

Enforcement Notice: EN23/0192
Officer: Miles Peterson
Date: 18/03/2024



Development Management
Regeneration and Planning
London Borough of Camden
5 Pancras Square
N1C 4AG

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Belsize CAAC

Dear Sir/Madam

Town and Country Planning Act 1990 (as amended)
NOTIFICATION OF AN APPEAL

Inquiry to open at 10.00am on Tuesday 30 July 2024 (for 2 days)

at the Crowndale Centre, 218-220 Eversholt Street, London Borough of Camden NW1 1BD

The Council has been notified of an appeal by Westgrove Management Limited which has been made to the Planning Inspectorate against the Council's enforcement notice. The appeal concerns property at:

Flat 4
39 Belsize Square
London NW3 4HL

And the breach of planning control alleged in the enforcement notice is:

Without planning permission: The change of use from one three-bedroom flat located on the second and third floors to two flats.

And the reasons for issuing the notice are:

- The change of use has occurred within the last 4 years; and
- In absence of a S106 legal agreement to secure the development as car free, the development contributes unacceptably to parking stress and congestion in the surrounding area, contrary to policies T1 (Prioritising walking, cycling and public transport), T2 (Parking and Car Parking), A1 (Managing the impact of development) and DM1 (Delivery and monitoring) of the Camden Local Plan (2017).

Grounds of Appeal

The appellant has appealed on grounds (a) (b) (c) (d) (f) (g):

- (a) That planning permission should be granted for what is alleged in the notice. (X)
- (b) That the breach of control alleged in the enforcement notice has not occurred as a matter of fact (X)
- (c) That there has not been a breach of planning control. (X)
- (d) That, at the time the enforcement notice was issued, it was too late to take enforcement action against the matters stated in the notice. (X)
- (e) Copies of the enforcement notice were not served on everyone who has an interest in the land. ()
- (f) The steps required to comply with the requirements of the notice are excessive, and lesser steps would overcome the objections. (X)
- (g) The time given to comply with the notice is too short. (X)

The appeal will be determined on the basis of an Inquiry. The procedure to be followed is set out in the Town and Country Planning Appeals (Determination by Inspectors) (Inquiry Procedure) (England) Rules 2000, as amended. The Inspector appointed to decide the appeal is Paul Dignan MSc PhD and the Inquiry will open at **10.00am** on **30 July 2024**. The Planning Inspectorate has currently scheduled **2** sitting days.

For any group or organisation who wish to take an active part in the Inquiry, the opportunity is available to apply for what is known as **Rule 6 status**. Although unusual, there is also scope for interested individuals to take part on the same basis.

Rule 6 status means that you would be able to present your evidence on a formal basis and cross examine the evidence of others. You can find guidance at the following link:

<https://www.gov.uk/government/publications/apply-for-rule-6-status-on-a-planning-appeal-or-called-in-application>

Arrangements for the Inquiry are currently being finalised by the Planning Inspectorate. These will include a pre-Inquiry conference call with the lead parties to deal with procedural and administrative matters, including how the evidence will be heard. As a Rule 6 party, it is anticipated that you would also be a part of that process.

If, having read the above guidance, you wish to apply for Rule 6 status and/or have any related questions, you should contact the Planning Inspectorate immediately. If you are interested but are unable to access the guidance electronically, again, you should contact the Planning Inspectorate who will try and assist.

Contact: Amy Booth at teamE3@planninginspectorate.gov.uk Telephone: 0303 444 5244 Please quote appeal case number **3340116** in all communications.

The deadline to send your representation to the Planning Inspectorate is: **by 25 April 2024**.

How to make comments or modify/withdraw your previous representation:

Online

Search case number **3340116** at <https://acp.planninginspectorate.gov.uk/>

By post

Send 3 copies of your letter, quoting case number **3340116** on each copy, to:

Room 3B

Temple Quay House

Bristol BS1 6PN

From 1 April 2024 any comments submitted by email will not be considered and will be returned. Comments from interested parties on appeals will only be accepted electronically and via post.

Electronically

Comments from interested parties on appeals will be accepted through the Appeals Casework Portal

<https://acp.planninginspectorate.gov.uk/>

Guidance on communicating with the Planning Inspectorate electronically can be found at:

<https://www.gov.uk/government/publications/enforcement-appeals-procedural-guide>

By post

Comments from interested parties on appeals will be accepted via letter to Temple Quay House, Bristol, BS1 6PN. Please make sure that your letters sent to the Planning Inspectorate quote the appeal case number/s.

You can get a copy of our guidance booklet free of charge from you, or on your website, or on GOV.UK

<https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal>

The documents concerning this Enforcement and the appeal are available here:

<http://camdocs.camden.gov.uk/HPRMWebDrawer/PlanRec?q=recContainer:EN23/0192>

Supporting Communities Directorate