



The Planning Inspectorate

For official use only  
Date Received

## CERTIFICATE OF LAWFUL USE OR DEVELOPMENT APPEAL FORM

If you need this document in large print, in audio format or in Braille, please contact our helpline on 0303 444 5000. To help you fill in this form correctly please refer to the enclosed guidance leaflet "How to complete your lawful development certificate appeal form".

PLEASE PRINT CLEARLY IN CAPITALS USING **BLACK** INK

### A. APPELLANT DETAILS

The name of the person(s) making the appeal **must** appear as an applicant on the lawful development certificate application form.

Name **TAND CPP LIMITED**

Company/Group name (if applicable)

Address

**C/O**

Postcode

Daytime phone

**AGENT**

Fax

I prefer to be contacted by Post

Email

\*

\* Email Address

### B. AGENT DETAILS (IF ANY) FOR THE APPEAL

See section B of the guidance leaflet.

Name **GRAHAM LEA**

Company/Group name (if applicable) **TOWN & COUNTRY PLANNING PARTNERSHIP LTD**

Address **THE SANCTUARY WROTHAM HILL, DUNSFORD, NR. GODALMING, SURREY**

Postcode **GU8 4PA**

Your reference

Daytime phone

I prefer to be contacted by Post

Email

**\* advice - see below**

\* Email Address

### C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

See section C of the guidance leaflet.

Name of the LPA **CAMDEN BOROUGH COUNCIL**

Date of application to LPA **02 03 2024**

LPA reference number **2024/0862/P**

Date of the LPA's decision notice (if issued) **03 05 2024**



#### D. APPEAL SITE ADDRESS

See section D of the guidance leaflet.

Address 38-40 NINPMILL STREET, LONDON.

Postcode W1T 2BG

Note: Failure to provide the full postcode may delay the processing of your appeal

Please answer the question below:

- 1 Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site? If so, please describe them on a separate sheet.

Yes

No ☒

#### E. DETAILS OF THE APPEAL

See section E of the guidance leaflet.

The reason for this appeal is that (please tick which applies):

- 1 The decision of the LPA refusing/refusing in part to grant a certificate of lawful use or development. 1 ☒

OR

- 2 The LPA's failure to give notice of their decision within the appropriate period on an application for a certificate of lawful use or development. 2

Give a precise description of the proposed or existing use, operation or activity as outlined in the application in respect of which a certificate is sought (continue on a separate sheet if necessary).

State whether the application was made under section 191 or 192? 192

In the case of a proposal, had it been started before the application to the LPA was made?

Yes

No ☒

Actual use of site at the time of application to the LPA (if not in use, write 'nil' and state last known use).

RESIDENTIAL CURTILAGE

#### F. APPEAL STATEMENT

See section F of the guidance leaflet to help you decide what to include in your appeal.

THE SOLE REASON FOR REFUSING THE APPLICATION WAS BECAUSE THE LPA MAINTAINED THE CONTAINER WAS A BUILDING AND WOULD THEREFORE CONSTITUTE OPERATION OR DEVELOPMENT. WE CONSIDER IT IS NOT A BUILDING AND RELY ON APPEAL DECISIONS 3514720 AMP3236326 REFERRED TO IN THE OFFICER'S REPORT REF PAP/2024/0107 ATTACHED CONCERNING WHETHER OR NOT A CONTAINER SHOULD BE CONSIDERED TO CONSTITUTE A BUILDING, OR NOT. ALSO - THE CONTAINER MEETS THE DEFINITION OF A CARAVAN.



## G. CHOICE OF PROCEDURE

It is important that you read carefully section G of the guidance leaflet before you complete this section.

There are 3 possible procedures:- written representations, hearings and inquiries. You should consider carefully which method suits your circumstances before selecting your preferred option by ticking the box.

### 1 THE WRITTEN REPRESENTATIONS PROCEDURE (for an explanation refer to the guidance leaflet)

W \*

This is normally the simplest, quickest and most straightforward way of making an appeal. However, where facts are at issue or in dispute the Inspector is unlikely to be able to give as much weight to written evidence as they would to evidence presented at an inquiry.

- \* a) Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land? Yes No
- b) Is it essential for the Inspector to enter the site to check measurements or other relevant facts? If so, please explain below. Yes No  
or on a separate sheet.

### 2 THE HEARING PROCEDURE (for an explanation refer to the guidance leaflet)

H ✓ ◆

Hearings are not normally suitable where facts are in dispute. Although you may indicate a preference for a hearing, the Inspectorate must also consider that your appeal is suitable for this procedure. You must give detailed reasons below or on a separate sheet why you think a hearing is necessary. WE CONSIDER A HEARING IS NECESSARY BECAUSE THIS PROCEDURE WOULD ENABLE THE ISSUES TO BE DISCUSSED BEFORE AN INSPECTOR AND ALLOW HIM TO KEEP THE HEARING OPEN TO CONTINUE THE DISCUSSION ON SITE.

- ◆ a) Is there any further information relevant to the hearing which you need to tell us about? If so please explain below. Yes No ✓

### 3 THE INQUIRY PROCEDURE (for an explanation refer to the guidance leaflet)

I ▲

This is the most formal of procedures. Although you may indicate a preference for an inquiry the Inspectorate must also consider that your appeal is suitable for this procedure. You must give detailed reasons below or on a separate sheet why you think an inquiry is necessary.

- ▲ a) How long do you estimate the inquiry will last? No. of days  
(Note: We will take this into consideration, but please bear in mind that our estimate will also be informed by others' advice and our own assessment.)
- b) How many witnesses do you intend to call? No. of witnesses
- c) Is there any further information relevant to the inquiry which you need to tell us about? If so, please explain below. Yes No

## H. OTHER APPEALS

See section H of the guidance leaflet.

If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers.

## I. SUPPORTING DOCUMENTS

See section I of the guidance leaflet.

Please enclose with the appeal form a copy of each of the following documents and place a tick in the appropriate box.

- 1 The application made to the LPA. ✓
- 2 Copies of all plans, drawings and documents sent to the LPA as part of the application. ✓  
The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA. Please number them clearly and list the numbers here or on a separate sheet. SEE SEPARATE SHEET
- 3 The LPA's decision (if any) ✓
- 4 All other relevant correspondence with the LPA. ✓
- 5 A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue. ✓
- 6 Any other relevant plans, drawings and documents sent to the LPA, but which did not form part of the application (e.g. drawings for illustrative purposes). ✓

## J. CHECK SIGN AND DATE

See section J of the guidance leaflet.

Please tick the boxes to confirm that the following actions have been carried out

- I have filled in all parts of the form. ✓
- I have attached all supporting documents ticked in section I. ✓
- I have clearly marked the relevant plans. ✓
- I have sent a copy of this form and any documents to the LPA. ✓

Signature

[Redacted Signature]

Date 23/05/2024

Name (in capitals)

G. R. G. LEA

On behalf of (if applicable)

TMAPP LIMITED



The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 1998. Further information about our Data Protection policy can be found in the guidance leaflet.

## K. NOW SEND...

See section K of the guidance leaflet.

**Send THIS form (not a photocopy of it) to us at:**

The Planning Inspectorate  
PO Box 326  
BRISTOL  
BS99 7XF

**Send a copy to the LPA**

**You may wish to keep a copy of the form for your records**

Fax to: 0117 372 8782

Helpline: 0303 444 5000

Or if you wish to deliver by hand: (make sure you get a receipt)

The Planning Inspectorate  
Customer Services Team  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol  
BS1 6PN

**When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next**