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Appeal Pursuant to Section 78 of the Town & Country Planning Act 1990 (as amended)

Prepared by DP9 Ltd, on behalf of the Appellant, Mr Daniel Jaffe, against, LB Camden's refusal of planning permission for:

*"Single storey rear extension, with basement below (including car lift and parking), garden roof terrace above and single storey link to main dwelling, to replace existing single storey garage building; 3rd floor front extension to main dwelling; creation of 4th floor roof terrace on roof of main dwelling, including access thereto; external alterations to front of main dwelling, including re-pointed brickwork, new timber doors, window and cladding and replacement of garage doors with fenestration; creation of garden to front to replace driveway parking"*

at 8A Hampstead Hill Gardens, London, NW3 2PL

Local Planning Authority Application reference: 2021/5750/P

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## STATEMENT OF CASE

November 2023

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## 1. Introduction

- 1.1 This Statement of Case (“Statement”) has been prepared on behalf of the Mr Daniel Jaffe (“Appellant”), against the London Borough of Camden’s (“Council”) refusal of planning application reference 2021/5750/P, for:

*“Single storey rear extension, with basement below (including car lift and parking), garden roof terrace above and single storey link to main dwelling, to replace existing single storey garage building; 3rd floor front extension to main dwelling; creation of 4th floor roof terrace on roof of main dwelling, including access thereto; external alterations to front of main dwelling, including re-pointed brickwork, new timber doors, window and cladding and replacement of garage doors with fenestration; creation of garden to front to replace driveway parking” (“Proposed Development”).*

- 1.2 The appeal site is 8A Hampstead Hill Gardens, London, NW32PL (“Site”). Full details of the Site, its surroundings and the relevant planning history are set out within the Statement of Common Ground. A list of Application Documents is contained in Appendix A and List of Appeal Documents can be found in Appendix B.

- 1.3 The application for the Proposed Development was validated by the Council on 24 November 2021, under reference 2021/5750/P following a pre-application process.

- 1.4 After circa 13 months planning permission for the Proposed Development was refused on 11 September 2023 and listed four reasons for refusal. Those reasons are:

1. *The proposed rear extension and basement below, by reason of size, siting, design and lack of subservience to the host building, would fail to respect the surrounding pattern of development and would cause harm to the*

*character and appearance of the Hampstead Conservation Area, and would also fail to maximise opportunities for greening at the site and would prejudice the ability of the garden to properly support trees and vegetation, contrary to the aims of Policies D1 (Design), D2 (Heritage), A2 (Open space), A3 (Biodiversity) and A5 (Basements) of the Camden Local Plan 2017 and Policies DH1 (Design), DH2 (Conservation areas and listed buildings), NE2 (Trees), NE3 (Biodiversity corridors) and NE4 (Supporting biodiversity) of the Hampstead Neighbourhood Plan 2018.*

- 2. The proposed development, as a result of the basement and associated car lift, would increase the capacity for on-site parking provision and would therefore promote car ownership and thereby fail to promote or encourage trips by sustainable modes of transport, contrary to the aims of Policies T1 (Prioritising walking, cycling and public transport) and T2 (Parking and car-free development) of the Camden Local Plan 2017.*
- 3. The proposed development, in the absence of a legal agreement to secure a Construction Management Plan, implementation support fee and Construction Impact Bond, would be likely to give rise to conflicts with other road users and be detrimental to the amenity of the area generally, contrary to Policies A1 (Managing the impact of development), T4 (Sustainable movement of goods and materials) and DM1 (Delivery and monitoring) of the Camden Local Plan 2017.*
- 4. The proposed development, in the absence of a legal agreement to secure a highways contribution to undertake repair works outside the application site, would fail to restore the pedestrian environment to an acceptable condition, contrary to Policies A1 (Managing the impact of development), T1 (Prioritising walking, cycling and public transport) and T3 (Transport infrastructure) of the Camden Local Plan 2017.*

- 1.5 This Statement of Case sets out the Appellant's reasons why the reasons for refusal are unfounded. In addition to the submitted planning application documents, this Statement should be read alongside the following documents:
- a. Appeal Design Statement, prepared by Hayhurst & Co Architects
- 1.6 This Statement of Case focuses on the responses to the reasons for refusal. It is structured as follows:
- Section 1: Introduction
  - Section 2: Development Plan and Other Planning Policy Considerations
  - Section 3: Reason for Refusal 1
  - Section 4: Reason for Refusal 2
  - Section 5: Reason for Refusal 3
  - Section 6: Reason for Refusal 4
  - Section 7: Conclusions
  - Section 8: Appeal Procedure
  - Appendix A: List of Application Documents
  - Appendix B: List of Appeal Supporting Documents
  - Appendix C: Legal Opinion on Policy A5 dated 15 November 2021
- 1.7 It should be noted that the proposed works to the main dwelling (namely the 3<sup>rd</sup> floor extension, the 4<sup>th</sup> floor roof terrace and external alterations) have all been approved pursuant to planning permission reference 2022/3234/P, dated 09/02/2023, and this permission has been implemented and works are ongoing on Site.

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## **2. Development Plan and Other Planning Policy Considerations**

- 2.1 The Development Plan for the purposes of S38 (6) of the Town and County Planning Act 1990 is the London Plan (2021), Camden Local Plan (2017) and the Hampstead Neighbourhood Plan (2018). The Site is located within the Hampstead Conservation Area.
- 2.2 Relevant planning guidance is contained in the Camden Planning Guidance (various dates) and Hampstead Conservation Area Statement (2021). It is assumed that the policies relevant to the determination of the Appeal are those indicated on the Council's decision notice.

### 3. Reason For Refusal 1

#### 3.1 Reason for Refusal 1 ("RR1") states:

*The proposed rear extension and basement below, by reason of size, siting, design and lack of subservience to the host building, would fail to respect the surrounding pattern of development and would cause harm to the character and appearance of the Hampstead Conservation Area, and would also fail to maximise opportunities for greening at the site and would prejudice the ability of the garden to properly support trees and vegetation, contrary to the aims of Policies D1 (Design), D2 (Heritage), A2 (Open space), A3 (Biodiversity) and A5 (Basements) of the Camden Local Plan 2017 and Policies DH1 (Design), DH2 (Conservation areas and listed buildings), NE2 (Trees), NE3 (Biodiversity corridors) and NE4 (Supporting biodiversity) of the Hampstead Neighbourhood Plan 2018.*

3.2 The Design and Access Statement sets out the context of the Site and the design-led process that has been followed. Considerable engagement with officers took place with the Council over a period of 2 years on the design of the Proposed Development. The Appellant sought to work with officers to refine the Proposed Development and to address as many concerns as possible up to a decision being made. The Appellant is disappointed at the Council's decision to refuse the application; a decision which it considers to be unfounded.

3.3 There is no dispute between the Council and the Appellant that the existing single storey garage structure at the rear detracts from the character and appearance of the Site and the Hampstead Conservation Area (paragraph 5.13 of the Officer's Report). The existing garage is not consistent with the rear gardens of the properties on Hampstead Hill Gardens, being a monolith large concrete structure that is visibly jarring both for the immediate residents overlooking the structure (such as 8 Hampstead Hill Gardens) and when viewed

in glimpses from the street between No. 10 Hampstead Hill Gardens and the Site. It detracts from the appearance of the Conservation Area and negatively impacts on neighbours' visual amenity.

- 3.4 The Council's issue lies in the fact that the Appellant is proposing a replacement structure of a similar scale to existing which it contends is unacceptable as a matter of principle due to its size relative to the original dwelling. This is all driven by the Council's adoption of an unrealistic baseline position which ignores the current harmful nature of the garage structure that exists on Site.
- 3.5 The Officer's report notes that *"The footprint of No. 8a is approximately 42 square metres, whereas the proposed extension and link element would have a footprint of approximately 220 square metres, which is significantly larger. This means the extension would fail to appear subservient to the host building"* (paragraph 5.14).
- 3.6 Paragraph 5.14 is somewhat misleading as it fails to acknowledge that that the existing garage has a footprint of 195 sqm. The footprint of the proposal is actually 205 sqm and therefore there is only a nominal increase in area. However, the raised planters to the north of the existing garage building are in effect read as part of the same volume as the garage as they are level with the garage roof. The volume of the existing garage therefore reads as a larger volume. When this is taken into account, the area of the existing lower ground floor is 225 sqm, therefore the proposed footprint is 20 sqm less than the existing building.
- 3.7 Local Plan Policies D1 and D2 along with Neighbourhood Policies DM1 and DM2 do not set a policy test of subservience. The policy of a basement being subordinate to the host building is in the context of Policy A5 and the criteria set out in f-m, which is considered further in paragraph 3.17 below.



- 3.8 Just because the Proposed Development is larger than the original building does not mean that it is objectionable in itself. Instead, a proper assessment of the impact of the Proposed Development on local character and context and the character and appearance of the Conservation Area is required. That requires an objective examination of the facts of the Proposed Development and its design quality.
- 3.9 It is a substantial material consideration that an existing single storey concrete garage is located in the rear garden and it is an incongruous and harmful feature of the Conservation Area. The Officer's report describes the garage as an "anomaly" (paragraph 5.16). While that may be the case, the fact it is a structure present in the Conservation Area which is harmful has to be weighed against the positive impact of its removal on the character and appearance of the Conservation Area and the benefits of any replacement building.
- 3.10 The Council's issue is that it considers the replacement building is a similarly sized, yet taller structure (paragraph 5.16 of the Officer's Report). The Council want to see a building with a smaller footprint which they consider to be less obtrusive than the existing or proposed and allows for more greenery.
- 3.11 The Appellant fundamentally disagrees that the only way to achieve a Proposed Development that preserves or enhances the character and appearance of the Conservation Area is a form of building that is smaller in scale. The Appellant considers that to be the wrong starting point which has led the Council to its focus on the minor increase in footprint and scale of the proposal, with the consequences its judgment has been clouded in assessing the design quality of the Proposed Development.
- 3.12 The Appellant's position is that the Proposed Development can and does mark a beneficial and substantial improvement over the existing garage building both to the local character and context and the character and appearance of the Conservation Area. It achieves this through:

1. Vast improvement in overall outlook and privacy to neighbouring properties due to the removal of the unsightly and unattractive concrete garage and its replacement with a high-quality landscaped building.
2. Substantial use of landscaping and planting to provide a pleasant and green outlook to immediate neighbours and in glimpsed views from the street.
3. Use of biodiverse plants to attract wildlife through the seasons.
4. Use of brick for walls to match the existing house and the prevailing character of the Conservation Area.
5. Improved visual appearance from Hampstead Hill Gardens when viewed from the pavement between No.10 Hampstead Hill Gardens and No. 8a Hampstead Hill Gardens.

3.13 The suggestion that the Proposed Development fails to “*maximise opportunities for greening at the site and would prejudice the ability of the garden to properly support trees and vegetation*” is predicated on the Council’s position that a smaller scale building should be developed and fails to recognise the significant increase in greenery being brought forward as part of the Proposed Development. Compared to the existing situation on Site, the Proposed Development is proposing over 128 sqm of greenery through planting and soft landscaping compared to none that currently exists on Site.

3.14 It would of course be theoretically possible to provide further greenery, including the provision of trees, if the building were to be totally removed from the Site and the land returned to a garden but that does not represent a fallback position. The Appellant has no intention of demolishing the existing garage structure if the Appeal is dismissed. The building is structurally sound and will remain in its current form and condition contributing nothing to the Conservation Area or the greenery of the area; indeed continuing to harm it.

- 3.15 The Proposed Development incorporates a high quality landscaped scheme, causes no harm to existing trees or vegetation and will enhance biodiversity. Far from being a missed opportunity to maximise greenery, compared to the existing position on Site, the Proposed Development represents a substantial enhancement and contribution relative to the size of the Site.
- 3.16 There is no harm to Hampstead Conservation Area when considered as a whole. Rather the Proposed Development removes a harmful structure, replacing it with a high quality designed building that is heavily landscaped and will contribute positively to the character and appearance of the Conservation Area. As there is not harm, the provisions under paragraph 202 of the NPPF are not engaged.
- 3.17 The key criteria within Policy A5 of the Local Plan controlling the size of basement are set out below, along with statements confirming the proposed basement extensions accordance with them. A detailed assessment of compliance against Policy A5 of the Local Plan is set out in pages 42-51 of the Design and Access Statement. In summary, the basement extension:
1. Criterion F – does not extend more than one storey.
  2. Criterion G – is not built under an existing basement.
  3. Criterion H – does not exceed 50% of existing garden.
  4. Criterion I – does not exceed 150% of the existing footprint of the host building.
  5. Criterion J – does not extend into the existing garden more than 50% of the host building footprint.
  6. Criterion K – does not extend into or underneath the garden further than 50% of the depth of the garden.

7. Criterion L – through the provision of permeable ground and borders to all boundaries, this criteria is met.

8. Criterion M – does not involve the loss of trees.

3.18 There is a difference of opinion between the Council and the Appellant as to whether the land that is currently occupied by the garage structure is classified as ‘garden’ for the purposes of Policy A5 or, is in fact, the host building. The Appellant sought legal advice from Daniel Kolinsky QC (now “KC”) on 15 November 2021 and this is attached at Appendix C. The legal advice was clear that the proposed living room should be considered as the host building and not the existing town house. If that approach is adopted, then as identified above, the Proposed Development fully complies with Policy A5 of the Local Plan. In providing that advice, KC drew attention to paragraph 6.111 of the Local Plan that helpfully defines what is meant by “garden”:

*“When this policy refers to gardens and garden space this includes all outdoor (unbuilt) space on the property, including paved areas, driveways, as well as grassed or landscaped areas.”*

3.19 The critical term in paragraph 6.111 is “unbuilt”. We consider the Council’s position to be illogical. The garage is quite clearly “built” and has been for 50 years. The fact that the garage is built on a former garden and it will be demolished for the Proposed Development cannot reasonably mean that the land should be treated as a garden for the purposes of Policy A5. It is evidently no longer a garden, having been the subject of physical development for a garage where the purpose of the land has fundamentally changed. The Council cannot just seek to retrospectively label the land as “garden” simply because it suits their overall case which is to see the removal of the garage and replacement with something of a lesser scale or nothing at all.

- 3.20 One must also look at the purpose of Policy A5. It was largely written to deal with typical basement extensions under existing houses or gardens. It was not written to deal with the circumstances presented under this Proposed Development. The policy therefore needs to be applied practically and if this is done, and account is taken of the meaning of “garden” under Paragraph 6.111, then the garage is clearly the host building and the requirements of criteria F-M of Policy A5 are fully met by the Proposed Development.
- 3.21 Policy A5 of the Local Plan also requires a Basement Impact Assessment (BIA) to be submitted to assess the impact on drainage, flooding, groundwater conditions and structural stability. Similarly, Policy BA1 of the Neighbourhood Plan requires that all proposals for basements must undergo a thorough BIA and that any impact must not exceed “very slight” on the Burland Scale 1; and Policy BA2 requires a Basement Construction Plan to be secured, if planning permission is granted for a basement.
- 3.22 A BIA was submitted with the application and has been independently audited by the Council’s own consultant Campbell Reith. The BIA indicates that there will be no impact to the wider hydrogeological environment and hydrological environment as a result of the proposed basement and the anticipated damage can be limited to Burland Category 1 (very slight). Campbell Reith are satisfied that the BIA complies with the requirements of Policy A5 of the Local Plan.
- 3.23 Therefore, even if there is a dispute between the Appellant and the Council about how Policy A5 should be applied, the BIA indicates there will be no impact on the hydrogeological environment and hydrological environment as a result of the proposed basement with it being Category 1 (very slight). Given that the basement would cause no harm to the Conservation Area or any trees within and surrounding the Site, it is clear that if the application were to be granted planning permission, no harm would result from the construction of the basement. We consider that to be an important sense check on whether the proposed extent of basement is acceptable.

3.24 For all of the above reasons, the Proposed Development complies with Policies D1 (Design), D2 (Heritage), A2 (Open Space), A3 (Biodiversity) and A5 (Basements) of the Local Plan and Policies DH1 (Design), DH2 (Conservation Areas and Listed Buildings), NE2 (Trees), NE3 (Biodiversity Corridors) and NE4 (Supporting Biodiversity) of the Hampstead Neighbourhood Plan 2018.

#### 4. Reason For Refusal 2

4.1 Reason for Refusal 2 (“RR2”) states:

*The proposed development, as a result of the basement and associated car lift, would increase the capacity for on-site parking provision and would therefore promote car ownership and thereby fail to promote or encourage trips by sustainable modes of transport, contrary to the aims of Policies T1 (Prioritising walking, cycling and public transport) and T2 (Parking and car-free development) of the Camden Local Plan 2017.*

4.2 Supporting text to Policy T2 at Paragraph 10.20 states that “in redevelopment schemes, the Council will consider retaining or reproviding existing parking provision where it can be demonstrated that the existing occupiers are to return to the address when the development is completed”. The house is the Appellant’s private residence and the Appellant will be returning the house on its completion.

4.3 The concerns of the Council in relation to car parking on-site were not raised during pre-application discussions or during discussions during determination of the Application. RR2 is therefore a new issue not previously raised with the Appellant.

4.4 The current garage has 8 designated parking spaces. The Council considers that due to the size of the proposed basement garage (124 sqm), it would be possible to accommodate 9+ cars on Site; which is therefore an increase in parking capacity on Site. That analysis, even in relation to the garage on its own, is too simplistic and appears to have been undertaken by simply dividing the sqm area required for a car parking space by the total floorspace area, while quantifying the existing parking capacity by the number of designated spaces; this comparison is clearly inconsistent, illogical and arguably disingenuous. The Council’s assessment of the proposed parking capacity is

not realistic, as much of the remaining space is required for the turning and manoeuvring of vehicles as they enter in forward gear and exit in forward gear.

- 4.5 Taking the Site as a whole, currently in the existing condition it is capable of accommodating at least 8 cars within the garage, a further 3 cars on the drive in front of the garage, and one space on the drive in front of the original dwelling (a total of at least 12 car parking spaces). In the Proposed Development, the maximum amount of cars that could be parked (accessibly) in the garage is 4, with 2/3 additional cars on the drive in front of the garage, which is actually a reduction in car parking spaces of 5/6 spaces from existing.
- 4.6 Overall, the total area of ground accessible to vehicles is proposed to reduce from 225 sqm to 170 sqm. Using the Council's method of quantifying possible spaces, the current structure[s] could accommodate 14+ parking spaces. In any and all methods of assessment the parking capacity of the Site is being reduced.

Table 4.1: Existing and Proposed Car Parking

	Existing	Proposed
Garage Area (sqm)	158	124
External Parking Area (sqm)	67	46
Total Area for Parking (sqm)	225	170
Number of parking spaces	12	6/7

- 4.7 The Proposed Development will therefore reduce the number of vehicular trips to the Site and encourage occupiers to use alternative modes of sustainable travel such as walking, cycling and public transport. Thus the Proposed Development accords with T1 (Prioritising Walking, Cycling and Public Transport) and T2 (Parking and Car-free Development) of the Local Plan.



## 5. Reason For Refusal 3

### 5.1 Reason for Refusal 3 ("RR3") states:

*The proposed development, in the absence of a legal agreement to secure a Construction Management Plan, implementation support fee and Construction Impact Bond, would be likely to give rise to conflicts with other road users and be detrimental to the amenity of the area generally, contrary to Policies A1 (Managing the impact of development), T4 (Sustainable movement of goods and materials) and DM1 (Delivery and monitoring) of the Camden Local Plan 2017.*

### 5.2 The Appellant's solicitor is in the process of drafting a legal agreement pursuant to Section 106 of the Planning Act 1990 (as amended) which will include a Construction Management Plan and support fee and Construction Impact Bond. There is therefore no conflict with Policies A1 (Managing the impact of development), T4 (Sustainable movement of goods and materials) and DM1 (Delivery and monitoring) of the Local Plan.

## 6. Reason For Refusal 4

### 6.1 Reason for Refusal 4 (“RR4”) states:

*The proposed development, in the absence of a legal agreement to secure a highways contribution to undertake repair works outside the application site, would fail to restore the pedestrian environment to an acceptable condition, contrary to Policies A1 (Managing the impact of development), T1 (Prioritising walking, cycling and public transport) and T3 (Transport infrastructure) of the Camden Local Plan 2017.*

### 6.2 The Appellant’s solicitor is in the process of drafting a legal agreement pursuant to Section 106 of the Planning Act 1990 (as amended) which will include a highway contribution to undertake repair works outside the application site, would fail to restore the pedestrian environment to an acceptable condition. There is therefore no conflict with Policies A1 (Managing the impact of development), T1 (Prioritising walking, cycling and public transport) and T3 (Transport infrastructure) of the Local Plan.

## 7. Conclusions

- 7.1 The Council refused planning permission at 8a Hampstead Hill Gardens under reference 2021/5750/P on 11 September 2023 for:

*“Single storey rear extension, with basement below (including car lift and parking), garden roof terrace above and single storey link to main dwelling, to replace existing single storey garage building; 3rd floor front extension to main dwelling; creation of 4th floor roof terrace on roof of main dwelling, including access thereto; external alterations to front of main dwelling, including re-pointed brickwork, new timber doors, window and cladding and replacement of garage doors with fenestration; creation of garden to front to replace driveway parking” (‘Proposed Development’).*

- 7.2 Four Reasons for Refusal were attached to the decision notice. RR3 (Construction Management Plan) and RR4 (Highway Contribution) can be addressed through obligations in a S106 Agreement and are not matters that should go against the Proposed Development. There is therefore no conflict with Policies A1, T1, T3, T4 and DM1.
- 7.3 In relation to RR2, the Council has erroneously reported that the Proposed Development could accommodate 9+ car parking spaces on Site. In fact, the proposed basement floor plan (No.288A100 A) illustrates that 4 spaces could be provided in the basement and a further 2/3 cars could be parked on the drive. The Proposed Development will therefore reduce the number of vehicular trips to the Site and encourage occupiers to use alternative modes of sustainable travel such as walking, cycling and public transport in accordance with Local Plan Policy T1 and T2.
- 7.4 The main issue in the Appeal is in relation to RR1 that purports that the Proposed Development by reason of size, siting, design and lack of subservience to the host building, would fail to respect the surrounding pattern

of development and would cause harm to the character and appearance of the Hampstead Conservation Area, and would also fail to maximise opportunities for greening at the site and would prejudice the ability of the garden to properly support trees and vegetation. The Appellant considers that RR1 is unfounded.

- 7.5 The Proposed Development due to the minor increase in height and scale, its high quality design, provision of landscaping and planting, biodiversity improvement and improvement to outlook and amenity of neighbours will have a positive impact on the local character and appearance of the area and on the Conservation Area. When Policy A5 of the Local Plan on basements is properly applied, the Proposed Development is in compliance. The Proposed Development fully accords with the Development Plan and Policies D1, D2, A2, A3 and A5 of the Local Plan and Policies DH1, DH2, NE2, NE3 and NE4 of the Hampstead Neighbourhood Plan 2018.
- 7.6 As there is no harm to the Hampstead Conservation Area, paragraph 201 of the NPPF is not engaged. There are no material considerations that would indicate that the Proposed Development should be determined other than in accordance with the Development Plan. In fact, a strong material consideration in favour of the grant of the planning permission is the fact that the existing garage structure is currently harmful to the local character and context and the Hampstead Conservation Area and, should planning permission not be granted, will remain in place. There is no alternative proposal.
- 7.7 Given the above, we would respectfully request that the inspector allows the appeal and grants planning permission for the Proposed Development.

## 8. Appeal Procedure

- 8.1 The Appellant considers that the preferred procedure to determine the Appeal is by way of a Hearing. The Appellant considers this will be the best way that the inspector is able hear the views of the various interested parties and make a considered assessment of the main issues.
- 8.2 The Inspector is likely to need to test the evidence by questioning or to clarify matters. Particularly so in relation to design and heritage matters. The evidence relating to these matters is complex in nature and an Inspector would benefit from a verbal, descriptive and analytical account, though there is no need for evidence to be tested through formal questioning by an advocate or given on oath.
- 8.3 The Appellant notes that there were 20 local objections to the Proposed Development, including from the Hampstead Hill Gardens Residents Association. The Appellant is aware that a Hearing was considered the preferred procedure for the determination of a recent appeal at 4b Hampstead Hill Gardens which involved similar groups of objectors and similar planning issues.
- 8.4 The Appellant therefore requests the Appeal be heard by way of a Hearing.

## Appendix A – List of Application Supporting Documents

1.	Applicants Covering Letter
2.	Application Form
3.	CIL Form 1
4.	CIL Form 9
5.	Existing Drawings June 2021
6.	Existing Section Drawings June 2021
7.	Proposed Drawings June 2021 Superseded
8.	Proposed Drawings November 2021 Superseded
9.	Proposed Drawings March 2023
10.	Design and Access Statement Part 1 of 2 November 2021
11.	Design and Access Statement Part 2 of 2 November 2021
12.	Pre-Application Advice October 2021
13.	Legal opinion - Policy A5 November 2021
14.	Arboricultural Report April 2021
15.	Basement Impact Assessment November 2021 Superseded
16.	Basement Impact Assessment April 2022 Clarification Email
17.	Basement Impact Assessment July 2022
18.	Daylight and Sunlight Assessment November 2021
19.	Ground Investigation Report June 2021
20.	Structural Method Statement and Drainage Strategy November 2021 Superseded
21.	Structural Method Statement and Drainage Strategy March 2022
22.	Draft Construction Management Plan November 2021
23.	Fire Strategy October 2021
24.	Tree Survey Plans (undated)

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## **Appendix B – List of Appeal Supporting Documents**

- a. Appeal Application Forms
- b. Appeal Statement of Case
- c. Appeal Design Statement
- d. Appeal Statement of Common Ground

**Appendix C: Legal Opinion on Policy A5 dated 15 November 2021**