

Appeal case (lead): 3359336  
Enforcement Notice: EN24/0017  
Officer: Miles Peterson  
Date: 04 March 2025



**Development Management**  
Regeneration and Planning  
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[camden.gov.uk/planning](http://camden.gov.uk/planning)

Dear Sir/Madam

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

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

**9 Briary Close**  
**London**  
**NW3 3JZ**

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

**Without planning permission: the installation of 3x air-conditioning units on the flat roof of the dwelling.**

and the reasons for issuing the enforcement notice are:

- The development has occurred within the last 10 years.
- In the absence of sufficient information to show all feasible passive and other design measures to reduce overheating (cooling hierarchy) were incorporated in the property before the consideration of air conditioning, the development would not comprise sustainable infrastructure, minimise the efforts of climate change and limit carbon dioxide emissions, contrary to policies CC1 (Climate change mitigation), CC2 (Climate change adaptation measures), A1 (Managing the impact of development) and DM1 (Delivery and monitoring) of the Camden Local Plan (2017).

and the required action is:

Within a period of ONE (1) month of the Notice taking effect on 24 January 2025:

1. Completely remove the 3x air-conditioning units; and
2. Remove any resulting debris from the site and make good any resulting damage.

*Grounds of Appeal*

The appellant/s have appealed on ground (g) as set out at Section 174(2) of the 1990 Act:

- a) That planning permission should be granted for what is alleged in the notice.
- b) That the breach of control alleged in the enforcement notice has not occurred as a matter of fact
- c) That there has not been 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.

- 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. ( )
- g) The time given to comply with the notice is too short. (x)

This appeal is linked with Householder appeal reference APP/X5210/D/25/3359338 with a separate notification to follow.

The appeal is to be decided by an Inspector from the Planning Inspectorate on the basis of an exchange of **written statements** between the people who have made the appeal and the Council, followed by a site visit.

**Make representation ONLINE (not email):**

Search for case **3359336** at <https://acp.planninginspectorate.gov.uk>

This will open this appeal's page and allow you to make representation.

The appeal decision will be published here, too.

**All representations must be received by 15 April 2025.**



Any representations submitted after the deadline will not usually be considered and will be returned. Please ensure that all comments/documents submitted are GDPR compliant. There is guidance on what GDPR is available on gov.uk - principally it is about not revealing *sensitive* information about yourself or others in your representation, such as personal telephone numbers, email addresses, background, religion, health, sheltered address, etc. This is because your representation to PINs will be shared with the Appellant and this LPA - Local Planning Authority.

Your representation will be considered by the Inspector when determining the appeal.

**How to view the planning and the appeal documents:**

The appeals documents are available on our website under enforcement notice **EN24/0017** at <https://www.camden.gov.uk/planning-enforcement>

Direct link:

<http://camdocs.camden.gov.uk/HPRMWebDrawer/PlanRec?q=recContainer:EN24/0017>

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>

Kind regards

Supporting Communities Directorate