

## ADVERTISEMENT CONSENT OR DISCONTINUANCE NOTICE APPEAL FORM (Online Version)

Your appeal and essential supporting documents must reach the Inspectorate within 8 weeks from the date of receipt of the local planning authority's decision notice (or, for 'failure' appeals, within 8 weeks of the date by which they should have decided the application). If the appeal is against a discontinuance notice, it must reach the Inspectorate before the date the notice takes effect. Before completing this form, please read our guidance leaflet "How to complete your advertisement appeal form".

**WARNING:** If any of the 'Essential supporting documents' listed in Section I are not received by us within the 8 week period, the appeal will not be accepted.

APPEAL REFERENCE:

**APP/X5210/H/13/2203816**

### A. APPELLANT DETAILS

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

Name	Joel Newman		
Organisation Name (if applicable)			
Address		Phone no.	
		Fax no.	
Postcode		E-mail	
I prefer to be contacted by:	E-mail	<input type="checkbox"/>	Post <input type="checkbox"/>

### B. AGENT DETAILS FOR THE APPEAL (if any)

Name	Alannah Holding		
Organisation Name (if applicable)			
Address		Your reference	SD/013.0124/Finch
		Phone no.	01634 280908
		Fax no.	
Postcode	ME7 5HS	E-mail	alannah@rmwassociates.co.uk
I prefer to be contacted by:	E-mail	<input checked="" type="checkbox"/>	Post <input type="checkbox"/>

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

Name of the LPA	London Borough of Camden		
LPA's reference number	2013/2349/A		
Date of advertisement application	11 Apr 2013		
Date of the LPA's decision (if issued) or date discontinuance notice was served	19 Jun 2013		
Effective date of discontinuance notice			

## D. APPEAL SITE ADDRESS

Address

124 Finchley Road  
LONDON

Postcode

NW3 5HT

Grid Reference: Easting

05263189

Northing

01847383

## E. DESCRIPTION OF THE ADVERTISEMENT(S)

Description, measurements and colours, including details of illumination (if any), of the advertisement(s) involved in this appeal.

Document provided

LED media display system - 3m x 2m x 0.25m (h x w x h). System utilises LED internal illumination.

## F. REASON FOR THE APPEAL

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

Please tick **one** box only ✓

- 1 Refuse consent for the advertisement(s) shown on the application form.
  - 2 Grant consent for the advertisement(s) subject to conditions to which you object.
  - 3 Serve a Discontinuance Notice.
- or**
- 4 The failure of the LPA to give notice of its decision within the appropriate period (usually 8 weeks) of an application for consent.

## G. CHOICE OF PROCEDURE

Choose **ONE** procedure only.

You should start by reading our guidance leaflet "How to complete your advertisement appeal form" which explains the different procedures used to determine advertisement appeals. In short, there are 2 possible methods:- written representations and hearings. You should consider carefully which method suits your circumstances.

Please tick ✓

### 1. WRITTEN REPRESENTATIONS \_\_\_\_\_



This is normally the simplest, quickest and most straightforward way of making an appeal. The written procedure is particularly suited to small-scale developments. It is also very popular with people making their own appeal without professional help. The process involves the submission of a written statement by the local planning authority explaining the reasons for their decision or their failure to determine the application. It also allows you an opportunity to comment in writing on the local planning authority's statement. An Advertisement appeals Inspector will study all of the documents before visiting the appeal site unaccompanied and issuing a written decision.

### 2. HEARINGS \_\_\_\_\_



This process is likely to be suited to slightly more complicated cases which require detailed discussion about the merits of a proposal. The Planning Inspectorate will arrange a hearing at which the local planning authority and the appellant(s) will be represented. Members of the public, interested bodies (e.g. Parish/Town Councils) and the press may also attend. Like the written procedure, the process involves the submission of a written statement by the local planning authority explaining the reasons for their decision (or failure to determine the application). It is advisable that you submit details of your case before the hearing, otherwise the reasons given in your appeal form will be treated as the basis of your case for discussion. At the hearing the Inspector will lead a discussion on the matters already presented in the written statements and supporting documents. The Inspector will usually have visited the site before the hearing, but at the end of the proceedings, either you or the LPA may ask to visit the site again with the Inspector. The Inspector will then issue a written decision in the same way as in the written procedure.

You must give detailed reasons below or in a separate document why you think a hearing is necessary.

## H. GROUNDS OF APPEAL

Please state your **FULL** grounds of appeal (i.e the reason(s) why you do not agree with the action taken by the local planning authority).

Refer to our guidance leaflet "How to complete your advertisement appeal form" for help.

Please continue on a separate sheet if necessary.

Document provided

The appeal site is a 7 storey\* building in mixed commercial use - retail at ground floor - offices at upper floors. The surrounding area is predominately commercial, featuring retail uses at ground floors, with a mixture of offices and some residential on upper floors.  
\*(I note the applicant and the council refer to 5 storey plus basement, but on my viewing the building is 7 storey - ground + 6 upper levels.)

In close proximity to the appeal site is the O2 Centre, a relatively modern development which occupies a major land area; the Centre encompasses a supermarket, retail outlets, office, bar/restaurant and cinema facilities.

While it is noted that the appeal site sits just on the south westernmost edge of the Fitzjohns and Netherwell conservation area, the immediate surroundings are commercial where the smaller size of advertisement display, in scale with its surroundings, would not be out of place.

The proposed media display is neither excessive in size nor of an inappropriate design; the proposed display reflects the rectilinear appearance of the appeal building and is clearly substantially subordinate to the host and surrounding built development.

The council has referred to several of its own policies; however whatever those policies may contain, they are of limited import in an advertisement application or appeal, local plan policies cannot be a decisive or deciding factor. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 does not apply, this provision only relevant to determinations where regard is to be had to the development plan.

There are no listed buildings within the immediate or wider surroundings that would be affected by the proposal; the location is not within an Area of Special Advertisement Control. The proposal has no aural amenity, highway safety, access or crime implications.

## I. ESSENTIAL SUPPORTING DOCUMENTS

Depending on the type of appeal, the documents listed below must be sent with your appeal form. If we do not receive all your appeal documents by the end of the 8 week appeal period, we may not deal with it. Please tick the boxes to show which documents you are enclosing.

### Appeals against Refusal/Failure/Conditions

- |   |  |                                     |                                     |
|---|--|-------------------------------------|-------------------------------------|
| 1 | The application made to the LPA.                         | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
|   |  | <input checked="" type="checkbox"/> | Document provided                   |
| 2 | All relevant plans and particulars submitted to the LPA. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
|   |  | <input checked="" type="checkbox"/> | Document provided                   |
| 3 | Any notice of decision.                                  | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
|   |  | <input checked="" type="checkbox"/> | Document provided                   |
| 4 | Any other relevant correspondence with the authority.    | <input type="checkbox"/>            | <input type="checkbox"/>            |
|   |  | <input type="checkbox"/>            | Document provided                   |

### Appeals against a Discontinuance Notice

- |   |   |                          |                          |
|---|---|--------------------------|--------------------------|
| 5 | The discontinuance notice.                      | <input type="checkbox"/> | <input type="checkbox"/> |
|   |   | <input type="checkbox"/> | Document provided        |
| 6 | Any notice variations.                          | <input type="checkbox"/> | <input type="checkbox"/> |
|   |   | <input type="checkbox"/> | Document provided        |
| 7 | Any relevant correspondence with the authority. | <input type="checkbox"/> | <input type="checkbox"/> |
|   |   | <input type="checkbox"/> | Document provided        |

- 8 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.

### Other information that should be supplied:

- |  | Yes                                 | No                                  |
|--|-------------------------------------|-------------------------------------|
| a Has the land/site owner's consent been obtained? | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b Is the site on highway land?                     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c Is the advertisement in position?                | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

## J. CONFIRMATION

**(All supporting documents must be received by us within the 8 week time limit)**

I confirm that I have sent a copy of this appeal form and relevant documents to the LPA.

I confirm that all sections have been fully completed.

Signature

(on behalf of) Joel Newman

Name (in capitals) Alannah Holding

Date 16 August 2013

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.

### NOW SEND

#### ● 1 COPY to the LPA

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 not previously sent as part of the application or in relation to the discontinuance notice.

#### ● You may wish to keep a copy of the completed appeal form for your records

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

## K. APPEAL DOCUMENTS

Please remember that any supporting documentation needs to be received by us within the appropriate deadline for the case type.

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

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

### APP/X5210/H/13/2203816

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*****
* The Documents Listed Below Were Uploaded With The Appeal Form *
*****
===== ESSENTIAL SUPPORTING DOCUMENTS =====
TITLE:      01. The application made to the LPA.
DESCRIPTION: Application
FILENAME:    Application Form.pdf

TITLE:      02. All relevant plans and particulars submitted to the LPA.
DESCRIPTION: Location
FILENAME:    Drawing Location.pdf

TITLE:      02. All relevant plans and particulars submitted to the LPA.
DESCRIPTION: Elevations
FILENAME:    Drawing Elevations.pdf

TITLE:      02. All relevant plans and particulars submitted to the LPA.
DESCRIPTION: Unit Dimensions
FILENAME:    Drawing unit dimensions.pdf

TITLE:      02. All relevant plans and particulars submitted to the LPA.
DESCRIPTION: Support statement
FILENAME:    Supporting Statement.pdf

TITLE:      03. Any notice of decision.
DESCRIPTION: Decision
FILENAME:    Decision Notice.pdf
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