



Appeal Decision

Site visit made on 2 June 2026

by **M Ollerenshaw BSc (Hons) MTPI MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 June 2026

Appeal Ref: APP/X5210/C/25/3362222

Land at 16 Hampstead High Street, London, NW3 1PX

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Winston Leong against an enforcement notice issued by the Council of the London Borough of Camden.
 - The notice was issued on 29 January 2025.
 - The breach of planning control as alleged in the notice is without planning permission: installation of an external shutter box and metal roller shutter to the shopfront.
 - The requirements of the notice are to:
 1. Completely remove the external shutter box and metal roller shutter from the shopfront; and
 2. Remove any constituent materials and make good any damages as result.
 - The period for compliance with the requirements is three months.
 - The appeal is proceeding on the grounds set out in section 174(2)(f) and (g) of the Town and Country Planning Act 1990 (as amended).
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Decision

1. The appeal is dismissed, and the enforcement notice is upheld.

Preliminary Matters

2. The appellant initially appealed under grounds (a), (f) and (g). However, the ground (a) appeal is barred under s174(2A) of the Town and Country Planning Act 1990 (as amended) (the 1990 Act) because the notice was issued within the two year period after the making of a related planning application that is no longer under consideration. Since there is no ground (a) appeal and deemed planning application before me, I am not considering the planning merits of the development or whether to grant planning permission for it.
3. At the time of my site visit it appeared that the alleged development had been removed. I wrote to the parties to seek clarification on this matter and the appellant confirmed that the external shutter box had been removed from the site for repairs. However, there is no dispute that it was in situ on the date of the notice.

The ground (f) appeal

4. An appeal on this ground is that the steps required by the notice exceed what is necessary to remedy any breach of planning control or, as the case may be, to remedy any injury to amenity which has been caused by any such breach.
5. The notice requires the removal of the external shutter box and metal roller shutter, the removal of resulting materials and making good of any damage. The purpose of the notice must therefore be to remedy the breach of planning control, consistent with s173(4) of the 1990 Act.

6. The appellant has not explained why they consider the steps required by the notice to exceed what is necessary to remedy the breach, nor have they proposed any lesser steps.
7. I note the appellant's reference to their reasons for installing the development, the security benefits associated with it and the existence of other roller shutters in the area. However, these points concern the planning merits of the development which, as noted above, are not within the remit of this appeal.
8. There are no obvious alternatives or lesser steps to achieve the purpose of the notice. I therefore conclude that the requirements of the notice do not exceed what is reasonably required to remedy the breach of planning control. The appeal on ground (f) fails.

The ground (g) appeal

9. An appeal on ground (g) is that the period given for compliance with the notice falls short of what should reasonably be allowed.
10. In this case, the period for compliance with the requirements is three months. The appellant has not set out why they consider this to be too short a timeframe, nor have they suggested what period of time would be reasonable. As noted above, the development has been removed temporarily to facilitate repairs which indicates that its removal can be achieved promptly and without significant difficulty.
11. I conclude that the stated compliance period is a reasonable timeframe to carry out the requirements. The appeal on ground (g) therefore fails.

Conclusion

12. For the reasons given, I conclude that the appeal should be dismissed, and I shall uphold the enforcement notice.

M Ollerenshaw

INSPECTOR