

LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT APPEAL FORM (Online Version)

Your appeal and essential supporting documents must reach the Inspectorate within 6 months of the date of receipt of the Local Planning Authority's decision notice or, for 'failure' appeals, within 6 months of the date by which they should have decided the application.

WARNING: If any of the 'Essential supporting documents' listed in Section K are not received by us within the 6-month period, the appeal will not be accepted.

APPEAL REFERENCE: APP/X5210/E/13/2206945

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the consent application form.

Name	Mr Lyndhurst Gardens LLP Lyndhurst Gardens LLP (Lyndhurst Gardens LLP)		
Address	53 Hemstal Road LONDON	Phone no.	
		Fax no.	
Postcode	NW6 2AD	E-mail	

Please confirm how you wish to correspond with us: ☐ Electronically, via the email address specified above
☒ On paper, by post.

B. AGENT DETAILS FOR THE APPEAL (if any)

Name	Mr Michael Burroughs		
Address	33 Shore Road HOLYWOOD County Down	Your reference	3706
		Phone no.	02890421011
		Fax no.	02890425123
Postcode	BT18 9HX	E-mail	emma@mbaplaning.com

Please confirm how you wish to correspond with us: ☒ Electronically, via the email address specified above
☐ On paper, by post.

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA	London Borough of Camden
LPA's reference number	2013/4779/C
Date of the LBC/CAC application	05 Jul 2013
Date of the LPA's decision (if issued)	

D. APPEAL SITE ADDRESS

Address 16a Lyndhurst Gardens
LONDON

Postcode NW3 5NR

Grid Reference: Easting 05269501

Northing 01851280

Is the appeal site within a Green Belt? YES ☐

NO ☒

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? YES ☐

NO ☒

E. SUPPORTING INFORMATION

Please tick ✓

1. If the building is listed, please indicate the grade of the building

Grade I ☐

Grade II* ☐

Grade II ☐

2. Has a grant been made under sections 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953?

YES ☐

NO ☒

3. Does the appeal relate to an application for conservation area consent?

YES ☒

NO ☐

F. DESCRIPTION OF THE DEVELOPMENT

Size of the whole appeal site (in hectares) Area of floor space of proposed development (in square metres)

0.04

586

Has the description of the development changed from that stated on the application form? YES ☐

NO ☒

If YES, please state below the revised wording, and enclose a copy of the LPA's agreement to the change.

Demolition of existing two storey dwellinghouse

G. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to:-

Please tick **one** box only ✓

1 Refuse listed building consent/conservation area consent for the development described on the application form or in Section F. ☐

2 Grant listed building consent/conservation area consent for the development subject to conditions to which you object. ☐

3 Refuse to vary a condition(s) in a previous grant of listed building consent/conservation area consent. ☐

4 Refuse to remove a condition(s) in a previous grant of listed building consent/conservation area consent. ☐

or

5 Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an application for listed building consent/conservation area consent. ☒

H. CHOICE OF PROCEDURE

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 ☒

This is normally the simplest, quickest and most straightforward way of making an appeal.

Please answer the questions below.

- 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? YES ☐ NO ☒

If so, please explain below or on a separate sheet.

2. THE HEARING PROCEDURE ☐

If you are proposing that this appeal follows the hearing procedure, you must submit a draft statement of common ground. **You must give detailed reasons below or in a separate document why you think a hearing is necessary.**

- a) If you are proposing that this appeal follows the hearing procedure, you must liaise with the LPA and agree two alternative dates on which a hearing could take place. The dates should not fall on a Monday but should be between the period 7 - 11 weeks from submission of your appeal.

Please note that failure to provide at least one agreed date will result in a date being fixed by the Planning Inspectorate.

- b) 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 ☐

If you are proposing that this appeal follows the inquiry procedure, you must submit a draft statement of common ground. **You must give detailed reasons below or in a separate document why you think an inquiry is necessary.**

- a) How long do you estimate the inquiry will last?
(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.)

No. of days

- b) How many witnesses do you intend to call?

No. of witnesses

- c) How long do they need to give their evidence?

No. of days

- d) If you are proposing that this appeal follows the inquiry procedure and have estimated that it will last no more than 2 days, you must liaise with the LPA and agree two alternative dates on which an inquiry could open and enter the details below. The opening date should not fall on a Monday or a Friday but should be between the period 10 – 17 weeks from submission of your appeal.

Please note that failure to provide at least one agreed date will result in a date being fixed by the Planning Inspectorate.

- e) Is there any further information relevant to the inquiry which you need to tell us about? If so, please explain below.
Please continue on a separate sheet if necessary.

YES ☐

NO ☐

I. FULL STATEMENT OF CASE

If you have chosen the written representations procedure, your **FULL** grounds of appeal must be made; otherwise we will return the appeal form. You should give a clear explanation of why you disagree with each of the LPA's reasons for not granting listed building consent or conservation area consent, if appropriate.

Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal?

YES ☐ NO ☒

Do you intend to submit a costs application with this appeal?

YES ☐ NO ☒

This is an appeal against non-determination where the LPA decision was due before 1 October 2013.

The revised appeal procedures do not apply to this appeal.

The statement of case will be submitted at the 6 week stage

J. SITE OWNERSHIP DETAILS

We need to know who owns the appeals site. If you do not own the appeal site or only own a part of it, we need to know the name(s) of the owner(s) or part owner(s). We also need to be sure that any other owner knows that you have made an appeal. **YOU MUST TICK WHICH OF THE CERTIFICATES APPLIES.**

If you are the sole owner of the whole appeal site, certificate A will apply: Please tick **one** box only ✓

CERTIFICATE A



I certify that, on the day 21 days before the date of this appeal, nobody except the appellant, was the owner of any part of the building to which the appeal relates:

OR

CERTIFICATE B



I certify that the appellant (or the agent) has given the requisite to every one else who, on the day 21 days before the date of this appeal, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the building to which the appeal relates, as listed below:

Owner's name	Address at which the notice was served	Date the notice was served
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CERTIFICATES C & D



If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D in the *Guidance Notes* and attach it to the appeal form.

K. ESSENTIAL SUPPORTING DOCUMENTS

You **must** send the documents listed 1-7 below with your appeal form. Please tick the boxes to show which documents you are enclosing.

- | | | |
|---|---|-------------------------------------|
| 1 | A copy of the original listed building/conservation area consent application sent to the LPA. | <input checked="" type="checkbox"/> |
| 2 | A copy of the site ownership certificate and ownership details submitted to the LPA <u>at application stage</u> (this is usually part of the LPA's planning application form). | <input checked="" type="checkbox"/> |
| 3 | A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application. | <input type="checkbox"/> |
| 4 | 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 <u>two named roads</u> so as to assist identifying 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. | <input checked="" type="checkbox"/> |
| 5 | 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: | <input checked="" type="checkbox"/> |
| 6 | Copies of all additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).
Please number them clearly and list the numbers here or on a separate sheet: | <input type="checkbox"/> |
| 7 | A copy of the design and access statement sent to the LPA (Note: This does not apply to applications for conservation area consent). | <input checked="" type="checkbox"/> |

You must send copies of the following, if appropriate:

- | | | |
|----|--|--------------------------|
| 8 | Additional plans, drawings or documents relating to the application but not previously seen by the LPA .
Please number them clearly and list the numbers here or on a separate sheet: | <input type="checkbox"/> |
| 9 | If the appeal is against the LPA's refusal or failure to decide an application which relates to a condition , we must have a copy of the original permission with the condition attached. | <input type="checkbox"/> |
| 10 | Any relevant correspondence with the LPA. | <input type="checkbox"/> |
| 11 | A copy of a draft statement of common ground if you have indicated the appeal should follow the hearing or inquiry procedure. | <input type="checkbox"/> |

L OTHER APPEALS

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.

APP/X5210/A/13/2206940

M CHECK SIGN AND DATE

(All supporting documents must be received by us within the 6 month time limit)

I confirm that I have sent a copy of this appeal form and relevant documents (including the full statement of case) to the LPA (*if you do not your appeal will not normally be accepted*).

I confirm that all sections have been fully completed and that the details of the ownership (section J) are correct to the best of my knowledge.

Signature

Date 10 October 2013

Name (in capitals) Mr Michael Burroughs

On behalf of (if applicable) Mr Lyndhurst Gardens LLP Lyndhurst Gardens LLP

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.

N. NOW SEND

- **Send a copy to the LPA**
- **You may wish to keep a copy of the completed form for your records.**

Send a copy of the appeal form to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA). There is no need to send them all the documents again; send them any supporting documents (including your full statement of case) not previously sent as part of the application. If you do not send them a copy of this form and documents, we may not accept your appeal.

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.

O. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. If forwarding the documents by email, please send to **appeals@pins.gsi.gov.uk**. If posting, please enclose the section of the form that lists the supporting documents and send it to PO Box 2606, Bristol, BS1 9AY.

You will not be sent any further reminders.

Please ensure that anything you do send by post or email is clearly marked with the reference number:

APP/X5210/E/13/2206945

Please ensure that a copy of your appeal form and any supporting documents are sent to the local planning authority.

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* The Documents Listed Below Will Follow By Post *
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===== ESSENTIAL SUPPORTING DOCUMENTS =====
** 01. A copy of the original listed building consent/conservation area consent
    application sent to the LPA.
** 02. A copy of the site ownership certificate and ownership details submitted to the
    LPA at application stage (this is usually part of the LPA's planning application
    form).
** 04. 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 identifying the
    location of th
** 05. 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.
** 05i. A list of all plans, drawings and documents (stating drawing numbers) submitted
    with the application to the LPA.
** 07. A copy of the design and access statement sent to the LPA (Note: this does not
    apply to applications for conservation area consent).
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