

## The Planning Inspectorate

### QUESTIONNAIRE (s78) and (s20) PLANNING AND LISTED BUILDING CONSENT (Online Version)

You must ensure that a copy of the completed questionnaire, together with any attachments, are sent to the appellant/agent by the date given in the start letter. **You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan.**

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us by the date your statement is due.

Appeal Reference

APP/X5210/W/23/3324552

Appeal By

ROXBURG OVERSEAS LTD

Site Address

264 Belsize Road  
LONDON  
NW6 4BT

#### PART 1

1.a. Do you consider the written representation procedure to be suitable?

Yes

☒ No

☐

*Note: If the written procedure is agreed, the Inspector will visit the site **unaccompanied** by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.*

2.a. If the written procedure is agreed, can the relevant part of the appeal site be seen from a road, public footpath, bridleway or other public land?

Yes

☒ No

☐

2.b. Is it essential for the Inspector to enter the site to assess the impact of the proposal?

Yes

☒ No

☐

Please explain

To assess the impact of this proposal.

2.c. Are there any known health and safety issues that would affect the conduct of the site inspection?

Yes

☒ No

☐

Please describe

Vacant site.  
Proximity of A5.

3.a. Are there any other appeals or matters relating to the same site still being considered by us or the Secretary of State?

Yes

☐ No

☒

3.b. Are there any other appeals or matters adjacent or close to the site still being considered by us or the Secretary of State?

Yes

☒ No

☐

Please give our reference number(s)

APP/X5210/W/22/3310997  
APP/X5210/W/22/3302064

Please attach details

## PART 2

4. Does the appeal relate to an application for approval of reserved matters? Yes ☐ No ☒
5. Was a site ownership certificate submitted with the application? Yes ☒ No ☐
6. Did you give publicity to the application in accordance with either Article 15 of the DMPO 2015, Section 67/73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990? Yes ☐ No ☒
7. Does the appeal relate to a county matter? Yes ☐ No ☒

### 8. Please indicate the development type for the application to which the appeal relates.

- Major Developments ☐
- Minor Developments ☒
- Other Developments ☐


#### 8.b. Minor Developments

- Dwellings ☐
- Offices/R and D/light industry ☐
- General industry/storage/warehousing ☐
- Retail and services ☐
- Traveller caravan pitches ☐
- All other minor developments ☒

#### Is the appeal site within:

- 9.a. A Green Belt? Yes ☐ No ☒
- 9.b. An Area of Outstanding Natural Beauty? Yes ☐ No ☒
10. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? Yes ☐ No ☒

## PART 3

11. Would the development require the stopping up or diverting of a public right of way? Yes ☐ No ☒
- 12.a. Is the site in a Conservation Area? Yes ☐ No ☒
- 12.b. Is the site adjacent to a Conservation Area? Yes ☒ No ☐
- Please attach a plan of the Conservation Area.  
 [see 'Questionnaire Documents' section](#)
- 12.c. Does the appeal proposal include the demolition of a non-listed building within a conservation area? Yes ☐ No ☒
- 13.a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II\* / II listed building? Yes ☐ No ☒
- 13.b. Would the proposed development affect the setting of a listed building? Yes ☐ No ☒

14. Has a grant been made under s3A or s4 of the Historic Buildings and Ancient Monuments Act 1953?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
15.a. Would the proposals affect an Ancient Monument (whether scheduled or not)?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
16. Is any part of the site subject to a Tree Preservation Order?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
17. Have you made a Local Development Order under s61A to 61C of the Town and Country Planning Act 1990 (as inserted by s40 of the Planning & Compulsory Purchase Act 2004) relating to the application site?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
18. Does the appeal involve persons claiming Gypsy/Traveller status, whether or not this is accepted by the planning authority?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
19.a. Is the appeal site in or adjacent to or likely to affect an SSSI or an internationally designated site (ie. cSAC, SAC, pSPA, SPA Ramsar)?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
19.b. Are any protected species likely to be affected by the proposals?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>

#### PART 4

##### Environmental Impact Assessment - Schedule 1

20.a.i. Is the proposed development Schedule 1 development as described in Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011?

Yes ☐ No ☒

##### Environmental Impact Assessment - Schedule 2

20.b.i. Is the proposed development Schedule 2 development as described in Column 1, Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011?

Yes ☐ No ☒

20.c.i. Have you issued a screening opinion (SO)

Yes ☐ No ☒

##### Environmental Impact Assessment - Environmental Statement (ES)

20.d. Has the appellant supplied an environmental statement?

Yes ☒ No ☐

Please supply any related correspondence from statutory consultees and others that you may have had about the adequacy of the environmental information contained in the ES, having regard to the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

☒ see 'Questionnaire Documents' section

##### Environmental Impact Assessment - Publicity

20.e. If applicable, please attach a copy of the site notice and local advertisement published as required for EIA development.

Applies ☒ N/A ☐

☒ see 'Questionnaire Documents' section

21. Have all notifications or consultations under any Act, Order or Departmental Circular, necessary before granting permission, taken place?

Yes ☐ No ☒

**Please inform the appropriate bodies of the appeal now and ask for any comments to be sent to us by the date your statement is due.**

#### PART 5

22. Do you wish to attach your statement of case?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
<b>For appeals dealt with by written representations only</b>			
23. If this appeal is not following the written representations expedited procedure, do you intend to send a statement of case about this appeal?	Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/>
<b>Copies of the following documents must, if appropriate, be attached to this questionnaire</b>			
24.a. a copy of the letter with which you notified people about the appeal; <input checked="" type="checkbox"/> see 'Questionnaire Documents' section			<input checked="" type="checkbox"/>
24.b. a list of the people you notified and the deadline you gave for their comments to be sent to us; <input checked="" type="checkbox"/> see 'Questionnaire Documents' section			<input checked="" type="checkbox"/>
Deadline	15/08/2023		
24.c. all representations received from interested parties about the original application; <input checked="" type="checkbox"/> see 'Questionnaire Documents' section			<input checked="" type="checkbox"/>
24.d. the planning officer's report to committee or delegated report on the application and any other relevant documents/minutes;			<input type="checkbox"/>
24.e. any representations received as a result of a service of a site ownership notification; <input checked="" type="checkbox"/> see 'Questionnaire Documents' section			<input checked="" type="checkbox"/>
24.f. extracts from any relevant statutory development plan policies (even if you intend to rely more heavily on the emerging plan);  <i>You must include the front page, the title and date of the approval/adoption, please give the status of the plan. Copies of the policies should include the relevant supporting text. You must provide this even if the appeal is against non-determination.</i> <input checked="" type="checkbox"/> see 'Questionnaire Documents' section <input checked="" type="checkbox"/> see 'Questionnaire Documents' section <input checked="" type="checkbox"/> see 'Questionnaire Documents' section			<input checked="" type="checkbox"/>
List of policies	A1 Managing the impact of development A4 Noise and vibration C2 Community facilities CC1 Climate change mitigation CC2 Adapting to climate change D1 Design G1 Delivery and location of growth H1 Maximising housing supply H4 Maximising the supply of affordable housing H6 Housing choice and mix H7 Large and small homes T1 Prioritising walking, cycling and public transport T2 Parking and car-free development		
24.g. extracts of any relevant policies which have been 'saved' by way of a Direction;			<input type="checkbox"/>
24.h. extracts from any supplementary planning guidance, that you consider necessary, together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when; <input checked="" type="checkbox"/> see 'Questionnaire Documents' section			<input checked="" type="checkbox"/>
24.i. extracts from any supplementary planning document that you consider necessary, together with the date of its adoption;			<input type="checkbox"/>
<i>In the case of emerging documents, please state what stage they have reached.</i>			
24.j. a comprehensive list of conditions which you consider should be imposed if planning permission is granted;			<input checked="" type="checkbox"/>
<i>Only tick that this applies if you intend to submit a list of conditions with the questionnaire. If you do not submit the list with the questionnaire, then this should be submitted by the date your statement is due. This list must be submitted separately from your appeal statement.</i> <input checked="" type="checkbox"/> see 'Questionnaire Documents' section			

24.k. if any Development Plan Document (DPD) or Neighbourhood Plan relevant to this appeal has been examined and found sound/met the basic conditions and passed a referendum, the date the DPD or Neighbourhood Plan is likely to be adopted and, if you consider this date will be before the Inspector's decision on this appeal is issued, an explanation of the Council's policy position in respect of this appeal upon its adoption. You should also include an explanation of the status of existing policies and plans, as they relate to this appeal, upon adoption and which (if any) will be superseded; ☐

24.l. if any DPD or Neighbourhood Plan relevant to this appeal has been submitted for examination, or in the case of a Neighbourhood Plan has been examined and is awaiting a referendum, an explanation of any substantive changes in the progress of the emerging plan, and their relevance to this appeal if it is considered that the plan will not be adopted before the Inspector's decision on this appeal is issued; ☐

24.m. your Authority's CIL charging schedule is being/has been examined; ☐

24.n. your Authority's CIL charging schedule has been/is likely to be adopted; ☒

Please provide the date of adoption:

30/10/2020

24.o. any other relevant information or correspondence you consider we should know about. ☒

☒ see 'Questionnaire Documents' section

#### For the Mayor of London cases only

25.a. Was it necessary to notify the Mayor of London about the application? Yes ☐ No ☒

25.b. Did the Mayor of London issue a direction to refuse planning permission? Yes ☐ No ☒

#### LPA Details

I certify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent today. ☒

LPA's reference 2022/4450/P

Completed by Karina Wujek

On behalf of London Borough of Camden

Please provide the details of the officer we can contact for this appeal, if different from the Planning Inspectorate's usual contact for this type of appeal.

Name

Phone no (including dialling code)

Email

**Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.**

## QUESTIONNAIRE DOCUMENTS

Appeal Reference APP/X5210/W/23/3324552

Appeal By ROXBURG OVERSEAS LTD

Site Address  
264 Belsize Road  
LONDON  
NW6 4BT

### The documents listed below were uploaded with this form:

**Relates to Section:** PART 1  
**Document Description:** 3.b. Copies of any other appeals or matters, including our reference number(s) which are adjacent or close to the site still being considered by us or the Secretary of State.  
**File name:** Start letter 3310997.pdf  
**File name:** Start letter 3302064.pdf

**Relates to Section:** PART 3  
**Document Description:** 12.b. A plan of the Conservation Area.  
**File name:** A4 non-CAZ mod notice-final for issue 10 February 2023.pdf  
**File name:** close up.pdf  
**File name:** North Map 1.docx

**Relates to Section:** PART 4  
**Document Description:** 20.d. Copies of any related correspondence from statutory consultees and others that you may have had about the adequacy of the environmental information contained in the Environmental Statement (ES), having regard to the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.  
**File name:** Energy Statement (September 2022).pdf  
**File name:** Overheating Analysis Report (September 2022).pdf  
**File name:** Planning Statement (10 October 2022).pdf  
**File name:** Sustainability Statement (September 2022).pdf  
**File name:** Utilities Assessment (September 2022).pdf  
**File name:** Whole Life Carbon Assessment (September 2022).pdf

**Relates to Section:** PART 4  
**Document Description:** 20.e. A copy of the site notice and local advertisement published as required for EIA development.  
**File name:** 2022.4450.P - 1 Hermit PI NW6 4BZ.jpeg  
**File name:** 2022.4450.P - 252-298 Belsize Road NW6.jpeg  
**File name:** 2022.4450.P - 252-298 Belsize Road NW6-2.jpeg

**Relates to Section:** PART 5  
**Document Description:** 24.a. A copy of the letter with which you notified people about the appeal.  
**File name:** Appeal notification 264 Belsize Road - Kilburn Neighbourhood Forum.pdf  
**File name:** Appeal notification 264 Belsize Road.pdf  
**File name:** appeal site notice - hearing.pdf

**Relates to Section:** PART 5  
**Document Description:** 24.b. A document containing a list of the people you notified of the appeal.  
**File name:** Appeal notification distribution list - consultation responses.pdf  
**File name:** Appeal notification distribution list.pdf

<b>Relates to Section:</b>	PART 5
<b>Document Description:</b>	24.c. Copies of all representations received from interested parties about the original application.
<b>File name:</b>	1 x response 23 01 2023 21.53.pdf
<b>File name:</b>	1 x response 23 01 2023 21.53 ENCLOSED LETTER.pdf
<b>File name:</b>	1 x response 29 12 2022 (19.54).pdf
<b>File name:</b>	2 x Response, 07 01 2023 (23.03 and 23.01).pdf
<b>Relates to Section:</b>	PART 5
<b>Document Description:</b>	24.e. Copies of any representations received as a result of a service of a site ownership notification.
<b>File name:</b>	1 x response 23 01 2023 21.53 ENCLOSED LETTER.pdf
<b>File name:</b>	1 x response 23 01 2023 21.53.pdf
<b>File name:</b>	1 x response 29 12 2022 (19.54).pdf
<b>File name:</b>	2 x Response, 07 01 2023 (23.03 and 23.01).pdf
<b>Relates to Section:</b>	PART 5
<b>Document Description:</b>	24.f. Copies of extracts from any relevant statutory development plan policies.
<b>File name:</b>	Camden Local Plan - cover and introduction.pdf
<b>Relates to Section:</b>	PART 5
<b>Document Description:</b>	24.f. Copies of extracts from any relevant statutory development plan policies.
<b>File name:</b>	A1 - Managing the Impact of Development.pdf
<b>File name:</b>	A4 - Noise and vibration.pdf
<b>File name:</b>	C2 - Community Facilities.pdf
<b>File name:</b>	CC1 - Climate Change Mitigation.pdf
<b>File name:</b>	CC2 - Adapting to Climate Change.pdf
<b>File name:</b>	D1 - Design.pdf
<b>File name:</b>	G1 - Delivery and Location of Growth.docx
<b>File name:</b>	H1 - Maximising Housing Supply.pdf
<b>File name:</b>	H4 - Maximising the Supply of Affordable Housing.pdf
<b>File name:</b>	H6 - Housing Choice and Mix.pdf
<b>File name:</b>	H7 - Large and Small Homes.pdf
<b>File name:</b>	T1 - Prioritising Walking, Cycling and Public Transport.pdf
<b>File name:</b>	T2 - Parking and Car Free Development.pdf
<b>Relates to Section:</b>	PART 5
<b>Document Description:</b>	24.f. Copies of extracts from any relevant statutory development plan policies.
<b>File name:</b>	KNPF Constitution (adopted 23.3.15).pdf
<b>File name:</b>	KNP Area designation (18.1.16).pdf
<b>File name:</b>	KNPF Application for re-designation (29.6.21) redesignated for another 5 years on 28 January 2022..pdf
<b>File name:</b>	Kilburn Neighbourhood Forum Area (including minor correction).pdf
<b>Relates to Section:</b>	PART 5
<b>Document Description:</b>	24.h. Copies of extracts from any supplementary planning guidance, that you consider necessary, together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when.
<b>File name:</b>	Amenity CPG January 2021.pdf
<b>File name:</b>	Developer contributions CPG March 2019 (Planning Obligations).pdf
<b>File name:</b>	Energy efficiency and adaptation CPG January 2021.pdf
<b>File name:</b>	Housing CPG January 2021.pdf
<b>File name:</b>	Transport CPG January 2021.pdf
<b>File name:</b>	Design CPG January 2021.docx

<b>Relates to Section:</b>	PART 5
<b>Document Description:</b>	24.j. Copies of all conditions which you consider should be imposed if planning permission is granted.
<b>File name:</b>	To follow.docx
<b>Relates to Section:</b>	PART 5
<b>Document Description:</b>	24.o. Copies of any other relevant information or correspondence you consider we should know about.
<b>File name:</b>	Legal Agreement dated 29 January 2015, 258 Belsize Road.pdf
<b>File name:</b>	Decision dated 29 January 2015 258 Belsize Road.pdf
<b>File name:</b>	Pages from Local List - Intro.pdf
<b>File name:</b>	Pages from Local List - Kilburn.pdf
<b>File name:</b>	Pages from Local List - Priory Works (252 Belsize Road), 254 Belsize Road.pdf
<b>File name:</b>	Pages from Local List - Ebenezer Baptist Chapel, 2 West End Lane.pdf
<b>Completed by</b>	Not Set
<b>Date</b>	12/07/2023 08:37:51
<b>LPA</b>	London Borough of Camden