

Enforcement Delegated Report

Receipt date:

Officer

Gary Bakall

Enforcement Case

EN19/1122

Breach Address

15 Grove Terrace, London, NW5 1PH

Photos & Other material

See below.

Authorised Officer Signature



22.05.2020

Alleged Breach

Unauthorised alteration to a Grade II* listed building through the painting of large white letters on to the front paved garden/path, white paint on the brickwork at first floor level, front elevation and boarding up with timber three window panes in traditional sash windows at first floor level, front elevation.

Recommendation(s):

That the Head of Legal Services issues a Listed Building Enforcement Notice under section 38 of the Town & Country Planning Act 1990 as amended, requiring the permanent removal of all white paint from the front garden/foot path, the brickwork at first floor level and removal of wooden boards from window panes on the front elevation at first floor level and their replacement with glazing to match existing and officers be authorised in the event of non-compliance to prosecute under section 42 or appropriate power and/or take direct action under section 178 in order to secure cessation of the breach of planning control.

Site Description

A three-storey Georgian terrace property with lower ground floor and loft space constructed circa 1750, located on the Eastern side of Grove Terrace. The property and wider terrace have large rear gardens and front gardens and are set behind a large tree lined grass verge separating them from Highgate Road. The property is a single family dwelling house, is within the Dartmouth Park Conservation Area and is Grade II* Listed.

Investigation History

This matter relates to the words 'This house is open' written on the front foot path, white paint daubed on the brickwork at first floor level and three boarded up window panes of the traditional sash windows at first floor level on the front elevation. A L.B.E.N. has also been served against the words 'Grenfell was Murder' written in white paint on the old slate roof. The Council has also received complaints previously about banners being displayed outside this property. The banners and flags are usually temporary in nature and removed relatively quickly. Despite numerous letters the owner has not responded to the Council. It is considered that because of the clear harm the boarded up window panes and white letters have on the special historic character of the property and the damage to the historic York Stone paving that forms the path that a Listed Building Enforcement Notice be issued to ensure the paint is removed and not applied again and the windows repaired.

Relevant policies / GPDO Category

National Planning Policy Framework 2012

The London Plan 2016

Camden Local Plan 2017- Policy D2, Heritage

Camden Planning Guidance – CPG1 (Design) 2019

Assessment

Planning history: There is no relevant planning history

Issues: The main issue with this case is the harm to the special historic and architectural character of the Grade II* listed building by painting large white letters on to the historic York stone paving that forms the property's front garden and path to the front door, daubing white paint on the brickwork at first floor level, front elevation as well as using wood to patch up three window panes in the traditional sash windows at first floor level on the front elevation.

The property like most of the rest of the terrace has unpainted fair-faced brickwork, painted timber sash windows and a slate mansard roof with dormers. Although a little in poor condition it is largely externally unaltered and retains its simple classical Georgian proportions and detailing and is a fine example of a Georgian terraced property. The property is Grade II* listed, this and Grade I listed properties are considered of outstanding architectural or historic interest and of particularly great importance to the nation's heritage and make up just 6% of all listed buildings with Grade II making up the rest.

The words 'This house is open' are crudely painted in white paint in large letters directly on to the old York Stone paving directly in front of the front door. White paint is also roughly daubed on the brickwork between the two large sash windows at first floor level. This graffiti is bright and visually jarring, it is an alien feature totally out of keeping with the historic heritage of the property. The boarded up window panes gives the property a tatty and neglected look. The graffiti on the front path, paint at first floor level and boarded up windows are both harmful to the appearance of the property, and the appearance and rhythm of the wider terrace (all of which is Grade II* listed) and the Dartmouth Park Conservation Area.

The painted letters, white painted brickwork and boarded up windows are incongruous features that cause detrimental harm to the visual appearance and special historic character of the property, the terrace and this part of the Dartmouth Park Conservation Area.

Despite a L.B.E.N coming in to effect in November 2019 against large white painted letters spelling out 'GRENFELL MURDERS' painted directly on to the slates forming the front slope of the mansard roof, no action has been taken by the owner to remove the letters. The Council may have to use its powers to undertake the works required in the L.B.E.N.s and put a charge on the property. The owner also displays political banners and flags on the front of her property, these are not usually displayed for long but the Council is considering further action in respect of these as they are also deemed to detract from the property.



Recommendation: That the Head of Legal Services issues a Listed Building Enforcement Notice under section 38 of the Town & Country Planning Act 1990 as amended, requiring the permanent removal of all white paint from the front roof slope and officers be authorised in the event of non-compliance to prosecute under section 42 or appropriate power and/or take direct action under section 178 in order to secure cessation of the breach of planning control.

The notice shall allege the following breaches of planning control:

Unauthorised alteration to a Grade II* listed building through the painting of large white letters on to the front paved garden/path, white paint on the brickwork at first floor level, front elevation and boarding up with timber three window panes in traditional sash windows at first floor level, front elevation.

WHAT ARE YOU REQUIRED TO DO:

1. Remove all white paint from paving in front garden, path to the front door and between the sash windows at first floor level, front elevation;
2. Replace timber boards with single glazing in windows at first floor level, front elevation;

PERIOD OF COMPLIANCE: 1 month

REASONS WHY THE COUNCIL CONSIDER IT EXPEDIENT TO ISSUE THE NOTICE:

The white paint, painted letters and boarded up windows result in visual harm to the special architectural and historic character of the property and wider terrace, all of which is listed Grade II*, by reason of its colour and incongruous appearance and is therefore contrary to policy D2 (Heritage) of Camden Local Plan 2017 and advice in Camden Planning Guidance (Design) 2019.

