Town and Country Planning Acts 1990 (as amended)

**NOTIFICATION OF AN APPEAL**

The Council has been notified of an appeal against an enforcement notice which has been made to the Planning Inspectorate.

The appeal concerns a property at:

**48 Mornington Terrace, London, NW1 7RT**

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

 **1. Unauthorised internal and external alterations at basement level of this grade ll listed building**

**2. Change of use of the basement from residential to an architect's office.**

*Grounds of Appeal*

The appellant/s have appealed on one or a number of the following grounds ; (as marked)

a) That the building is not of special architectural or historic interest. (  )

b) That the matters alleged to constitute a contravention of section 9(1) or (2) have not occurred. (  **x** )

c) That those matters (if they occurred) do not constitute such a contravention. ( **x**  )

d) That works to the building were urgently necessary in the interests of safety or health or for the preservation of the building, that it was not practicable to secure safety or health or, as the case may be, the preservation of the building by works of repair or works for affording temporary support or shelter, and that the works carried out were limited to the minimum measures immediately necessary. ()

e) That listed building consent ought to be granted for the works, or that any relevant condition of

such consent which has been granted ought to be discharged, or different conditions substituted.

 ( **x** )

f) That copies of the notice were not served as required by section 38(4). ()

g) Except in relation to such a requirement as is mentioned in section 38(2)(b) or (c), that the

requirements of the notice exceed what is necessary for restoring the building to its condition before the works were carried out. (  **x** )

h) That the period specified in the notice as the period within which any step required by the notice is to be taken falls short of what should reasonably be allowed. ( **x** )

i) That the steps required by the notice for the purpose of restoring the character of the building to its former state would not serve that purpose. ( **x**  )

j) That steps required to be taken by virtue of section 38(2)(b) exceed what is necessary to

alleviate the effect of the works executed to the building. ( **x** )

k) That steps required to be taken by virtue of section 38(2)(c) exceed what is necessary to bring the building to the state in which it would have been if the terms and conditions of the listed

building consent had been complied with. (  )

The appeal will be decided by means of an informal hearing held by an Inspector appointed by thePlanning Inspectorate. The hearing date is currently being arranged and you will be informed of the date, time and venue of the hearing when it has been confirmed.

If you wish to make any comments about the appeal, please send **3** copies of your letter to the Planning Inspectorate. 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.

Any letters should be sent by **2nd March 2021** to;

**Paul Eland**

**teame1@planninginspectorate.gov.uk**

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

Please make sure that any letters to the Planning Inspectorate quote the reference number: **APP/X5210/F/20/3263561**

If there is any aspect of this case that you would like to discuss, please contact the above named officer.

**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). The link to the web site is :

[www.gov.uk/government/organisations/planning-inspectorate](https://www.gov.uk/government/organisations/planning-inspectorate)

If you need any further information on the procedure for the appeal please ring the Planning Technician on **020 7974 4899/2047.**

Supporting Communities Directorate