

For official use only (date received): 29/11/2017 18:02:48

## 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/17/3190505**

#### A. APPELLANT DETAILS

Name	Ms Lucy Medhurst
Address	Flat 25, Highstone Mansions 84 Camden Road LONDON NW1 9DY
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
LPA reference number (if applicable)	1800.466
Date of issue of enforcement notice	20/10/2017
Effective date of enforcement notice	01/12/2017

#### D. APPEAL SITE ADDRESS

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

Address Flat 25, Highstone Mansions  
84 Camden Road  
LONDON  
NW1 9DY

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 new double glazed windows should be granted planning permission because:

They are of high quality  
 Their design complements other windows in the building  
 Their design does not in any way detract from the character of the area or main public view of the building  
 Even if there was some perceived harm (and we do not accept that there is any harm) the financial cost of replacing the windows is excessive in relation to any changes in visual appearance that would result from further changes to the windows.

(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").

The facts are set out in  the box below

1. The windows are not materially or significantly different to originals.

- Dimensions and materials the same
- Black frames on the backyard facing windows
- Same number of Horizontals & Verticals

2. We are located on the third floor at the back of the block and it is reasonable to suppose that there is no difference to a lay person:

- Will anyone even look up?
- Even if they do then the optical angle is almost 30% and this equates to an optical difference of 0 to the naked eye.
- On the same side of the building and below us and our level, only 30% of the windows are original. Indeed there are PVC windows and aluminium windows which bear no resemblance to the originals.

(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

(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.

I feel strongly that an Inspector needs to come and inspect the windows. To date the decision by Camden Council has been made by viewing photographs that was taken in July but anyone who has come on site can't see an issue but an independent assessment with a physical viewing is all I can ask for.

#### 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

a) the date of the relevant application

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

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 (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 Lucy Medhurst

**Date**

29/11/2017 18:03:11

**Name**

Ms Lucy Medhurst

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:** Enforcement appeal reason with lease Nov 2017.docx

**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:** Enforcement appeal reason Option F Nov 29 2017.docx

**Relates to Section:** SUPPORTING DOCUMENTS

**Document Description:** 01. The Enforcement Notice.

**File name:** Enforcement Notice 7.jpeg

**File name:** Enforcement Notice 1.jpg

**File name:** Enforcement Notice 2.jpeg

**File name:** Enforcement Notice 3.jpeg

**File name:** Enforcement Notice 4.jpeg

**File name:** Enforcement Notice 5.jpeg

**File name:** Enforcement Notice 6.jpeg

### The documents listed below are to follow by post:

**Relates to Section:** SUPPORTING DOCUMENTS

**Document Description:** 02. The Plan.

**Completed by** MS LUCY MEDHURST

**Date** 29/11/2017 18:03:11