



For official use only
Date Received

ENFORCEMENT NOTICE APPEAL FORM

*Barnet
+
Cheque*

If you need this document in large print, in audio format or in Braille, please contact our helpline on 0303 444 5000. To help you fill in this form correctly please refer to the enclosed guidance leaflet "How to complete your enforcement appeal form".

Please use a separate form for each appeal against each different enforcement notice.


WARNING: The appeal must be received by the Inspectorate before the effective date of the local planning authority's enforcement notice.



PLEASE PRINT CLEARLY IN CAPITALS USING **BLACK INK**


A. APPELLANT DETAILS See section A of the guidance leaflet.

Name JAGJEET SINGH KENT


Company/Group name (if applicable)

Address 


 Postcode 

Daytime phone  Fax


I prefer to be contacted by Post Email*



*Email address 

B. AGENT DETAILS (IF ANY) FOR THE APPEAL See section B of the guidance leaflet.


Name 

Company/Group name (if applicable)

Address 

 Postcode 

Your reference

Daytime phone  Fax

I prefer to be contacted by Post Email*

*Email address macaulayse@aol.com

C. DETAILS OF THE APPEAL

See section C of the guidance leaflet.

Name of the LPA LONDON BOROUGH OF BARNET
Date of issue of enforcement notice 28 05 2019
Effective date of enforcement notice 03 07 2019
Reference number of the enforcement notice ENF/0209/19

D. APPEAL SITE ADDRESS

See section D of the guidance leaflet.

Address 42 PRINCES AVENUE
FINCHLEY CENTRAL
LONDON Postcode N3 2DB

Note: Failure to provide the full postcode may delay the processing of your appeal

Please answer the questions below:

1 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? If so, please describe them on a separate sheet. Yes No

2 What is your/the appellant's interest in the land? owner tenant mortgagee

If none of those apply, did you/the appellant occupy the land under a written or oral licence BOTH on the date the enforcement notice was issued AND on the date of making this appeal? Yes No

If "No", what is your/the appellant's involvement with the land?

Empty text boxes for providing details of involvement with the land.

E. GROUNDS AND FACTS

See section E of the guidance leaflet to help you decide what to include in your grounds of appeal.

Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? Yes No

Please tick which of the following grounds of appeal apply to your case and give the facts in support of each ground chosen (continue on a separate sheet if necessary).

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

Section 174(2)(a) of the Town and Country Planning Act says "that, in respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged".

Large empty text box for providing facts in support of the ground chosen.

E. GROUNDS AND FACTS (continued)

(a) (continued)

FURTHER TO A CONVERSATION WITH YOUR OFFICE,
WE HAVE BEEN INFORMED THAT PROVIDED
WE CAN PROVE THAT THE TENANTS HAVE
RESIDED IN THE PROPERTY FOR MORE THAN
FOUR YEARS THEN THIS NOTICE WILL NOT
APPLY. WE HAVE PROVIDED PROOF SOME WEEKS
AGO. THE TENANCY COMMENCED IN 2009/2010

E. GROUNDS AND FACTS (continued)

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

b

Section 174(2)(b) says "that those matters have not occurred".

(c) That there has not been a breach of planning control (for example because permission has already been granted, or it is "permitted development").

c

Section 174(2)(c) says "that those matters (if they occurred) do not constitute a breach of planning control".

(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.

d

Section 174(2)(d) says "that at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning which may be constituted by those matters".

E. GROUNDS AND FACTS (continued)

(e) The notice was not properly served on everyone with an interest in the land.

e

Section 174(2)(e) says "that copies of the enforcement notice were not served as required by section 172".

AS THE CRITERIA RELATING TO HMO CHANGED IN 2018, I APPLIED FOR A LICENCE, AN INSPECTION TOOK PLACE AND A LICENCE WAS GRANTED. CERTAIN WORKS/CHANGES WERE SUGGESTED WHICH ARE CURRENTLY IN PROGRESS. AT NO TIME WAS I INFORMED OF A PLANNING PERMISSION REQUIREMENT

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

f

Section 174(2)(f) says "that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach".

Please state how you think the requirement should be varied.

(g) That the time given to comply with the notice is too short.

g

Section 174(2)(g) says "that any period specified in the notice in accordance with section 173(9) falls short of what should reasonably be allowed"

Please state what you consider to be a reasonable compliance period, and why.

F. CHOICE OF PROCEDURE

It is important that you read carefully section F of the guidance leaflet before you complete this section.

There are 3 possible procedures:- written representations, hearings and inquiries. You should consider carefully which method suits your circumstances before selecting your preferred option by ticking the box.

1 THE WRITTEN REPRESENTATIONS PROCEDURE (for an explanation refer to the guidance leaflet)

W *

* Please answer the questions below.

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? If so, please explain below or on a separate sheet. Yes No

2 THE HEARING PROCEDURE (for an explanation refer to the guidance leaflet)

H ♦

Although you may indicate a preference for a hearing, the Inspectorate must also consider that your appeal is suitable for this procedure. You must give detailed reasons below or on a separate sheet why you think a hearing is necessary.

♦ Please answer the question below.

a) Is there any further information relevant to the hearing which you need to tell us about? If yes, please explain below. Yes No

3 THE INQUIRY PROCEDURE (for an explanation refer to the guidance leaflet)

I ▲

Although you may indicate a preference for an inquiry the Inspectorate must also consider that your appeal is suitable for this procedure. You must give detailed reasons below or on a separate sheet why you think an inquiry is necessary.

▲ Please answer the questions below.

a) How long do you estimate the inquiry will last? No. of days
(Note: We will take this into consideration, but please bear in mind that our estimate will also be informed by others' advice and our own assessment.)

b) How many witnesses do you intend to call? No. of witnesses

c) Is there any further information relevant to the inquiry which you need to tell us about? If yes, please explain below. Yes No

G. FEE FOR THE DEEMED PLANNING APPLICATION

It is important that you read carefully section G of the guidance leaflet before you complete this section.

1 Has the appellant applied for planning permission and paid the appropriate fee for the same development as in the enforcement notice?

Yes No

If yes, please state:

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 yes, please explain below:

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.....
.....

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.

Have you sent the fee to the LPA with their copy of the appeal form?

Yes No

H. OTHER APPEALS

See section H of the guidance leaflet.

If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers.

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.....
.....

I. CHECK SIGN AND DATE

See section I of the guidance leaflet.

Please tick the boxes to confirm that the following actions have been carried out


1 I have completed all parts of the form.

2 I have attached a copy of the enforcement notice and plan to this form.

3 I have sent a copy of this form and any documents to the LPA.

Signature  Date 9th JUNE 19

Name (in capitals)  On behalf of (if applicable) MR J S KEENT

 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 2018. Further information about our Data Protection policy can be found in the guidance leaflet.

J. NOW SEND

See section J of the guidance leaflet

Send THIS form (not a photocopy of it) to us at:

Send a copy to the LPA

You may wish to keep a copy of the form for your records

Initial Appeals
Temple Quay House
2 The Square
BRISTOL
BS1 6PN

Helpline: 0303 444 5000

OR

If you wish to deliver by hand:
(make sure you get a receipt)

The Planning Inspectorate
Customer Services Team
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

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.