
Appeal Decision

Site visit made on 20 October 2025

by **Robin Buchanan BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19th November 2025

Appeal Ref: APP/X5210/C/24/3358186

The Parakeet Public House & Dining Room, 256 Kentish Town Road, London NW5 2AA

- The appeal is made under section 174 of the Town and Country Planning Act 1990, as amended (the Act).
- The appeal is made by The Columbo Group Ltd against an enforcement notice issued by the Council of the London Borough of Camden.
- The notice was issued on 12 November 2024.
- The breach of planning control as alleged in the notice is without planning permission, installation of mechanical plant, storage containers and louvre screen and extension of louvre screening on the Islip Street elevation.
- The requirement of the notice is: to completely remove the mechanical plant, storage containers and louvre screen and extension of louvre screening on the Islip Street elevation.
- The period for compliance with the requirement is: Three (3) months.
- The appeal is proceeding on the grounds set out in section 174(2)(f) and (g) of the Act.

Summary Decision: The appeal is dismissed; the enforcement notice is corrected then upheld.

Preliminary Matter

1. The appellant is dissatisfied with the Council's decisions to refuse retrospective planning permission for the development pursued by the notice (including some proposed changes to the mechanical plant, storage containers or louvre screens) and to issue the notice, as well as its procedural handling of both. However, these are matters for the main parties and not within my remit.

Enforcement Notice

2. It is important that the notice is in order. The appellant highlights, and as I saw at my site visit, that the mechanical plant, storage containers and louvre screens pursued by the notice are installed across the flat roof of the single-story rear outrigger of the Property, not just 'on the Islip Street elevation'. The Council does not dispute this. I shall therefore correct the alleged breach of planning control in the interests of precision and correct the requirement accordingly. This does not render the notice 'flawed', as the appellant suggests, and I am satisfied that no injustice will be caused to the main parties.

Ground (f)

3. The appellant suggests that an alternative scheme could change the design and amount of screening to address the Council's objections, rather than remove the mechanical plant and storage containers. I accept that planning enforcement should be remedial, not punitive.

4. However, the amenity considerations that underpin the Council's objections relate to its reasons for issuing the notice and why it considered it was expedient to take enforcement action. Whereas it is clear from the operational development set out in section 3 (to install mechanical plant, storage containers and louvre screens) and requirement 5.1 (to completely remove these structures) that the purpose of the notice is to remedy the breach of planning control and the Council does not seek to under enforce. Even if an alternative scheme was at less cost and disruption to the appellant, there is no ground (a) deemed planning application before me.
5. In these circumstances ground (f) cannot be used to consider planning merits or to vary the requirements of the notice as a means to effectively grant planning permission for other proposed development.
6. The appellant indicated that a planning application would be made to the Council by 31 October 2025 for an alternative scheme. I have not been provided with a copy or informed of progress. In any event, whether or not the appellant can negotiate a suitable alternative scheme with the Council, including to overcome all of its reasons for issuing the notice, is a separate matter for the main parties. Meantime, the appellant suggested no other alternative scheme or lesser steps.
7. Considering the above, I am satisfied that the steps required by the notice to be taken are consistent with remedying the breach of planning control, so are proportionate and not excessive. Accordingly, ground (f) fails.

Ground (g)

8. There is little evidence that the mechanical plant, storage containers and louvre screens are anything other than typical of these sorts of structures, albeit reasonably extensive in this case. The notice requires their removal (on the face of it and given little evidence to the contrary) by disassembly into constituent parts. While this would require works at an elevated level, this was evidently the case when these structures were installed. The appellant does not suggest that the 3 month time period given in the notice would not be long enough, in practical terms, to carry out such works in order to comply with the steps required by the notice.
9. This is the matter in hand in ground (g) and the period must be sufficient to begin with in that respect – it is not about whether the notice should give time for an alternative 'compromise' scheme to be prepared, submitted to and agreed with the Council, including a planning application. There is no mechanism before me to require that the appellant enters into pre-application dialogue with the Council or submits a new planning application for an alternative scheme. Even if a planning application has been submitted the timing of a decision is uncertain, including the prospect of appeal. The appellant did not, anyway, suggest a different time period and I am mindful that the Council has discretion under section 173A(1)(b) of the Act to extend the period for compliance, which would be a matter for the main parties.
10. I appreciate that mechanical plant of this sort is required for the operation of the Property as a public house with catering and to meet Health and Safety obligations. But there is little evidence to substantiate that the cost of works to comply with the requirements of the notice would be prohibitive, result in financial hardship for the appellant or cause more than a temporary suspension in the operation of some or all of the business.

11. In these circumstances, and on the evidence before me, I consider that relaxing the period given to comply with the requirement of the notice would be an unjustified disproportionate extension of time. It would also perpetuate the harm caused by the breach of planning control, as set out in the reasons for issuing the notice, for an indeterminate period of time. This includes that the Property is a non-designated heritage asset in the Council's local list and located opposite the edge of the Bartholomew Estate Conservation Area, as well as to the character and appearance of the locality generally and to the living conditions of people residing nearby considering noise, vibration and odour.
12. Consequently, in my view the 3 month period in the notice to take the steps required by it does not fall short of what should be reasonably allowed. Accordingly, ground (g) fails.

Formal Decision

13. It is directed that the enforcement notice is corrected as follows:
 - Section 3 – delete '*...on the Islip Street elevation.*' and replace with '*...on the flat roof of the single-story rear outrigger of the Property.*'
 - Section 5 – delete '*...on the Islip Street elevation.*' and replace with '*...on the flat roof of the single-story rear outrigger of the Property.*'
14. Subject to these corrections, the appeal is dismissed and the enforcement notice is upheld.

Robin Buchanan
INSPECTOR