

## The Planning Inspectorate

### QUESTIONNAIRE SECTION 195 AND SECTION 26K LAWFUL DEVELOPMENT CERTIFICATE APPEAL (Online Version)

You must ensure that a copy of the completed questionnaire, together with any enclosures, is sent to the appellant/agent. **You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan.**

This and any documents which you have indicated as 'To follow' should also be sent to the case officer by the date given in the start letter.

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/X/24/3358238

Appeal By

TCPD LTD

Site Address

38-40 Windmill Street  
LONDON  
W1T 2JX  
Grid Ref Easting: 529533.0  
Grid Ref Northing: 181643.0

#### PART 1

1.a. Do you agree to the written representations procedure? 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.*

2a. 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 check measurements or other relevant facts? Yes  No

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

2.d. Would the Inspector have to go onto any privately owned adjoining land as well as the appeal site itself? Yes  No

3.a. Are there any other matters (for example appeals, applications or orders) relating to this land, which are now before the Secretary of State? Yes  No

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

APP/X5210/X/24/3358455

see 'Questionnaire Documents' section

3.b. Do you consider that it would be preferable to decide all the matters together? Yes  No

#### PART 2

4. Was a valid application and any fee required, received and accepted for the development appealed against?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
5. Does the appeal relate to a planning condition?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
6. Is there a planning officer's report to committee or delegated report and any other relevant document/minutes?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Please provide a copy.				
<input checked="" type="checkbox"/> <a href="#">see 'Questionnaire Documents' section</a>				
7. Was there an enforcement notice in force at the date of the application?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
8. Are there any related reasons you may have for questioning the validity of the appeal?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
9. Are there any related applications now before the local planning authority (LPA)?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
10.a. 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;	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Please select from the options below:				
<input checked="" type="checkbox"/> <a href="#">see 'Questionnaire Documents' section</a>				
Date the DPD/Neighbourhood Plan is likely to be adopted:	03/04/2014			
10.b. 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;	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
10.c. your Authority's CIL charging schedule is being/has been examined;				<input type="checkbox"/>
10.d. your Authority's CIL charging schedule has been/is likely to be adopted.				<input type="checkbox"/>
10.e. are there any other matters relevant to determining the appeal which you think we should know about at this stage?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Please provide details:				
Conservation Area information. The appeal notification and distribution list. Planning history as per officer's report.				
<input checked="" type="checkbox"/> <a href="#">see 'Questionnaire Documents' section</a>				
11. Do you wish to attach your statement of case?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
12. This appeal is made under section:				
Section 191				<input type="checkbox"/>
Section 192				<input checked="" type="checkbox"/>
Section 26H				<input type="checkbox"/>

## 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

2024/3476/P

Completed by

K 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/X/24/3358238

Appeal By TCPP LTD

Site Address  
38-40 Windmill Street  
LONDON  
W1T 2JX  
Grid Ref Easting: 529533.0  
Grid Ref Northing: 181643.0

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

**Relates to Section:** PART 1  
**Document Description:** 3.a. Details of any other matters (for example appeals, applications or orders) relating to this land, which are now before the Secretary of State.  
**File name:** START LETTER 3358455, 2024\_3551\_P.pdf

**Relates to Section:** PART 2  
**Document Description:** 6. A copy of the planning officer's report to committee, the delegated report, or any other relevant document/minutes.  
**File name:** 2024\_3476\_P LDC (Proposed) Report.pdf  
**File name:** 2024\_3476\_P Certificate of Lawfulness (Proposed) Refused.pdf  
**File name:** NW\_00.pdf  
**File name:** 24\_3820.pdf  
**File name:** 24\_3821.pdf

**Relates to Section:** PART 2  
**Document Description:** 10.a. An explanation of the Council's policy position in respect of this appeal upon its adoption if any Development Plan Document (DPD) or Neighbourhood Plan is relevant to this appeal.  
**File name:** Fitzrovia Area Action Plan (2014) Ch 1 to 3.pdf  
**File name:** Fitzrovia Area Action Plan (2014) Ch 4.pdf  
**File name:** Fitzrovia Area Action Plan (2014) Ch 5.pdf  
**File name:** Fitzrovia Area Action Plan (2014) Ch 6.pdf  
**File name:** Fitzrovia Area Action Plan (2014) Ch 7.pdf  
**File name:** Fitzrovia Area Action Plan (2014) Ch 7 delivery plan.pdf  
**File name:** Fitzrovia Neighbourhood Application.pdf  
**File name:** Fitzrovia Neighbourhood Area.pdf  
**File name:** Fitzrovia Neighbourhood Area Application REPORT.pdf

**Relates to Section:** PART 2  
**Document Description:** 10.e. Details of any other matters relevant to determining the appeal.  
**File name:** Charlotte Street CAAMP (2008).pdf  
**File name:** Charlotte Street positive contributors.pdf  
**File name:** Charlotte Street CA Urban Grain.pdf  
**File name:** Charlotte Street CA Topography.pdf  
**File name:** Charlotte Street CA Designation Dates.pdf  
**File name:** Charlotte Street CA 1935.pdf  
**File name:** Charlotte Street CA 1914.pdf  
**File name:** Charlotte Street CA 1894.pdf  
**File name:** 7 AND 8 WINDMILL STREET- listing 1379205 Historic England.pdf  
**File name:** appeal notification distribution list (20th Feb 25).pdf

<b>File name:</b>	Notification 3358238 (WR) 38 - 40 Windmill St.pdf
<b>File name:</b>	2016_0397_P Full Planning Permission Granted ....pdf
<b>File name:</b>	2016_0397_P Members Briefing report for 3rd April 2017.pdf
<b>File name:</b>	2023_4907_P Certificate of Lawfulness (Proposed) Granted.pdf
<b>File name:</b>	2023_4907_P LDC (Proposed) Report.pdf
<b>File name:</b>	2024_0862_P Certificate of Lawfulness (Proposed) Refused.PDF
<b>File name:</b>	2024_0862_P LDC (Proposed) Report.pdf
<b>File name:</b>	2024_3551_P Certificate of Lawfulness (Proposed) Refused.PDF
<b>File name:</b>	2024_3551_P LDC (Proposed) Report.pdf
<b>File name:</b>	2010_5167_P Full Planning Permission Granted .pdf
<b>Completed by</b>	Not Set
<b>Date</b>	20/02/2025 13:29:49
<b>LPA</b>	London Borough of Camden