

For official use only (date received): 21/03/2024 16:39:54

The Planning Inspectorate

ENFORCEMENT NOTICE APPEAL FORM (Online Version)

WARNING: The appeal **must** be received by the Inspectorate **before** the effective date of the local planning authority's enforcement notice.

Appeal Reference: APP/X5210/C/24/3341183


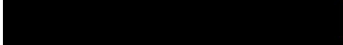
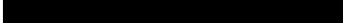
A. APPELLANT DETAILS

Name	Yardspin Limited Yardspin Limited Yardspin Limited
Company/Group Name	Yardspin Limited
Address	Studio 6, 6 Hornsey Street LONDON N7 8GR
Phone number	
Email	
Preferred contact method	Email <input checked="" type="checkbox"/> Post <input type="checkbox"/>

A(i). ADDITIONAL APPELLANTS

Do you want to use this form to submit appeals by more than one person (e.g. Mr and Mrs Smith), with the same address, against the same Enforcement notice? Yes No

B. AGENT DETAILS

Do you have an Agent acting on your behalf?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Name	Ms Christine Hereward
Company/Group Name	Hereward & Co, Solicitors
Address	94 Queensway LONDON W2 3RR
Phone number	
Email	
Your reference	

Preferred contact method Email Post

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority	London Borough of Camden
LPA reference number (if applicable)	EN23/0394
Date of issue of enforcement notice	09/02/2024
Effective date of enforcement notice	22/03/2024

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Does the appeal relate to an existing property?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Address	267 Eversholt Street LONDON NW1 1BA
Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
What is your/the appellant's interest in the land/building?	
Owner	<input checked="" type="checkbox"/>
Tenant	<input type="checkbox"/>
Mortgagee	<input type="checkbox"/>
None of the above	<input type="checkbox"/>

E. GROUNDS AND FACTS

Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
(a) That planning permission should be granted for what is alleged in the notice.	<input checked="" type="checkbox"/>
The facts are set out in	
<input checked="" type="checkbox"/> the box below	
<p>An increase in the number of residential units in the property is acceptable and should be granted planning permission. The Council has not referred to any evidence of noise and disturbance being caused by an increase in the number of residential units and occupiers. The extent of the ground floor which has remained in Class E use is that which is feasible for the Appeal Site. Reasons (e) and (f) for service of the Notice can be addressed by a Unilateral Undertaking under Section 16 of the 1974 Act and Section 106 T&CPA 1990.</p>	
(b) That the breach of control alleged in the enforcement notice has not occurred as a matter of fact.	<input checked="" type="checkbox"/>
The facts are set out in	

the box below

The units were not (and are not) in use as temporary sleeping accommodation (Use Class C1 Hotels) as alleged in the Notice. They were (and are) in occupation as C3 residential accommodation. The commercial floorspace on the ground floor was (and is) occupied within Use Class E. The description of it as "ancillary concierge/office space" is not correct. The alleged breaches have not occurred as a matter of fact.

(c) That there has not been a breach of planning control (for example because permission has already been granted, or it is "permitted development").



The facts are set out in

the box below

The occupation (as an accommodation/lettings agency / property management business) of the commercial floorspace on the ground floor (as at the date of the Notice and currently) is within Use Class E and does not constitute a breach of planning control.

(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.



The facts are set out in

the box below

The 15 units have each been in use as a C3 self-contained residential unit for more than 4 years preceding the date of the Enforcement Notice.

(e) The notice was not properly served on everyone with 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.



The facts are set out in

the box below

A reduction to only three residential units within the building would be excessive and not warranted. Each residential unit should be allowed to retain one set of kitchen and cooking facilities. Each bedroom/studio should be allowed to retain its own bathroom and w.c. facilities. Each residential unit larger than a studio should be allowed to retain a cloakroom/w.c. for the use of guests.

(g) The time given to comply with the notice is too short. Please state what you consider to be a reasonable compliance period, and why.



The facts are set out in

the box below

The compliance period should be extended to at least 18 months. Residential tenants are occupying the units under Assured Shorthold Tenancies, and would be at the date of the Notice (if upheld) coming into effect, for an unexpired term of up to twelve months. An additional period would then be needed to ensure vacant possession and for the carrying out of works.

F. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations



2. Hearing



3. Inquiry

You must give detailed reasons below or in a separate document why you think an inquiry is necessary. The reasons are set out in

the box below

There are already ongoing Appeals (under reference APP/X5210/X/23/3325618) in relation to this site. Those LDC Appeals are scheduled to be heard at Inquiry. PINS confirmed (by email of 28th February 2024) that this Enforcement Appeal can be linked to the LDC appeals.

(a) How long do you estimate the inquiry will last?

(b) How many witnesses do you intend to call?

(c) Is there any further information relevant to the inquiry which you need to tell us about? Yes No

If so, please explain the relevant information below

There are already ongoing Appeals (under reference APP/X5210/X/23/3325618) in relation to this site. Those LDC Appeals are scheduled to be heard at Inquiry. PINS confirmed (by email of 28th February 2024) that this Enforcement Appeal can be linked to the LDC appeals.

G. FEE FOR THE DEEMED PLANNING APPLICATION

1. Has the appellant applied for planning permission and paid the appropriate fee for the same development as in the enforcement notice? Yes No
2. Are there any planning reasons why a fee should not be paid for this appeal? Yes No

If no, and you have pleaded ground (a) to have the deemed planning application considered as part of your appeal, you must pay the fee shown in the explanatory note accompanying your Enforcement Notice.

H. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided? Yes No

Please give details, including our reference number(s), if known.

Yes. As detailed above in this Appeal Form. LDC Appeals, under reference APP/X5210/X/23/3325618

I. SUPPORTING DOCUMENTS

01. Enforcement Notice:

see 'Appeal Documents' section

02. Plan (if applicable and not already attached)

see 'Appeal Documents' section

J. CHECK SIGN AND DATE

I confirm that all sections have been fully completed and that the details are correct to the best of my

knowledge.

I confirm that I will send a copy of this appeal form and supporting documents (including the full grounds of appeal) to the LPA today.

Signature

Ms Christine Hereward

Date

21/03/2024 16:40:28

Name

Ms Christine Hereward

On behalf of

Yardspin Limited Yardspin Limited Yardspin Limited

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 2018.

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our [privacy notice](#).

K. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form and any supporting documents (including the full grounds of the appeal) to the LPA.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:
<https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council>
- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the enforcement notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

L. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. If forwarding the documents by email, please send to **appeals@planninginspectorate.gov.uk**. If posting, please enclose the section of the form that lists the supporting documents and send it to Initial Appeals, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6PN.

You will not be sent any further reminders.

Please ensure that anything you do send by post or email is clearly marked with the reference number.

The documents listed below were uploaded with this form:

Relates to Section: SUPPORTING DOCUMENTS
Document Description: 01. The Enforcement Notice.
File name: Enforcement Notice - 267 Eversholt Street (without address) PDF.PDF

Relates to Section: SUPPORTING DOCUMENTS
Document Description: 02. The Plan.
File name: Enforcement Notice - 267 Eversholt Street (without address) PDF.PDF

Completed by MS CHRISTINE HEReward

Date 21/03/2024 16:40:28