Town and Country Planning Acts 1990 (as amended)

**NOTIFICATION OF TWO PLANNING APPEALS**

Address : **The Black Cap, 171 Camden High Street, NW1 7JY**

Two separate appeals have been made to the Planning Inspectorate (PINs) regarding an Enforcement Notice and a Lawful Use application for the above site.

All previous comments submitted to the Council regarding both cases have already been forwarded to PINs and will be considered by the Inspector. The process and deadlines are set out below should you wish to make new or further comments or give evidence regarding the appeals. The appeal documents are on the council’s web site, the links are provided below.

**Enforcement Appeal: Written Representation: PINs ref: 3240682 and Camden Ref EN18/0283**

The appeal officer is Raymond Yeung (contact Raymond.yeung@camden.gov.uk or telephone 020 79744546).

This appeal is against an Enforcement Notice. The breach of planning control alleged in the enforcement notice is:

**Without planning permission: The material change of use of the building from a cabaret/dance venue, club, bar/ community space and as a public house (Sui Generis), to House in Multiple Occupation (HMO).**

The link to the relevant documents on the council’s web site is:

<http://camdocs.camden.gov.uk/HPRMWebDrawer/PlanRec?q=recContainer:EN18/0283>

The appellant/s have appealed on ground (a): that planning permission should be granted for what is alleged in the notice.

This 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. Should you wish to make any comments, please send an email to PINs address below by **21st May 2020.**

Please liaise with Raymond Yeung direct should you have any queries.

 **Lawful Use Appeal: Public Inquiry: PINs ref - 3241042 and Council Ref 2019/2271/P**

The appeal officer is **David Peres Da Costa (contact** David.peresdacosta@camden.gov.uk or telephone 020 7974 5262).

This appeal is against non-determination of an application for a Certificate of Lawful Use for:

**Use of the premises as a public house (Class A4), and cabaret/dance venue, bar with ancillary floorspace consisting of: use of the basement as storage for**

**beer and stock, use of the ground floor as a cabaret bar with live performances (Sui Generis) and public house (Class A4) including toilets at the rear; use of**

**the first floor as a public house (Class A4) bar area including toilets and use of the first floor external terrace as a drinking / smoking area; use of the second**

**floor as a kitchen, two offices, and two rooms of staff accommodation plus bathroom and use of the third floor as two rooms of staff accommodation, all**

**ancillary to the public house (Class A4) use.**

The link to the relevant documents on the Council’s web site is:

<http://camdocs.camden.gov.uk/HPRMWebDrawer/PlanRec?q=recContainer:%222019/2271/P%22>

This appeal will be decided by means of a local public inquiry held by an Inspector appointed by the planning Inspectorate. The inquiry date has not been arranged yet. We will write to you again to confirm the date, time and venue of the public inquiry. Given the current pandemic, the inquiry is unlikely to take place soon.

The council is required to prepare its statement of case by 21st May 2020. This will briefly set out the Council’s position regarding how the application would have been determined had the appeal not been lodged against non-determination and what the council’s evidence will cover. Then 4 weeks before the inquiry opens, the council is required to submit a full Proof of Evidence, setting out its case fully. A statement of common ground will also be required to be agreed by the appellants and the council.

The public, as third parties, are also required to submit comments on the appeal to PINs by **21st May 2020**.

Third parties can attend the public inquiry to observe and/or give evidence individually or collectively. They also may form a separate formal “Rule 6 party”. Permission is required from PINs for Rule 6 status, and it is advised to seek permission from PINs as soon as possible. All Rule 6 parties are required to submit a Statement of Case and Proof of Evidence and to appoint an advocate, usually a barrister but not necessarily so, to present their own case at the inquiry. The same deadlines apply to all Rule 6 parties. Here is a link to PINs video to assist you:

[How to take part as a Rule 6 party in a planning appeal proceeding by inquiry](https://youtu.be/iVB6c0TckMI)

**Information meeting**

The council will liaise with known interested members of the public by setting up an information meeting to run through the public inquiry procedures and this is likely to be after the inquiry date is known. Please alert the officer as soon as possible if you have not liaised yet and would like to be invited to the information meeting.

Should you wish to discuss the details of the Lawful Use case including evidence of the uses in the building, please contact David Peres Da Costa direct using the contact details above.

**PINs address for sending comments**

If you wish to make any comments on one or both of the appeals, please email the Planning Inspectorate at teame2@planninginspectorate.gov.uk or preferably through the portal at <https://acp.planninginspectorate.gov.uk/>. They will then distribute copies to the Council and to the person making the appeal. Please do not send your comments directly to the Council.

You should also email this address to request a copy of the appeal decision letter.

Please make sure that any correspondence sent to the Planning Inspectorate quotes PINs appeal reference numbers cited above.

**Message from the Planning Inspectorate regarding current COVID-19 Pandemic**

The planning Inspectorate (PINs) has asked local planning authorities to advise third parties of the importance of referring to PINs web page for up–to–date information about how best to correspond with them during this time and to submit representations via the appeal case work portal whenever possible (as PINs office is currently closed and they are unable to receive postal replies). Please contact PINs direct regarding postal queries.

The link to the web site is :

[www.gov.uk/government/organisations/planning-inspectorate](file:///C%3A%5CUsers%5Cenvdt06%5CAppData%5CLocal%5CMicrosoft%5CWindows%5CTemporary%20Internet%20Files%5CContent.Outlook%5CHP06DPKQ%5Cwww.gov.uk%5Cgovernment%5Corganisations%5Cplanning-inspectorate)

If you need any further information on the procedure for the appeal please ring the relevant officers cited above.

Supporting Communities Directorate