We have spoken to our neighbours on Edis Street - six of whom have similar lights either side of their doors (brushed silver) two of the properties are currently being renovated with wiring outside the doors for new lights. NONE have received the same letter from you and like us they were rather perplexed by it. Can you explain why we are being singled out?

5. Speaking to one of our neighbours, an architect, they informed us that historically most houses in the area used to have lights outside, these were gas lamps, which over time have been altered as technology has advanced.

6. Your letter outlines "clutter" but as mentioned above multiple properties have similar lights on Edis Street, and on the opposite side of Chalcot Road there are multiple hanging baskets that have been added to the walls.

7. I am sure you and the council are not suggesting we can not have lights to the entrance of our home. This would raise a safety issue, leaving the entrance dark. My other half (Christine) comes home late in the evening, when it's dark and so does Sally who lives upstairs. I am also away with work, so Christine can be coming home alone. Statistics from POLICE.UK show there have been 229 burglaries last year and thefts from a person climbed to nearly a thousand in Camden. We hope you and the council would want people to be safe when returning home on an evening. Especially a woman alone.

8. Your letter states the council can formally remove the lights, there is no comment on discussion, precedence (which there is on the street) or consultation, so this seems rather aggressive language without any conversation beforehand.

We want to work with the council as we enjoy living in the area and respect the conservation aspect, but we need some more information and understanding as outlined in our points above as your letter is somewhat puzzling.

I will try calling you early next week, hopefully in that time you will have been able to read this email and reply

Many thanks
-Guy and Christine

Sheehy, John <john.sheehy@camden.gov.uk>

to: Guy Soulsby [REDACTED]

date: **Sep 10, 2018, 12:20 PM**

subject: RE: Hi John... (31 Edis Street - Letter dated 29-08-2018)

mailed-by: camden.gov.uk
signed-by: camden.gov.uk

Dear Guy,

Thank you for your email.

Please find responses to your questions in [blue](#) below.

Regards,

--

John Sheehy
Principal Planner

Telephone: 020 7974 5649

From: Guy Soulsby [REDACTED]
Sent: 07 September 2018 14:34
To: Sheehy, John <john.sheehy@camden.gov.uk>; Planning <Planning@camden.gov.uk>
Subject: Hi John... (31 Edis Street - Letter dated 29-08-2018)

Hi John,

I am contacting you regarding a letter that was delivered last week.

Firstly we wanted to be sure this was a genuine letter as the envelope was hand written and was delivered late Friday afternoon/early evening, not when the post man would normally deliver a 1st class letter, added to that the postcode for the property is incorrect in the body of the letter.

If this is a genuine letter then we are confused and have a number of questions regarding its content.

The lights on the property were added well before we bought the apartment in fact over 3 and a half years ago, so it's odd that you have received an "enquiry" now.

[The case was opened a couple of years ago and is still open on our system as the lamps are still in place. We are looking into the case again with the aim to of helping you resolve this breach of planning control. While I am aware that they may have been installed by a previous owner, no permission exists for them.](#)

You mentioned you visited the property but the photograph in the letter is over two years old, not a recent image.

I am happy to forward you more recent images of the property if you need them.

The lights either side of our front door (31 Edis Street) don't alter the lines of the external building as stated in your letter, they are on the inside edge, so the wall facing Chalcot Road isn't interrupted and neither is the wall on Edis Street. I am not sure that I mention lines of the building in my letter.

We have spoken to our neighbours on Edis Street - six of whom have similar lights either side of their doors (brushed silver) two of the properties are currently being renovated with wiring outside the doors for new lights. NONE have received the same letter from you and like us they were rather perplexed by it. Can you explain why we are being singled out?

Our main concern is the introduction of this type of feature onto Chalcot Road where they are not widespread. There are some nearby streets such as Gloucester Avenue where there are already too many of these features for us to be able to control their spread. That is not the case with Chalcot Road.

Please let me know the addresses of the properties you refer to. If they are on Chalcot Road it is likely that we will be able to take enforcement case.

Speaking to one of our neighbours, an architect, they informed us that historically most houses in the area used to have lights outside, these were gas lamps, which over time have been altered as technology has advanced. Lamps like these do not form part of the historic layout or design of these properties and are a recent addition. Historic lighting like carriage lamps tended to be installed in covered outdoor areas or where there was a porch. The lamps to this building do not reflect the historic development pattern or the established palette of materials in the surrounding area where metalwork is black painted cast iron.

Your letter outlines "clutter" but as mentioned above multiple properties have similar lights on Edis Street, and on the opposite side of Chalcot Road there are multiple hanging baskets that have been added to the walls.

Features like hanging baskets and window boxes are traditional in nature and one would expect to see them on period properties. There would be no issue with you installing such features.

I am sure you and the council are not suggesting we can not have lights to the entrance of our home. This would raise a safety issue, leaving the entrance dark. My other half (Christine) comes home late in the evening, when it's dark and so does Sally who lives upstairs. I am also away with work, so Christine can be coming home alone. Statistics from [POLICE.UK](https://www.police.uk) show there have been 229 burglaries last year and thefts from a person climbed to nearly a thousand in Camden. We hope you and the council would want people to be safe when returning home on an evening. Especially a woman alone.

There is street lighting near this property.

Your letter states the council can formally remove the lights, there is no comment on discussion, precedence (which there is on the street) or consultation, so this seems rather aggressive language without any conversation beforehand.

I appreciate that you bought the property with these features in place and that you were not responsible for fitting them. As I said in my letter, we do not want to take formal action to require these features to be removed. That is why I wrote to you, to advise you that these works do not benefit from permission and to give you the opportunity to remove them.

We want to work with the council as we enjoy living in the area and respect the conservation aspect, but we need some more information and understanding as outlined in our points above as your letter is somewhat puzzling.

I will try calling you early next week, hopefully in that time you will have been able to read this email and reply

Many thanks
-Guy and Christine

Guy Soulsby <[REDACTED]>
to: john.sheehy@camden.gov.uk
bcc: GUY SOULSBY [REDACTED]
date: **Sep 13, 2018, 4:03 PM**
subject: Re: Hi John... (31 Edis Street - Letter dated 29-08-2018)
mailed-by: googlemail.com

Hi John,

Thanks for your reply.

Since we last spoke I have done some digging and found our *'Register of local land charges / Requisition for search and official certificate of search'* document that our solicitor obtained from Camden Council. We have also spoken to him as well. We have previous experience and paid for extensive checks on the property before buying. I have also searched through Camden Council's online Planning Application database and could find **no** records of any case from the past couple years as stated in your last email. If there is a case, where are the documents relating to it and why are we only being informed of it now, years later? Please provide records.

You have stated you are unable 'to control the spread' of similar lights on other surrounding streets. It appears you are solely focusing your attention on us. We will apply for retrospective planning permission for 31 EDIS STREET upon which the planning committee can make a decision.

Thanks
-Guy & Christine

Sheehy, John <john.sheehy@camden.gov.uk>
to: Guy Soulsby [REDACTED] >
date: **Sep 18, 2018, 5:21 PM**
subject: RE: Hi John... (31 Edis Street - Letter dated 29-08-2018)
mailed-by: camden.gov.uk
signed-by: camden.gov.uk

Hi Guy,

Thank you for your email.

Enforcement investigations only appear on local land charges when formal action is taken so the majority of enforcement investigations do not appear on land searches.

When you were purchasing the property your advisors may have missed the fact that the external lamps did not have planning permission. I understand that this breach was not your fault however you have the opportunity to rectify it now.

Chalcot Road has generally been kept free of unsympathetic alterations like these external lamps. If such an alteration is made to any property along Chalcot Road we advise the owner to reverse the works. This is because all properties along this street form part of the same urban space and so all of the properties should be treated the same.

Regards,
--
John Sheehy
Principal Planner

Guy Soulsby [REDACTED]
to: john.sheehy@camden.gov.uk
date: **Oct 8, 2018, 9:26 AM**

subject: Re: Hi John... (31 Edis Street - Letter dated 29-08-2018)
mailed-by: googlemail.com

Hi John,

Thanks for your reply.

We paid for all possible searches relating to the property to make sure there was nothing open or pending, and there was nothing, which would make sense as you will see below.

You stated in earlier emails that the case was opened a couple years ago, but we have owned the property going on 2.5 years now, so why were we never sent any letters at any time relating to the case?

I asked in my previous email to receive documents to show this open case but there was nothing attached to your reply. Please send documents.

You also keep referring to Chalcot Road but our property is on Edis Street.

Stated in my previous correspondence there are many houses on Edis Street that have similar lights, some of which have been in place for over 10 years, which would now have '*deemed planning*' as the council has not objected. This is precedence.

You stated on a previous email that there are multiple houses on Gloucester Avenue that have entrance lights, which you have been unable in your own words to "*control their spread*" so I must ask why are you focusing your energies and attention on only our property, especially when you state that "*properties should be treated the same*".

Thanks
-Guy & Christine

There was then a five week delay before John Sheehy replied.

Sheehy, John <john.sheehy@camden.gov.uk>

to:

date: **Nov 16, 2018, 6:57 PM**

subject: RE: Hi John... (31 Edis Street - Letter dated 29-08-2018)

mailed-by: camden.gov.uk

signed-by: camden.gov.uk

Dear Guy Soulsby,

I visited the site again recently and noted that the external lights had not been removed.

As a result, I have instructed our Legal team to issue an enforcement notice to require their removal.

The enforcement notice will set out a list of requirements and a timeframe for compliance which I hope will be of assistance to you in this matter.

This should be issued next week.

I have also replied to your questions in your most recent email in [blue](#) below.

Regards,

--

John Sheehy
Senior Planner

Telephone: 020 7974 5649

From: Guy Soulsby <[REDACTED]>
Sent: 08 October 2018 09:27
To: Sheehy, John <john.sheehy@camden.gov.uk>
Subject: Re: Hi John... (31 Edis Street - Letter dated 29-08-2018)

Hi John,

Thanks for your reply.

We paid for all possible searches relating to the property to make sure there was nothing open or pending, and there was nothing, which would make sense as you will see below.

You stated in earlier emails that the case was opened a couple years ago, but we have owned the property going on 2.5 years now, so why were we never sent any letters at any time relating to the case?

[We wrote to the previous owner in 2015 advising him to remove the lights.](#)
[During visits to the area in Summer 2018 it was noted that the lights were still in place.](#)

[I wrote to you then and set out a way forward which would help you bring the](#)

site into accordance with planning control.

I asked in my previous email to receive documents to show this open case but there was nothing attached to your reply. Please send documents.
I am not aware of any documents relating to this case. Please let me know what type of documents are you looking for and I will forward them to you.

You also keep referring to Chalcot Road but our property is on Edis Street.
The property has an elevation onto Chalcot Road.

Stated in my previous correspondence there are many houses on Edis Street that have similar lights, some of which have been in place for over 10 years, which would now have '*deemed planning*' as the council has not objected. This is precedence.

This has limited weight as precedent as these are not in the same street as the lights, namely Chalcot Road.

You stated on a previous email that there are multiple houses on Gloucester Avenue that have entrance lights, which you have been unable in your own words to "*control their spread*" so I must ask why are you focusing your energies and attention on only our property, especially when you state that "*properties should be treated the same*".
The introduction of this type of harmful non-original feature onto Chalcot Road could lead to a gradual undermining of the character and appearance of this street which is one of the best preserved in the entire Primrose Hill Conservation Area. As such the works are not consistent with policies D1 Design and D2 Heritage.

Guy Soulsby [REDACTED]
to: john.sheehy@camden.gov.uk
bcc: GUY SOULSBY [REDACTED]
date: **Dec 3, 2018, 11:15 AM**
subject: Re: Hi John... (31 Edis Street - Letter dated 29-08-2018)
mailed-by: googlemail.com

Hi John,

It is very disappointing to receive your latest email. Especially when it's taken over a month for you to respond. We had hoped this situation had come to an end as we'd not received a reply. Subsequently we have now received your letters in the mail in regards to the enforcement notice.

It's clear to us now that you are determined to persecute us and have bias towards us but not others in the area.

Since we began our discussions you have not provided clear answers to straight forward questions and have sent contradicting information.

If you did write to the previous owner why did it take you nearly 3 years to write to us the new owner and why should we be held accountable for something we weren't aware of when we bought the apartment (nothing showed up on any searches by our solicitor before we purchased the property) and something that has clear precedence on our street, Edis Street.

Looking at Chalcot Road, which you keep referring to (even though our property is on Edis Street) there are five properties on the opposite side of the street, which we believe are owned and managed by the council that have lights outside their front doors. Are we to understand that there is one rule for them but another for ourselves and another for the surrounding streets?

Can you explain why we need to pay a total of £468 to appeal?

Who will be the impartial person / company who deal with the appeal? I assume this will not be undertaken by your department or the council for obvious bias reasons.

Lastly can you please come back to me well before the final enforcement date so we have all required information.

Many Thanks
-Guy

On **Thu, Dec 6, 2018 at 11:31 AM**
Sheehy, John <john.sheehy@camden.gov.uk> wrote:

Dear Guy Soulsby,

Thank you for your email.

My role is to assist and support you and other residents to help you comply with planning control.

I advised you what steps you needed to carry out at this site, the time in which they should be carried out, and why they were necessary.

You had a reasonable amount of time to carry out the necessary works, however they were not done.

I can assure you that I did my very best to help you comply with planning control at this site.

I also invited you to let me know of other properties on Chalcot Road which had the same works carried out as on your property but you did not provide addresses or photographs of these.

Should you wish to do this now you can submit these via the Council website:

<http://www.camden.gov.uk/ccm/content/environment/planning-and-built-environment/two/planning-enforcement/reporting-suspected-breaches-of-planning-regulations/>

Any appeal that is submitted will be handled by the Planning Inspectorate which is a central government body based in Bristol. An appeal fee is necessary if you appeal on the planning merits of the case (Ground A appeal). An appeal on the other Grounds B-G does not require a fee to be submitted.

The following website gives further guidance on the appeal process:

<https://www.gov.uk/appeal-enforcement-notice>

Regards,

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John Sheehy
Senior Planner

Guy Soulsby <[REDACTED]>
to:john.sheehy@camden.gov.uk
date:Dec 11, 2018, 10:36 AM
subject: Re: Hi John... (31 Edis Street - Letter dated 29-08-2018)
mailed-by:googlemail.com

Hi John,

Great to know you are here to assist and support us!

So can you please answer the following questions that were previously asked: -

1. You say there is a fee (£468) for an appeal but the gov.uk website (the same link you sent over) says otherwise <https://www.gov.uk/appeal-enforcement-notice> it says appeals are free?

2. "I also invited you to let me know of other properties on Chalcot Road which had the same works carried out as on your property but you did not provide addresses or photographs of these."

Outlined in a previous note, on Chalcot Road there are 5 properties that have entrance lights on the opposite side of the street as you look up to Chalcot Square, and as stated in my last note we believe these are managed by the council so is there a different rule for them? There are another 18 properties with entrance lights on Chalcot Road. Is there a different rule for them as well?

Along with the above properties there are 10 houses (including ours) on Edis Street and another 16 or so houses on Gloucester Avenue, where you admitted you have "lost control" of, all with entrance lights. Added to that there are 8 properties on Fitzroy Road. The reluctance to send any photo for the above was for the very honest reason that we are highlighting our neighbours who you might then try to target as you have us.

You said in previous notes that you came out to visit our property twice so you must have seen all of this for yourself but you want to target and discriminate against only us, hence why we are forced to defend ourselves and appeal due to clear bias.

Many thanks
-Guy

Sheehy, John <john.sheehy@camden.gov.uk>
to: Guy Soulsby [REDACTED]
date: **Dec 14, 2018, 1:57 PM**
subject: RE: Hi John... (31 Edis Street - Letter dated 29-08-2018)
mailed-by: camden.gov.uk
signed-by: camden.gov.uk

Dear Guy Soulsby,

Thank you for your email.

An appeal fee needs to be paid if you appeal on Ground A, the planning merits, which in this case would be £468.

For all other grounds of appeal no fee needs to be paid.

You do not have to appeal Ground A and can restrict your appeal to non-fee

grounds.

I have visited Chalcot Road recently however I have not seen properties there with external lights of a similar design, form and appearance to those at your property.

I would invite you to identify the properties on Chalcot Road that you refer to and to submit photos of these when you are making the enforcement complaint via the link I sent to you in my last email.

Unless you identify the address of the properties we will not be able to take forward any investigations into these.

Regards,

--

John Sheehy
Senior Planner