

Appeal Ref: EN20/0163  
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Date: 11 February 2021



**Development Management**  
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Dear Sir/Madam

Town and Country Planning Acts 1990 (as amended)  
**NOTIFICATION OF 3 APPEALS**

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| Site Address:  | 48 Mornington Terrace, NW1   |
| 1: Enforcement Notice regarding breach of Listed Building regulations              | 1: Unauthorised internal and external alterations at basement level of this grade II listed building |
| 2 & 3: Enforcement Notice regarding breach of Planning regulations ( 2 appellants) | 2 & 3: Change of use of the basement from residential to an architect's office.                      |
| Camden Enforcement reference:  | EN20/0163  |
| Appellant's names:   | 1: JL Center Holdings LLP<br>2 & 3: JL Center Holdings LLP and Undercover Architecture Ltd           |
| Planning Inspectorate appeal references:   | 1) APP/X5210/F/20/3263561<br>2) APP/X5210/C/20/3263558,<br>3) APP/X5210/C/20/3263559.                |
| Appeals start date:  | 29 <sup>th</sup> January 2021  |

You will have received a notification earlier regarding an appeal made to the Secretary of State against the London Borough of Camden issuing the above Listed building Enforcement Notice. However, appeals have now been submitted by two appellants regarding the change of use of the basement as well. The 3 appeals will all run together and be subject of the same appeal hearing and we are awaiting a date to be set.

**1. Grounds of appeal: Listed Building Enforcement Notice**

With regard to the Listed Building Enforcement Notice (3263561), the appellant has appealed on the following grounds:

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

That those matters (if they occurred) do not constitute such a contravention. (X)

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)

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)

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)

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)

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)

### **2 & 3: Grounds of Appeal against the Planning Enforcement Notice**

With regard to the planning enforcement notice appeals (3263558 & 3263559), the 2 appellants have appealed on the following grounds:

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

That the breach of control alleged in the enforcement notice has not occurred as a matter of fact. (X)

The steps required to comply with the requirements of the notice are excessive, and lesser steps would overcome the objections. (X)

The time given to comply with the notice is too short. (X)

### **Appeal methods**

The appeals will be determined on the basis of a **Hearing**. We will notify you again once a date has been set. The procedure to be followed is set out in The Town and Country Planning (Hearings Procedure)(England) Rules 2000, as amended.

We have forwarded any non confidential representations made to us on the enforcement matters to the Planning Inspectorate (PINs) and the appellant. These will be considered by the Inspector when determining the appeal.

If you wish to make comments, or modify/withdraw any previous representation, you can do so online at <https://acp.planninginspectorate.gov.uk>. You can also send your comments to Paul Eland at: [teame1@planninginspectorate.gov.uk](mailto:teame1@planninginspectorate.gov.uk)

**All representations must be received at PINs by 12<sup>nd</sup> March 2021.** Any representations submitted after the deadline will not usually be considered and will be returned by PINs. The Planning Inspectorate (PINs) does not acknowledge representations. **All representations must quote the appeal references APP/X5210/C/20/3263558, APP/X5210/C/20/3263559, APP/X5210/F/20/3263561.**

Please note that any representations you submit to the Planning Inspectorate will be copied to the appellant and this local planning authority and will be considered by the Inspector when determining the appeal.

The appeals documents are available on our website at: [www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

You can get a copy of one of the Planning Inspectorate's "Guide to taking part in planning appeals" booklets free of charge from GOV.UK at <https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal>.

When the decision is made, it will be published online at <https://acp.planninginspectorate.gov.uk>

### **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](http://www.gov.uk/government/organisations/planning-inspectorate)

### **Camden appeal officer**

The Camden appeal officer is [angela.ryan@camden.gov.uk](mailto:angela.ryan@camden.gov.uk) and telephone direct on 02079743236, should you wish to discuss the details of the case.

Supporting Communities Directorate