

Appeal details

Appeal reference: APP/A5210/C21/3267778
Appeal receipt date: 27 January 2021
Appeal by: Richard Currie
Site Address: c/o Pennine Place 2a Charing Cross Road London WC2H 0HF
Local Planning Authority: London Borough of Camden

Appeal Application Form – Section E

Facts and Grounds

14a St Paul's Crescent is a detached contemporary three-storey house built in 2011 on the site of a former garage (see planning application ref.: 2010/6479/P). It is contemporary in design, constructed predominantly in stock brick, with large areas of glazing in both the front and rear elevations. It is significantly smaller in scale than surrounding properties and so remains subservient and separate from the terrace. Its contemporary design makes it unique in the area.

The site is within the Camden Square Conservation Area but is a Statutory Listed or a Locally Listed building. It is not identified within Conservation Area Appraisal as making any specific contribution to the area.

The roller box shutters were installed in 2017 following attempted / successful break ins at the site, for which the police were in attendance. In other words, they were a response to specific incidents, and not just to a perceived threat. The appellant therefore commissioned a security firm, Banhams, to install the roller shutters as an appropriate precautionary measure. They are bespoke roller blinds and are solid and sustainable – meaning here that they are built to last and to a high standard. Since they were installed, there have been no criminal incidents reported at the site. The appellant is therefore able to ensure that tenants living at the property have the best possible security.

Banhams indicated on their invoice that in general planning permission may be required for this type of development, but the appellant is not professionally trained in property or planning matters, and was reacting to an emergency. He was not aware that this might apply in his situation.

He takes the view that retrospective planning permission should be granted.

Appeal Ground a

The Enforcement Notice does not specify any “in principle” planning policy against the installation of roller box shutters in Conservation Areas.

The facts that apply to this site are set out above, including the facts that have led to the installation of the roller box shutters and shutter boxes.

The appellant will apply for retrospective planning permission to retain the development. The Inspector will be invited to consider the application on its merits, taking into account the contemporary and unique style of the property at the site and in context, its lack of prominence and small size relative to the rest of the terrace, as well as other material factors.

Appeal Ground g

The appellant, who is the owner of the site, has lived in the Netherlands for several years, with his partner and young children. He is affected by the travel restrictions currently in place in order to curb the spread of the Coronavirus. These state that travellers from the Netherlands to the UK are required to self isolate for 10 days. Currently, too, if the appellant travelled to the UK he would not be allowed to return to the Netherlands as travel from the UK is banned. The ban is due to remain in place until 22 February. (This situation was foreseeable at the time the Enforcement Notice was issued.)

It is to be hoped that these restrictions will no longer be in force when this appeal is determined, but if the Inspector is minded to dismiss the appeal and to uphold the Enforcement Notice, the appellant takes the view that the time given to comply with the notice is too short. The appellant requests that the Inspector should bear in mind that commissioning a team to undertake the remedial works is more complicated if carried out from abroad. Alternatively, if he were to come to the UK to oversee the works, his family circumstances may necessitate planning (around childcare, for instance) if he needs to arrange a longer stay in London.

The appellant believes that nine months is a more realistic time frame, in the current circumstances. This is outdoor work, and this time frame would allow time for the work to be carried out during a spell of warm weather, for example, over the summer period, depending on when this appeal is determined. With luck, the worst of the Coronavirus pandemic could be over in a few months, so that building contractors will have easier access to both workers to help on the site and to any materials needed.

NB. Appeal Ground f will no longer be pursued. This is because the appellant considers that it is not possible to substitute lesser steps as a substitute for the development at issue, bearing in mind the history of criminal activity at the site and the need to protect occupiers.

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