

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/Y/23/3323349

Appeal By

MR. TODD BERMAN

Site Address

26 Rosslyn Hill
London
NW3 1PD

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 impact of the development.

2.c. Are there any known health and safety issues that would affect the conduct of the site inspection? Yes No

Please describe

As per PART D of the Appeal Form.

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

Please give our reference number(s) and if necessary attach details

APP/X5210/W/23/3323352

Please attach details

[see 'Questionnaire Documents' section](#)

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

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
- 6.a. If a press advert notice was published, please upload a copy
 see 'Questionnaire Documents' section
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
Please attach a plan of the Conservation Area
 see 'Questionnaire Documents' section
- 12.b. Is the site adjacent to a Conservation Area? Yes No
- 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
 Grade I

Grade II*

Grade II

Date of the listing

13/08/1998

Please attach a copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest

see 'Questionnaire Documents' section

13.b. Would the proposed development affect the setting of a listed building? Yes No

Please attach a copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest

see 'Questionnaire Documents' section

13.c. If YES to 13.a or 13.b, was Historic England consulted? Yes No

14. Has a grant been made under s3A or s4 of the Historic Buildings and Ancient Monuments Act 1953? Yes No

15.a. Would the proposals affect an Ancient Monument (whether scheduled or not)? Yes No

16. Is any part of the site subject to a Tree Preservation Order? Yes No

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 No

18. Does the appeal involve persons claiming Gypsy/Traveller status, whether or not this is accepted by the planning authority? Yes No

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 No

19.b. Are any protected species likely to be affected by the proposals? Yes No

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

Environmental Impact Assessment - Publicity

20.e. If applicable, please attach a copy of the site notice and local Applies N/A

advertisement published as required for EIA development.

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 No

For appeals dealt with by written representations only

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 No

Copies of the following documents must, if appropriate, be attached to this questionnaire

24.a. a copy of the letter with which you notified people about the appeal;

see '[Questionnaire Documents](#)' section

24.b. a list of the people you notified and the deadline you gave for their comments to be sent to us;

see '[Questionnaire Documents](#)' section

Deadline

21/12/2023

24.c. all representations received from interested parties about the original application;

24.d. the planning officer's report to committee or delegated report on the application and any other relevant documents/minutes;

see '[Questionnaire Documents](#)' section

24.e. any representations received as a result of a service of a site ownership notification;

24.f. extracts from any relevant statutory development plan policies (even if you intend to rely more heavily on the emerging plan);

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.

see '[Questionnaire Documents](#)' section

see '[Questionnaire Documents](#)' section

see '[Questionnaire Documents](#)' section

List of policies

A1 Managing the impact of development CC1 Climate change mitigation CC2 Adapting to climate change CC3 Water and flooding D1 Design D2 Heritage

24.g. extracts of any relevant policies which have been 'saved' by way of a Direction;

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;

see '[Questionnaire Documents](#)' section

24.i. extracts from any supplementary planning document that you consider necessary, together with the date of its adoption;

In the case of emerging documents, please state what stage they have reached.

24.j. a comprehensive list of conditions which you consider should be imposed if planning permission is granted;

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.

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;

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

Completed by

On behalf of

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/Y/23/3323349

Appeal By MR. TODD BERMAN

Site Address
26 Rosslyn Hill
London
NW3 1PD

The documents listed below were uploaded with this form:

Relates to Section: PART 1

Document Description: 3.a. Copies of any other appeals or matters, including our reference number(s) relating to the same site still being considered by us or the Secretary of State.

File name: Start letter 3323352 & 3323349.pdf

Relates to Section: PART 2

Document Description: 6.a. A copy of the notice published.

File name: PRESS ADVERT H&H - 09.03.2023.doc

Relates to Section: PART 3

Document Description: 12.a. A plan of the Conservation Area.

File name: Hampstead CAS (2001).pdf

File name: Streetscape Audit.pdf

Relates to Section: PART 3

Document Description: 13.a. A copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest.

File name: Former Police Station and Courthouse - listing 1130397 Historic England.pdf

Relates to Section: PART 3

Document Description: 13.b. A copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest.

File name: 3 AND 3A, HAMPSTEAD HILL GARDENS - listing 1378699 Historic England.pdf

File name: 22 AND 24, ROSSLYN HILL - listing 1330383 Historic England.pdf

File name: NUMBERS 50 AND 51 DOWNSHIRE HILL - listing 1078269 Historic England.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: 2022.5552.P & 2023.0920.L - 1A Downshire Hill NW3 1NR.jpeg

File name: 2022.5552.P & 2023.0920.L - 5A Hampstead Hill Gardens NW3 2PH.jpeg

File name: 2022.5552.P & 2023.0920.L - 55 Downshire Hill NW3 1PA.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: Site notice 26 Rosslyn Hill.pdf

File name: Notification letter (WR) 26 Rosslyn Hill.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: Hampstead CAAC and Hampstead Neighbourhood Forum.pdf

| | |
|------------------------------|---|
| File name: | Notification distribution list.pdf |
| Relates to Section: | PART 5 |
| Document Description: | 24.d. The planning officer's report to committee or delegated report on the application and any other relevant documents/minutes. |
| File name: | Report 2022 5552 P & 2023 0920 L.pdf |
| Relates to Section: | PART 5 |
| Document Description: | 24.f. Copies of extracts from any relevant statutory development plan policies. |
| File name: | Camden Local Plan - cover and introduction.pdf |
| Relates to Section: | PART 5 |
| Document Description: | 24.f. Copies of extracts from any relevant statutory development plan policies. |
| File name: | A1 - Managing the Impact of Development.pdf |
| File name: | CC1 - Climate Change Mitigation.pdf |
| File name: | CC2 - Adapting to Climate Change.pdf |
| File name: | CC3 - Water and Flooding.pdf |
| File name: | D1 - Design.pdf |
| File name: | D2 - Heritage.pdf |
| Relates to Section: | PART 5 |
| Document Description: | 24.f. Copies of extracts from any relevant statutory development plan policies. |
| File name: | Pages from Hampstead NP 2018-2033 - Cover & Executive Summary.pdf |
| File name: | Pages from Hampstead NP 2018-2033 - Introduction.pdf |
| File name: | Pages from Hampstead NP 2018-2033 - Policy DH1 and DH2.pdf |
| File name: | Pages from Hampstead NP 2018-2033 - Policy NE4.pdf |
| File name: | Hampstead NDP Adoption statement.pdf |
| File name: | Report to Cabinet and Council.pdf |
| Relates to Section: | PART 5 |
| Document Description: | 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. |
| File name: | Home Improvements CPG January 2021.docx |
| Relates to Section: | PART 5 |
| Document Description: | 24.o. Copies of any other relevant information or correspondence you consider we should know about. |
| File name: | K6 TELEPHONE KIOSK - listing 1130398 Historic England.pdf |
| Completed by | Not Set |
| Date | 17/11/2023 14:45:37 |
| LPA | London Borough of Camden |