

PLANNING APPEALS COMMISSION

Further information about us is available on our website www.pacni.org

For official use only Date Received File No. _____

LISTED BUILDING ENFORCEMENT NOTICE APPEAL FORM

Before completing the form please read the procedures guide which is available from our offices or on our website. Your appeal **MUST** reach the Commission **BEFORE THE DATE SPECIFIED IN THE ENFORCEMENT NOTICE AS THE DATE ON WHICH IT SHALL TAKE EFFECT.**

A. APPELLANT DETAILS

Name	<input type="text"/>		
Address	<input type="text"/>	Daytime phone no.	<input type="text"/>
	<input type="text"/>	Fax no.	<input type="text"/>
Postcode	<input type="text"/>	E-mail address	<input type="text"/>

B. AGENT DETAILS FOR THE APPEAL (if any)

Name	<input type="text"/>		
Address	<input type="text"/>	Daytime phone no.	<input type="text"/>
	<input type="text"/>	Fax no.	<input type="text"/>
	<input type="text"/>	Your reference	<input type="text"/>
Postcode	<input type="text"/>	E-mail address	<input type="text"/>

C. NOTICE DETAILS

I appeal, (on the appellants behalf*) under Article 78(1) of the Planning (Northern Ireland) Order 1991, against the listed building enforcement notice dated _____ which was served by the Department of the Environment on _____ in respect of land at

Address	<input type="text"/>
	<input type="text"/>
Postcode	<input type="text"/>

D. GROUNDS FOR THE APPEAL

I appeal on the ground(s) specified in Article 78(1) of the 1991 Planning Order which is/are indicated by a circle around the appropriate number(s) below:

Please circle **each** ground that applies

1. **Ground (a)** That the matters alleged to constitute a contravention of Article 44 have not occurred;
2. **Ground (b)** That those matters (if they occurred) do not constitute such a contravention;
3. **Ground (c)** That the contravention of that Article alleged in the notice occurred before 9 December 1978;
4. **Ground (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 or repair or works for affording temporary support or shelter, and that the works carried out were limited to the minimum measures immediately necessary;
5. **Ground (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;
6. **Ground (f)** The copies of the enforcement notice were not served as required by Article 68(2) and (3) as applied by Article 77(6);
7. **Ground (g)** That the period specified in the notice as the period within which any step required thereby is to be taken fall short of what should reasonably be allowed;
8. **Ground (h)** Except in relation to such a requirement as is mentioned in Article 77(1)(b)(ii) or (iii), the requirements of the notice exceed what is necessary for restoring the building to its condition before the works were carried out;
9. **Ground (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;
10. **Ground (j)** That the steps required to be taken by virtue of Article 77(1)(b)(ii) exceed what is necessary to alleviate the effect of the works executed to the buildings;
11. **Ground (k)** That the steps required to be taken by virtue of Article 77(1)(b)(iii) 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.

F. CHOICE OF PROCEDURE

CHOOSE ONE PROCEDURE ONLY

There are 4 procedures available, Written Representations, Written Representations with an accompanied site visit, Informal Hearing and Formal Hearing. Full details of the procedures available are contained in the guidance enclosed with this form. You should indicate which method you prefer. Please note that we will also ask the Department for their preferred method.

The final decision on which method is used will be made by the Planning Appeals Commission.

Please tick **one** box only

- | | |
|---|--------------------------|
| Written Representations | <input type="checkbox"/> |
| Written Representations with accompanied site visit | <input type="checkbox"/> |
| Informal Hearing | <input type="checkbox"/> |
| Formal Hearing | <input type="checkbox"/> |

G. REQUESTING A HEARING

If you have indicated a preference for a FORMAL hearing, please give your reasons for doing so.

<input type="text"/>
<input type="text"/>
<input type="text"/>
<input type="text"/>

All hearings on appeals from within the Belfast Metropolitan area (comprising Belfast, Carrickfergus, Castlereagh, Newtownabbey, North Down and Lisburn Council areas) are held in Park House.

If you reside outside of this area but agree to Park House being the hearing venue please tick this box.

H. IMPORTANT SUPPORTING DOCUMENTS

The documents listed 1 – 3 below, **SHOULD** be sent with your appeal. Please tick the boxes to show which documents you are enclosing.

1. A copy of the enforcement notice and accompanying map.
2. A copy of the Department's letter which accompanied the Enforcement Notice.
3. Copies of all relevant correspondence with the Department.

I. PLEASE SIGN BELOW

I confirm that all sections have been fully completed and are correct to the best of my knowledge. I appeal on the grounds as stated in Section E.

I enclose the prescribed fee: £ _____
(Cheques should be made payable to the Planning Appeals Commission)

Signature (on behalf of)

Name (in capitals) Date

Data Protection Act 1998

The information contained on this form will be stored and processed by the Planning Appeals Commission in accordance with the terms of registration under the Data Protection Act 1998. Further information about our Data Protection policy can be found on our website or obtained from our offices.

Now send this form and any supporting documents to:

The Planning Appeals Commission
Park House
87-91 Great Victoria Street
Belfast
BT2 7AG

DO NOT SEND THIS FORM TO THE DEPARTMENT OF THE ENVIRONMENT (NI)

When we receive your form, we will:

1. Acknowledge its receipt and the payment of any fee.
2. Tell the Department we have received your appeal.
3. Tell you and the Department the procedure for your appeal.
4. Tell you the timetable for sending Statements of Case.
5. Tell you about the arrangements for the site visit or hearing (if appropriate)

At the end of the process the Commission will give the decision, and the reasons for it, in writing.