

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/16/3163933

A. APPELLANT DETAILS

Name	Mr Paul Hemmings
Company/Group Name	Dirtybird Restaurants Limited
Address	Acre House 11-15 William Road London NW1 3ER
Phone number	c/o agent
Email	paul@birdrestaurants.com
Preferred contact method	Email <input type="checkbox"/> Post <input checked="" 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	Mr William Kumar
Address	6 Balfour Grove London N20 0SJ
Phone number	07501375572
Email	will@newmarkpi.com
Preferred contact method	Email <input checked="" type="checkbox"/> Post <input type="checkbox"/>

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority	London Borough of Camden
LPA reference number (if applicable)	EN16/0108
Date of issue of enforcement notice	17/10/2016
Effective date of enforcement notice	28/11/2016

D. APPEAL SITE ADDRESS

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

Does the appeal relate to an existing property? Yes No

Address

Dirty Bird
21-22 Chalk Farm Road
LONDON
NW1 8AG

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

see 'Appeal Documents' section

(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.

(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

see 'Appeal Documents' section

(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

2. Hearing

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

the box below

The evidence needs to be tested by questioning and clarification of the matters relating to the status given to the existing shopfront and why the new shopfront design is considered to harm the existing area. This will require clarification on the surrounding streetscape, the detailed design of the proposed shopfront and the material considerations surrounding it as set out in our Ground of Appeal (a).

Is there any further information relevant to the hearing which you need to tell us about? Yes No

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

a) the date of the relevant application

08/11/2015

b) the date of the LPA's decision (if any)

31/12/2015

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

Mr William Kumar

Date

24/11/2016 12:59:46

Name

Mr William Kumar

On behalf of

Mr Paul Hemmings

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 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:	GROUNDS AND FACTS
Document Description:	Facts to support that planning permission should be granted for what is alleged in the notice.
File name:	Grounds of Appeal (a).pdf
Relates to Section:	GROUNDS AND FACTS
Document Description:	Facts to support that the steps required to comply with the requirements of the notice are excessive, and lesser steps would overcome the objections.
File name:	Grounds of Appeal (f).pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	01. The Enforcement Notice.
File name:	Enforcement Notice.pdf

The documents listed below were already attached elsewhere with this form:

Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	02. The Plan.
File name:	Within Enforcement Notice

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

Completed by MR WILLIAM KUMAR

Date 24/11/2016 12:59:46