

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/13/2200587

A. APPELLANT DETAILS

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

Name

Address

Phone no.

Fax no.

Postcode

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

Address

Your reference

Phone no.

Fax no.

Postcode

E-mail

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

LPA's reference number

Date of the LBC/CAC application

Date of the LPA's decision (if issued)

D. APPEAL SITE ADDRESS

Address

Postcode Grid Reference: Easting Northing

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 ✓

Grade I Grade II* Grade II

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

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)

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.

Erection of four storey building comprising (Class Bla) at lower ground floor (Pond Square Level), retail (Class A1) at ground floor level (Highgate High Street) and 1x3 bed self-contained masionette (ClassC3) at first and second floor levels following demolition of existing single-storey buildings.

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

This procedure is likely to be suited to more complicated cases which require detailed discussion about the merits of a proposal. At the hearing the Inspector will lead a discussion on the matters already presented in the written statements and supporting documents. 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 in a separate document why you think a hearing is necessary.

A Hearing is necessary due to the complexity of this case, as it raises a number of planning issues that need to be tested. The proposed development was the subject of considerable

Please answer the question below.

Continued on Supplementary Sheet

- 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

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 in a separate document why you think an inquiry is necessary.

Please answer the questions below.

- 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
Please continue on a separate sheet if necessary.

I. GROUNDS OF APPEAL

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

** See separate documents **

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 notice (see the *Guidance Notes*) to every one else who, on the day 21 days before the date of this appeal, was the owner 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
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

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 leaflets* 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 checked="" 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 checked="" 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 sent 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 checked="" 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 checked="" 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.

Planning permission was refused at the same time. Local Authority ref: 2012/6826/P
PINs Ref APP/X5210/A/13/2200586

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 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 24 June 2013

Name (in capitals) Ms Julie Greer

On behalf of (if applicable) Mr Iain Brewster

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 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/13/2200587

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

```
*****
* The Documents Listed Below Will Follow By Post *
*****
===== DESCRIPTION OF THE DEVELOPMENT =====
** LPA's Agreement to the change

===== GROUNDS OF APPEAL =====
** Grounds of Appeal 1

===== 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).
** 03. 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.
** 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.
** 06. Copies of any 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).
** 06i. A list of all plans, drawings and documents (stating drawing numbers) which did
not form part of the original application.
** 07. A copy of the design and access statement sent to the LPA (Note: this does not
apply to applications for conservation area consent).
** 08. Additional plans, drawings or documents relating to the application but not
previously seen by the LPA.
** 08i. Please provide a list of all plans and drawings (stating drawing numbers)
submitted but not previously seen by the LPA.
** 10. Any relevant correspondence with the LPA.
```


P. SUPPLEMENTARY SHEET

the hearing reasons are set out in:

pre-application negotiation and engagement that the architect and applicant believed had the support of Officers. Support for the proposed development shifted after a very intensive campaign by local amenity groups. English heritage also changed their position from supporting the application to raising an objection.

Whilst we acknowledge the high level of interest in this application, both for and against, it would appear that the application was refused for emotive reasons rather than being based on sound policy grounds. We therefore respectfully request an Inspector, who is a qualified architect, as it is considered that the architectural merits of the appeal scheme will be given a fair hearing through this procedure.