

Enforcement Delegated Report		Receipt date:	11/02/2020
Officer		Enforcement Case	
Raymond Yeung		EN20/0135	
Breach Address		Photos & Other material	
14B St Paul's Crescent, London, NW1 9XL		Please see below	
Authorised Officer Signature			
 25/11/2020			
Alleged Breach			
Installation of 2no. roller box shutters and shutter boxes to the ground and first floor windows to the front elevation.			
Recommendation(s):		Issue an enforcement notice That the Borough Solicitor be instructed to issue an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 as amended and to pursue any legal action necessary to secure compliance and officers be authorised in the event of non-compliance, to prosecute under section 179 or appropriate power and/or take direct action under 178 in order to secure the cessation of the breach of planning control.	
Priority:	P3		

Site Description

The site in question concerns a 2 storey with roof space detached modern dwellinghouse. It benefits from a front garden area and it is to the north of St.Paul's Crescent.

The property is not listed nor but is within the Camden Square Conservation Area.

Investigation History

March 2020 – Letter sent to the legal land owner -No response.

September 2020 – Contact with the land owner by email discuss its removal.

October 2020- Further chase-ups warned of enforcement action with owner but met with no response.

November 2020- Offered alternatives such as internal shutters, but owner stated that the shutters will not be removed.

Relevant policies / GPDO Category

National Planning Policy Framework 2019

London Plan 2016

London Plan (Intend to publish 2019)

Camden Local Plan 2017

Policy G1 Delivery and location of growth

Policy A1 Managing the impact of development

Policy D1 Design

Policy D2 Heritage

Camden Planning Guidance

CPG Design (2019)

CPG Amenity (2018)

CPG Altering and extending your home CPG (2019)

Camden Square Conservation Area Appraisal and Management Strategy March 2011

Assessment

Planning history:

2010/6479/P - Erection of a single family dwelling house (Class C3) to replace existing garage. -
Granted 01/02/2011

2015/5086/P -Erection of single storey extension – Granted 30/10/2015

Issues:

The key planning issues are as follows:

- Design and Impact on the Conservation Area



Before -Figure 1



After -Figure 2

The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. The Local Plan policy D1 (Design) requires development to be of the highest architectural and urban design quality which improves the function, appearance and character of the area. Policy D2 (Heritage) states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas.

The property owner specified that the shutters are required because there have been reported break-ins. Further details of this has not been provided.

As demonstrated above they would screen the windows and fenestration details, it is also considered that it is detracting from the overall character and appearance of the host property. The external

shutters including the shutter box would appear as non-domestic, bulky incongruous features that would harm the character and appearance of the property, the terrace and surrounding conservation area.

The roller shutters clearly demonstrate the harm that can be caused by unsympathetic alterations to a residential property, particularly within a conservation area.

It is considered that the external shutters and box housing would result in harm to the character and appearance of the host building, the terrace in which it belongs and the Conservation Area. The shutters would seemingly result in an improved security benefit for the occupiers. However, it is noted that no evidence has been submitted to support the claims of security improvements, nor has it been put forward for other security measures which may be adequate to meet the security needs of the occupiers. In any event, it is considered that such evidence would not be enough to outweigh the harm caused as a result of the proposal.

The impact of the shutters is considered to have a less than substantial impact on the conservation area, however given there is no public benefit to the addition, this harm is not warranted.

The proposal is thereby considered to constitute harm to the host property, terrace and the Camden Square conservation area.

As a result it is considered that the shutters would fail to accord with policies D1 and D2 of the Local Plan, resulting in an incongruous addition, failing to preserve or enhance the appearance of the host building or the setting of the conservation area.

Conclusion

For the reasons outlined above, the shutters and box housing to the ground and first floor front elevation by reason of their location, design and appearance, would result in an incongruous addition which would harm the character and appearance of the building, the terrace and the Camden Square Conservation Area, contrary to policies D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017.

Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

Recommendation: Issue enforcement notice

That the Borough Solicitor be instructed to issue and Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 as amended and to pursue any legal action necessary to secure compliance and officers be authorised in the event of non-compliance, to prosecute under section 179 or appropriate power and/or take direct action under 178 in order to secure the cessation of the breach of planning control.

The notice shall allege the following breaches of planning control:

Installation of 2no. roller box shutters and shutter boxes to the ground and first floor windows to the front elevation.

WHAT ARE YOU REQUIRED TO DO:

- 1) Completely remove the 2no.roller box shutters and shutter boxes to the ground and first floor window to the front elevation.
- 2) Make good and resulting damage and remove any resultant debris from the site.

PERIOD OF COMPLIANCE: 2 Months

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

1. It appears to the Council that the above breach of planning control has occurred within the last 4 years
2. The 2no.roller box shutters and shutter boxes to the ground and first floor windows to the front elevation by reason of their location, design and appearance, would result in an incongruous addition which would harm the character and appearance of the building, the terrace and the Parkhill and Upper Park Conservation Area, contrary to policies D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017.