

# LISTED BUILDING ENFORCEMENT NOTICE APPEAL FORM



***For appeals against LISTED BUILDING ENFORCEMENT NOTICES issued by the planning authority***

Please note that your appeal must reach the Commission before the date on which the notice is to take effect.

**Please complete in BLOCK CAPITALS and use a separate form for each appeal**

## **A. APPELLANT'S CONTACT DETAILS**

Name

Address

Postcode

Daytime phone number

E-mail address\*

## **B. CONTACT DETAILS FOR THE AGENT (if any)**

Name

Address

Postcode

Daytime phone number

E-mail address\*

Agent Reference

*\*if you have an e-mail address, we will use it to correspond with you.*

**C. PLANNING AUTHORITY WHICH ISSUED THE NOTICE**

Name of planning authority

Location of planning office

Authority's reference number

**D. KEY DATES**

Date of notice

Date notice received (if known)

Date notice was to become effective

**E. ALLEGED CONTRAVENTION**

Please copy from the notice

**F. LAND TO WHICH THE APPEAL RELATES**

Address or location of site

## G. GROUNDS OF APPEAL

Please tick the boxes below to indicate **EACH** of the grounds on which you wish to appeal:-

**Ground (a):** that the matters alleged to constitute a contravention of listed building control have not occurred

**Ground (b):** that those matters (if they occurred) do not constitute such a contravention

**Ground (c):** that the contravention of listed building control alleged in the notice occurred before 9<sup>th</sup> December 1978

**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 of repair or works for affording temporary support or shelter, and that the works carried out were limited to the minimum measures immediately necessary

**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

**Ground (f):** that copies of the notice were not served as required by law

**Ground (g):** that the period specified in the notice as the period within which any step required is to be taken falls short of what should reasonably be allowed

**Ground (h):** except in relation to a requirement for executing further works to alleviate the effect of the works which were carried out without listed building consent or for bringing the building to the state in which it would have been if the terms and conditions of a listed building consent had been complied with, the requirements of the notice exceed what is necessary for restoring the building to its condition before the works were carried out

**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

**Ground (j):** that steps required to be taken for executing further works to alleviate the effect of the works which were carried out without listed building consent exceed what is necessary to fulfil that purpose

**Ground (k):** that steps required to be taken for bringing the building to the state in which it would have been if the terms and conditions of a listed building consent had been complied with exceed what is necessary to fulfil that purpose

## H. STATEMENT OF FACTS

There is a statutory requirement on you to set out the facts on which your appeal against the enforcement notice is based. Please use the space below to do this.

**I. CHOICE OF APPEAL PROCEDURE**

Please indicate how you would like your appeal dealt with by ticking **ONE** of the boxes below. We will also ask the authority for its views before deciding which procedure to use.

- Written representations
- Written representations with accompanied site visit
- Informal hearing
- Formal hearing

*Detailed information about each of these procedures is given in the Commission’s publication “Procedures for Enforcement Notice, Listed Building Enforcement Notice and Submission Notice Appeals”, which is available on our website [www.pacni.gov.uk](http://www.pacni.gov.uk).*

**J. RELEVANT DOCUMENTS**

Before we can register the appeal, we will need a copy of the listed building enforcement notice and any map attached to it. You may also wish to send us copies of any relevant correspondence with the planning authority. Please tick the relevant boxes below to indicate what you are submitting with your appeal:-

- |           |                          |                   |                          |
|-----------|--------------------------|-------------------|--------------------------|
| Form(s)   | <input type="checkbox"/> | Correspondence    | <input type="checkbox"/> |
| Plan(s)   | <input type="checkbox"/> | Notice(s)         | <input type="checkbox"/> |
| Report(s) | <input type="checkbox"/> | Other document(s) | <input type="checkbox"/> |

**K. DECLARATION AND FEE**

I appeal on the basis of the information set out above.

I hereby submit the prescribed fee of £ \_\_\_\_\_

Signature \_\_\_\_\_

On behalf of \_\_\_\_\_

Date \_\_\_\_\_

## **Data Protection Act 1998**

*The information given 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.*

When we receive your form, we will:-

1. *Check that the appeal is valid and if so, acknowledge receipt.*
2. *Tell the planning authority we have received your appeal.*
3. *Let you and the authority know the procedure for your appeal.*
4. *Let you know the timetable for sending your written evidence.*
5. *Let you know the arrangements for any accompanied site visit or hearing.*

At the end of the process the Commission will give you a written decision on your appeal which will include a statement of the reasons for the decision.