

For official use only (date received): 25/07/2016 11:00:47

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/16/3155128

A. APPELLANT DETAILS

Name	Ms Tal Machover
Address	Healey Street London NW1 8SR
Phone number	[REDACTED]
Email	[REDACTED]
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 No

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority	London Borough of Camden
Date of issue of enforcement notice	21/07/2016
Effective date of enforcement notice	01/09/2016

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address? Yes No

Address	Healey Street London NW1 8SR
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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 No

What is your/the appellant's interest in the land/building?

Owner

Tenant

Mortgagee

None of the above

E. GROUNDS AND FACTS

Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? Yes No

(a) That planning permission should be granted for what is alleged in the notice.

The facts are set out in

the box below

"The roof terrace is considered too bulky and out of context with its immediate context."
 The terrace's balustrade is made of decking. It provides a secure base for securing window boxes which are now flowering abundantly. I am also planting evergreen climbing plants which will weave in and out of the slats so that the structure of the terrace will be obscured by vegetation. It will create an attractive hanging garden and enhance the view from surrounding houses. The immediate context of the terrace - the wedge of back gardens and yards between Healey Street and Hadley street - is eclectic. Each house is different and has been extended at different times and in different styles using different materials since the original terraces were built.

(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 (for example because permission has already been granted, or it is "permitted development").

(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 sloped roof over the bathroom extension was riddled with wasps nests and leaking. The original sash window on the landing was rotted beyond repair and cannot now be replaced. I took the opportunity to create the roof terrace since work had to be done anyway. The property is now in better condition than it was before. I spent most of my saving on this and now simply do not have the money to have the work reversed.

(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

The roof terrace is a considerable improvement to my property, providing a small patch of outdoor space in a densely built-up area. It also improves ventilation and brings in more light. It makes a big difference to me and impinges very little on anybody else. far from being an eyesore, it is small and attractive. I would be prepared to replace the balustrade with wrought iron railings if the bulkiness of the decking is the main problem, but I would need time to raise the money.

(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.

F. CHOICE OF PROCEDURE

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

1. Written Representations

(a) Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land? Yes No

(b) Is it essential for the Inspector to enter the site to check measurements or other relevant facts? Yes No

Please explain.

The terrace is at the back of the building and cannot be seen from the street.

2. Hearing

3. Inquiry

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

I. SUPPORTING DOCUMENTS

01. Enforcement Notice:

see 'Appeal Documents' section

02. Plan:

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 Tal Machover

Date 25/07/2016 11:01:31

Name Ms Tal Machover

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 1998. Further information about our Data Protection policy can be found on our website under Privacy Statement.

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@pins.gsi.gov.uk**. If posting, please enclose the section of the form that lists the supporting documents and send it to PO Box 326, Bristol, BS99 7XF.

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 are to follow by post:

Relates to Section: SUPPORTING DOCUMENTS
Document Description: 01. The Enforcement Notice.

Relates to Section: SUPPORTING DOCUMENTS
Document Description: 02. The Plan.

PLEASE ENSURE THAT A COPY OF THIS SHEET IS ENCLOSED WHEN POSTING THE ABOVE DOCUMENTS TO US

Completed by MS TAL MACHOVER

Date 25/07/2016 11:01:31