

HOLLY LODGE PENSION SCHEME

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Appeal by Written Representation

**Appeal Statement and Response to Council's Arguments Relating to their
Decision to Refuse Planning Permission for the Change of Use of ground floor
and basement from retail to residential and external alterations to the rear**

11 Murray Street, NW1

Decision date: 22 June 1999

Planning Inspectorate Reference: APP/X5210/A/99/1027179

This Statement deals first with the Grounds for Refusal of our Planning Application and then deals with the Council's Written Statement received by us on 18th October 1999 but not seen by our client until Monday 25th October.

The Council have advanced three arguments against our proposal for the Change of Use of the Ground Floor and Basement at 11 Murray Street from Retail to Residential.

We deal with these below. Before doing so, it is relevant to set out the history of our application.

A HISTORY

The ground floor and basement at 11 Murray Street are not in retail use and have not been so since at least 1987 and almost certainly for some years before then.

The building has been owned by our clients since 24th February 1988 and has been in continuous office use since then until it became vacant on 31st May 1999. Prior to our clients purchasing the building, it was in use as offices by "Lee-Fax" who distributed personal organisers. (see Appendix 5).

Before our planning application was made, we took advice from Camden.

Our client's Trustee, Dr Richard Preece, visited Camden Town Hall on Tuesday 23rd March 1999 and discussed the proposed Change of Use with the Duty Planner. The latter advised our client that since the Ground Floor and Basement of no 11 had been in use as an office for more than 10 years, he would be able to obtain a Certificate of Lawful Use as an office notwithstanding that it appeared in Camden's records as a shop.

The Duty Planner further stated that he would not expect the Council to object to a change to residential use especially given that our client's property adjoined purely residential properties, that not all of the remainder of the parade was in retail use and given its secondary nature. (Our client confirms these statements in Appendix 7).

Following our client's visit, Bernard Parker of this office spoke to Joe Henry (Area Planner) at Camden Council, primarily to discuss the point as to whether it would be better to apply:

- a) for a change of use from Retail (being the current use noted on Camden's records) to Residential, or
- b) to apply first for Established Office Use (which would of course have been a formality) and then apply for Change of Use from Office to Residential.

Mr Henry's advice was that he thought it would be better to apply on the basis retail to residential "since we ought to be able to show that the area is dead as far as retail is concerned". He thought that a change from office use might suggest a greater loss of employment and that this could be viewed negatively. He further stated that Camden had policies encouraging residential use.

It was as a direct result of Mr Henry's advice that we applied for Change of Use from Retail (as opposed to Office) to Residential on 22nd April 1999.

B CAMDENS GROUNDS FOR REFUSAL OF PLANNING PERMISSION

- 1 The first ground for refusal of planning permission states that the character of the shopping parade strongly depends on mixed (presumably a mix of retail) uses.

Our client's building is no longer in retail use.

As stated above, it has been in office use since 1987, as a result of which our clients are in a position to apply for a Certificate of Lawful Office Use at any time.

Retail use in this small parade is not viable for the great majority of shop uses, quite simply because the parade is not needed or used as a neighbourhood shopping centre by local residents. There are width restrictions at the Agar Grove end, which impede access and emphasise the residential nature of the area. The neighbourhood is well served by local shops in Agar Grove, York Way and Brecknock Road as well as central Camden.

Murray Street has long since ceased to be a shopping destination and it is for this reason that there are only four shops left in the parade. We have enclosed a list of uses (as at June 1999) of the Murray Street (numbers 1-14) Occupiers as Appendix 1. It will be seen that the majority of the units in the parade are now in office use with two further units in restaurant use. One of the so-called shops (Thyme) is in reality used as a showroom for making sales to and taking commissions from interior designers based London-wide, leaving only the off licence, convenience store and video library as "real" shops.

Local agent, Paul Stone of Christo & Co. (one of, if not the, most experienced of the local agents dealing with smaller business premises) has been trying to let the property since early July this year. Details are attached at Appendix 2. Christo hope to let the unit as an office but have additionally quoted shop use to increase the possibility of letting the unit. No offers have been received nor has there been any genuine interest in the unit whatsoever, despite the fact that our clients are willing to be flexible on the rent. Paul Stone of Christo

stated on 30th September 1999 "There is no chance of the property being let for retail purposes."

Likewise Stickley & Kent (Jacob Papineau) and Parkways (Jeremy Landau), two more local agents, both believe retail use to be not viable in Murray Street.

Not only therefore is the unit no longer used as a retail shop, our clients have an established office use for the premises and all of the experienced local agents believe retail use to be not viable. Rather than let our client's unit continue to be vacant and unused, it is infinitely preferable to face reality and convert it into attractive, affordable housing for which there is a genuine need in the area as evidenced by Camden's own documentation.

We would further point out that the property was almost certainly originally built as a town house, as evidenced by the basement lightwell and the general facade of the building with its pilasters and small overhanging balcony. At some stage in the past, the unit was converted to retail use at a time when small neighbourhood shopping areas were viable. Shopping is now polarising towards areas of greater retail concentration and more appropriately sited secondary shopping parades. Shops in Murray Street are no longer required by the local population and it is therefore entirely appropriate to reconvert the building to its original residential use.

The character of the parade from 1-15 Murray Street would in no way be significantly altered by our client's proposed change of Use. We have proposed no changes to the visual appearance of the frontage of the building which is of course immediately adjacent to wholly residential properties. The internal use of the building whether office or residential creates no particular external impact.

2 Parking Requirements

It is clear that residential use of our client's property would generate less traffic and parking demand than either retail or office use.

The principle problem with parking in Murray Street is that it is one of the nearest roads to Camden Town underground station without any parking restrictions. Commuters travel to the area by car, park and then walk to the station, leaving their cars parked all day long. Despite the Council classifying Murray Street as a heavily parked street (apparently based on night time parking), there are always spaces available at night.

Our clients have informed us that when they themselves used the building as an office, they had eight staff, seven of whom came independently to the office by their own car and all of whom were able to park either in Murray Street itself or in the immediately adjoining streets without problem. (See client's Statement - Appendix 6).

Camden could solve the parking problems in Murray Street by introducing a resident's parking and pay and display scheme. It is inconceivable that residential use of our client's property (one or perhaps two cars at the most) would create more traffic than either retail or the established office use.

3 Environmental Standards of Daylight and Sunlight

We believe the Council to be wrong in their arguments and that the basement does comply with UDP Policy SHG7. The height of the basement is some 2.2 metres and the daylight angle for underground rooms is clearly met by virtue of light coming through the window at the rear of the extension. There is a rooflight above the lightwell area and as a result of Camden Planner Mary Samuel's telephone call to this office on 3rd June 1999, we added full height side lights to the French doors at the rear of the basement and a 1200 x 1200 clear glazed rooflight above the extension, which together provide the necessary level of natural light to the basement.

The screen at the front of the ground floor rear extension will be changed to a fully glazed screen. Additionally, (and although we were not asked to do so) our plans now extend the width of the existing window at the front of the basement, thereby increasing lighting in that area.

It should be noted that the designated use of the rear basement is as a bedroom. The ground floor is extremely light and airy and benefits by having a small garden. We believe that the basement lighting and ventilation requirements of SHG7 are met but even if this were not strictly the case, the exceptionally good lighting levels on the ground floor more than compensate. Furthermore, our client has made it clear to Camden that he is willing to further modify the existing rear extension to improve light levels if required to do so. Camden have made no response. See drawings 886.02B and 886.03 already submitted (Copy of drawing 886.03 at Appendix 3).

C RESPONSE TO COUNCIL'S WRITTEN STATEMENT

We now respond to the Council's Written Statement in this matter. We have followed the format of their Appeal Statement and respond point by point. Their Statement covers many of the same points under different headings and we apologise for the necessarily somewhat repetitious nature of this present document.

1 Appeal Site and Surroundings

- 1.1 The Council draw attention to the fact that our client's property immediately adjoins the residential properties at nos. 12-15. These residential properties, together with those residential properties which fill the rest of the area, are clearly an important feature of and help to establish the character of the area.

- 1.2 We have already commented on uses in the parade. The council confirm that there are only four properties remaining in retail use. Camden's designation of the parade as a "neighbourhood shopping centre" is not realistic and will in no way prevent the inevitable decline of retail use in the street.
- 1.3 The so-called "neighbourhood centre" has no chemist, no butcher, no baker, no greengrocer, no hairdresser, no clothes shops, no hardware store and not even the ubiquitous estate agent but only the very limited uses as detailed in Appendix 1. It can not be properly said to serve the surrounding area.

2 Planning History

- 2.1 We believe that this is not relevant. Our client is not seeking to make the basement an independent unit nor is it located underneath a shop.
- 2.2 The building works referred to were duly carried out during 1988. However, the Council's words "this was subsequently implemented" give the impression that the use of the basement and ground floor as a shop was subsequently implemented. This is incorrect. The property has not been used as a shop since at least 1987 onwards.
- 2.3 We did not initially provide evidence to show that the ground floor and basement were incapable of being let as a retail unit since the comments of both Camden's Duty Planner and Joe Henry of the planning department were wholly favourable to our proposals and there was no suggestion that such evidence was required. However when Mary Samuel, the Council's Planning Officer in charge of the case, telephoned both this office and our client on 3rd June to express concerns about retail use, our client asked Stickley & Kent to comment on possible uses of the property as well as writing his own letter dated 12th June 1999. That letter together with the letter from Stickley & Kent is appended to the Council's written submission. Our client's letter makes it clear that the property would be difficult to let. It further states that since an office use has been established over the course of time, there is **no likelihood of it ever being used for retail purposes in the future.**
- 2.4 The Council do not exhibit the letter from a local resident. We suspect that they may well be referring to the letter from the Mercers (which was clearly motivated by self interest) dated 17th September 1999 which was adequately answered by our client's letter to the Planning Inspectorate of 5th October 1999, both of which are appended herewith as Appendix 4.

2.5/2.6/2.7/2.8

We have dealt with these above under the heading "Grounds for Refusal".

- 2.9 This paragraph is irrelevant to the present case. The additional ground for refusal cited is in effect a different way of expressing 2.6.1. It is noteworthy that the Council admit that retail uses have already diminished.

3 Town Planning Framework

3.1/3.2 Noted.

3.3 Housing.

Our proposal would indeed increase housing provision. It is our firm belief that our proposed dwelling would be of excellent quality with adequate amenities and at an appropriate and similar density to that of adjoining residential properties.

3.4 Urban Design

The change of use of our property would not represent a new development. Our proposals are indeed sensitive to the scale and character of the existing area. We are not proposing any significant changes to the front aspect of the property. Its use as a freehold dwelling would help to improve and conserve the building.

3.5 Neighbourhood Shopping Centres

Noted, but as dealt with above, the few remaining shops in Murray Street could not possibly be classed as a neighbourhood shopping centre. Local residents have adequate access to a vastly greater range and number of shops and facilities in nearby Agar Grove, York Way, Brecknock Road and of course Camden Town itself.

3.6 This makes no specific point although it is clear that the Unitary Development Plan has not yet been fully adopted.

3.7/3.8 Noted.

3.9 Environment

It is clear that the proposed change of use would not have an adverse impact on the amenity of the surrounding area and is sensitive to the scale and character of the surroundings.

3.10 Transport

We have dealt with parking at length above. We deal now with the Council's reference to policies TR16 and TR18.

TR16 seems most relevant to new build residential development and large sites changing from non-residential to residential use, as evidenced by the requirement to provide "sufficient car parking within the curtilage of the site". It is quite clear that there is absolutely no possibility of creating parking within

the site nor is our client's building within a controlled parking zone. As a result we believe TR16 to be largely irrelevant to this application.

TR18 seeks to limit the number of units resulting from sub-division of the property to the number of existing floors of accommodation within the property. Our client's property has five floors, although we are seeking only two units within the property and thus easily meet this requirement.

We have dealt above with the illogical implication that the change of use would create more rather than less parking demand in the area.

3.11 Housing

Our proposal increases housing provision. There is no suggestion of or actual breach of visual privacy.

3.12 Development Standards

Our proposals as drawn in drawings 886.02B and 886.03 ensure adequate lighting. The Council make no suggestion that ventilation to the property is inadequate.

3.13 Neighbourhood Centres

We have dealt with this issue at length above. The four remaining shops in Murray Street can in no realistic way be classed as a "Neighbourhood Centre".

4 Detailed Considerations

4.1 There will be no loss of a retail unit since the unit is no longer used for a retail purpose nor is there any demand for retail use. We believe that there is no breach of the Council's car parking standards as dealt with in detail above and additionally that our client's proposals will reduce car parking stress in the area. We do not accept that the Council's environmental standards will be breached by the proposed basement flat.

4.2 The use of the ground floor and basement at no. 11 as an office creates no specific access or benefit to residents of the borough. There is no loss of a further retail unit. The character of the centre would not change in any significant way nor is any visual alteration to the frontage of the unit proposed.

4.3 Our proposals would create no deterioration of the parade. Rather a freehold residential use of the property would enhance, protect and help to conserve the area. The Council's unrealistic wish to maintain retail uses in an area where they are no longer required is however more than likely to lead to a decline of the area into a state of neglect and disrepair.

- 4.4 We have dealt with parking at length above and in particular with policies TR16 and TR18. DS9 is now introduced and is included as an Appendix in the Council's submission. It seems irrelevant since the area is not controlled, does not contain marked out bays, controlled access, car lifts or ramps to parking areas. Our client's proposed change of use of the ground floor and basement only hardly represents a "new development."
- 4.5 It is our belief that the design of our client's proposed residential dwelling is to a high standard which meets environmental objectives and standards.

5 Comments on the Grounds of Appeal

- 5.1 The authorised use is indeed retail but the **actual use since 1987 and before is office use**. At Appendix 5 we have attached a statement from our client verifying such use. Such use could be legitimised by an application for Lawful Office Use but, as noted above, we were advised by Joe Henry of the Council to make this application for change of use from retail to residential rather than office to residential. Since we do not propose to change the facade of the building, we do not believe that the character of the street would in any way be changed by a change of use from office to residential.
- 5.2 Camden may well have designated Murray Street as a neighbourhood centre, but as dealt with above, it is not a neighbourhood centre in any real meaning of the word. The use of 11 Murray Street as offices provides no particular service to local residents and as such the change of use to residential would result in no loss of amenity. Our client's letter of 12th June 1999 also makes it clear that the property would be difficult to let for retail purposes and there is no likelihood of the property **ever being used for retail purposes in the future**. The property has now been marketed for more than four months and has created no interest either for retail or office use.
- 5.3 We have dealt with car parking at some length above. Our client had no need to carry out a survey as he has first hand experience of parking conditions in Murray Street, as detailed in Appendix 6. While Camden have "designated" Murray Street as a heavily parked street they themselves put forward no survey evidence. It is clear to our client that the principal parking problem in Murray Street is its use by commuters parking their cars and walking on to the underground station. It is also abundantly clear that residential use of the basement and ground floor would create less parking demand than its use either for retail or office purposes.
- 5.4 It is our firm belief that the additional borrowed light is adequate, particularly as the basement will be used for bedrooms. Our submissions above make it clear that they do meet the "daylight angle for underground rooms" test and also that our client informed the Council that he was prepared to make any other reasonable changes to the rear extension that they thought helpful or necessary. We re-state that our proposals most certainly comply with building regulations.

D SUMMARY

Our client is proposing a reversion of the use at no. 11 Murray Street back to its original residential use in what is a predominantly residential area. The property is immediately adjacent to residential properties and all of the many Murray Street properties to the north-west of our client's property are residential.

The Council's principal argument against change of use is the loss of retail facilities, although retail use has long since ceased in our client's property, just as it has in much of the remainder of the so-called "shopping parade". There is constant pressure and need for housing in Camden and no material requirement for retail premises in this location.

The Council's arguments regarding parking and lighting are subsidiary to their main concern and are flawed.

In summary, the Council's arguments are weak and unrealistic and based on a use of the property which has long since ceased. We respectfully ask the Inspector to uphold our Appeal.

HOLLY LODGE PENSION SCHEME

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Appeal by Written Representation

11 Murray Street, NW1

Appendices

Appendix 1	Murray Street Uses
Appendix 2	Property Letting Details
Appendix 3	Plan 886.03
Appendix 4	Mercer Letter and Reply
Appendix 5	Client Statement re Property Use
Appendix 6	Client Statement re Murray Street Parking
Appendix 7	Client Statement confirming evidence

Appendix 1

Uses Murray Street Camden Town - June 1999

14	Residential	Two flats
13	Residential	Two flats
12	Residential	Single House
11	Office	Vacant
10	Shop	Off Licence
9	Office	Sally Gissin
8	Office	Sally Gissin
7	Restaurant	Wine Taverna
6	Shop	Nilan News Convenience Store
5	Launderette	
4	Shop and Showroom	Thyme *
3	Shop	Video Library
2	Office/Workshop	Camden Restoration Services
1	Restaurant	Magenta
1A/B	Offices	

Summary

Offices	5
Shops	4
Residential	3
Restaurants	2
Launderette	1

* NB. Thyme is not just a shop as it is used as a showroom for sales and taking commissions from interior designers based London wide.

SECONDARY SHOP/OFFICE & BASEMENT PREMISES

950 SQ.FT (88 SQ.M)

TO BE LET

MURRAY STREET, CAMDEN TOWN, LONDON NW1

LOCATION: The premises are located in a small secondary parade of shops in a mainly residential area just by Camden Square. Murray Street connects Camden Road at one end with Agar Grove at the other.

DESCRIPTION: The premise comprise a shop/office with basement and rear garden. It is arranged in clear space with good natural light.

ALL DIMENSIONS ARE APPROXIMATE

GROSS FRONTAGE	15'7	
NET FRONTAGE	12'7	
GROUND FLOOR	520 SQ.FT	(48 SQ.M)
BASEMENT	430 SQ.FT	(40 SQ.M)
<hr/>		
TOTAL:	950 SQ.FT	(88 SQ.M)

AMENITIES:

- * BURGLAR ALARM
- * TRACK SPOTLIGHTING
- * TELEPHONE SYSTEM
- * CARPETED
- * WC FACILITIES
- * SECURITY GRILLES
- * STORAGE HEATING

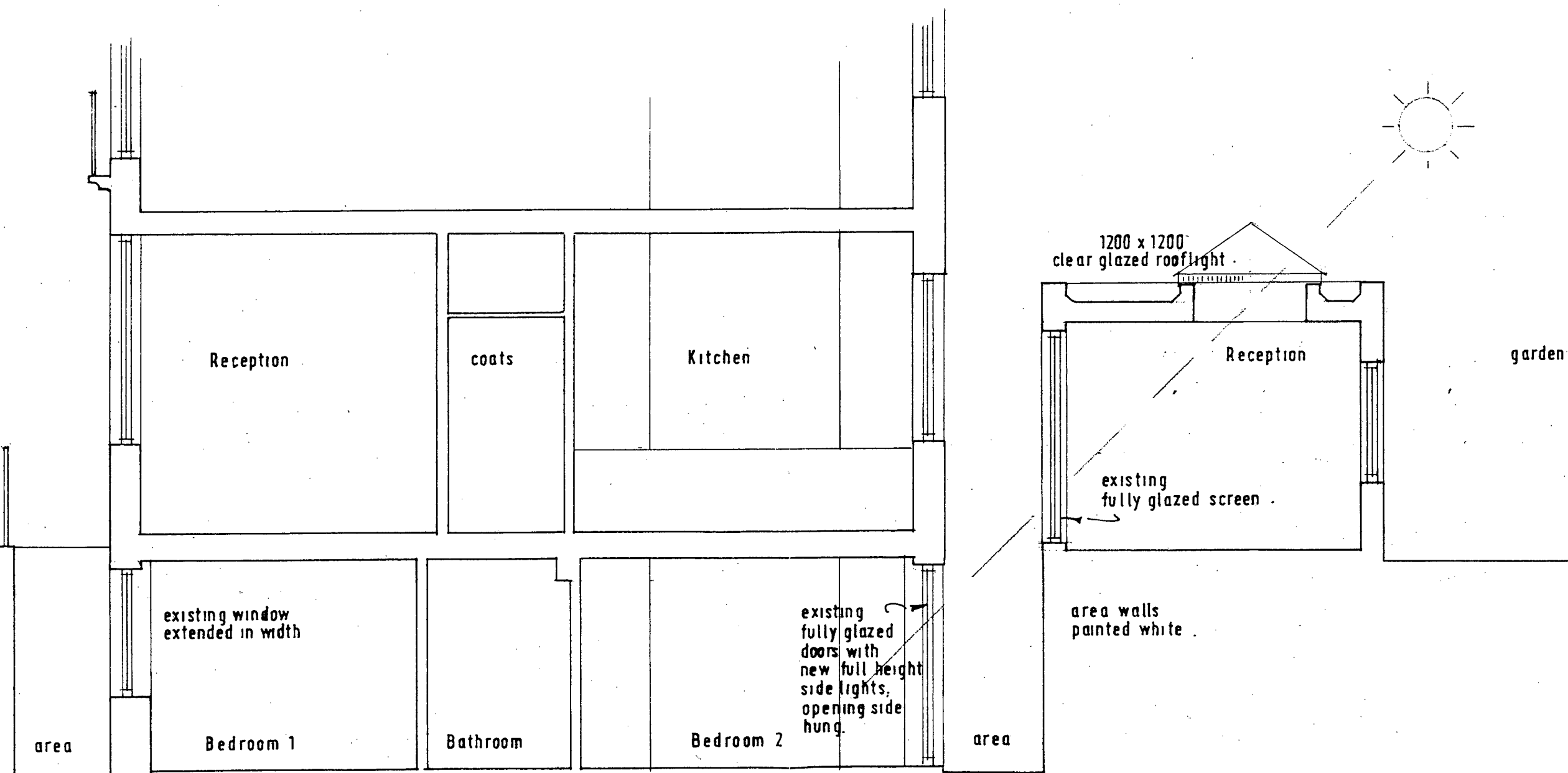
TERMS:

RENT: £13,500 per annum exclusive.

LEASE: A New Full Repairing and Insuring Lease to be granted for at term of years to be agreed.

VIEWING: Strictly by appointment through SOLE Agents as above.

SUBJECT TO CONTRACT



HEBER-PERCY & PARKER ARCHITECTS
GRESHAM HOUSE, 24 HOLBORN VIADUCT
LONDON EC1A 2BN
Tel: 0171 248 5757 Fax: 0171 248 5858

job 11 MURRAY STREET NW 1
SECTION - PROPOSED

date	6.99	drawn	scale	1:50
			number	rev
			886-03	

5th October 1999

The Planning Inspectorate
Room 1015
Tollgate House
Houlton
Bristol BS2 9DJ

Your Ref: APP/X5210/A/99/1027179

Dear Mr Hawkins

11 Murray Street, London NW1

Our architects, Heber-Percy & Parker, have passed to me a copy of the letter dated 17th September 1999 from David and Victoria Mercer (architects).

I understand that their letter may not be admissible in the enquiry in any event but believe it to be appropriate to correct their misleading statements.

They did not try hard enough to purchase the ground floor and basement of the property when it was for sale earlier this year. They offered a great deal less than we were asking and refused to raise their offer price. When we received planning refusal, we did not immediately withdraw the property from the market and asked our agents to invite the Mercers to improve their offer. They did not do so, presumably on the basis that they were hoping we would be distressed sellers.

I note too that they claim to have been waiting for a property to become vacant in Murray Street for the last 10 years. Several properties have become vacant during that time and have subsequently sold. If they were truly interested in moving into Murray Street, then they should have made suitable offers as the various premises became available.

It seems to me that they are less anxious that "a real and genuine mix of use is retained in this street" rather than that they can reduce the potential value of our property in the hope that they can buy it on the cheap.

Their comments regarding "poor quality, over-parked and unaffordable housing" is quite simply distasteful and absurd.

Our ground floor and basement property is still empty. There is absolutely no demand for retail use in this location and such use (apart from one or two very specific uses

including off-licence already represented immediately adjacent to our property) would almost certainly be unviable. Demand for offices is also low, for which reason the property is still unlet, despite it having been on the market for a number of months.

Demand for housing in the area is extremely strong and you will be aware that all of the properties to our western side, including the next door property, are already in residential use.

Despite the Mercers' clearly selfish intervention, we would still sell the property to them if they made an appropriate offer and have so re-instructed our estate agent

Yours faithfully

Richard J Preece

RJP/CM/PlanInsp

David & Victoria Mercer
ARCHITECTS

24 Marquis Road . London NW1 9UB
Telephone 0171 284 4277 . Facsimile 0171 916 5972
Email : dvmarch@globalnet.co.uk

BY FAX AND POST
Development Control
Planning Services
London Borough of Camden
Town Hall
Argyle Street
London WC1H 8ND
For the attention of Alice Lester

17 September 1999

Dear Ms.Lester

11 Murray Street, London NW1
Appeal

I am writing to you because I am advised by the estate agent of the owner of this property that an Appeal has been made against the decision to refuse change of use to residential for the ground and basement floors of this property.

We tried very hard to purchase this property when it was for sale during the time of the above application earlier this year and throughout the time the owner advised his agent that he was confident that he would achieve his residential consent and would consider offers after he had his residential consent. We did not want to convert the property but to use it for our architectural practice. As soon as the Planning Refusal was known to the building's owner he withdrew the property from the market and the agent advised us that he will not sell or lease the property until he has his residential consent.

We are not a party to the appeal process but are writing because we have been waiting for the past ten years for a property to become vacant for our business in the parade of premises on Murray Street. We are wholly supportive of the Council's policy and judgment in this matter. We are really anxious that a real and genuine mix of use is retained in this street, and that a sterile facade concealing poor quality, over-parked and unaffordable housing does not prevail.

Yours sincerely

Victoria Mercer

APPENDIX 5

Statement regarding Use of 11 Murray Street Ground Floor and Basement

I am Dr Richard John Preece, a Trustee of the Holly Lodge Pension Scheme and managing director of the company Superdeal plc (formerly Cordon Bleu Manufacturing plc), which occupied the premises as offices following our purchase of the property in February 1988. I was first introduced to the property during the latter half of 1987 when it was occupied as offices by Lee-Fax who were engaged in the compilation and distribution of personal organisers. The Pension Fund negotiated to purchase the property from Lee-Fax, which purchase was completed on 24th February 1988.

I can categorically state that the ground floor and basement at 11 Murray Street has been used as offices since (and before) our purchase of the premises in 1988 until they became vacant on 31st May 1999. I further categorically state that the premises have not been used for retail purposes since I first saw them in 1987.

I have been advised by our estate agents and by members of the Council's Planning Department that we would be able to obtain lawful office use simply by completing a Certificate of Lawfulness for Existing Use and swearing an affidavit. In fact we did not do so before making our application for Change of Use of the ground floor and basement to residential quite simply because Joe Henry at the Council informed our agents, Heber-Percy & Parker, that it would be better to apply for Change of Use from retail rather than office.

Signed: R J Preece

APPENDIX 6

Statement on Parking in Murray Street

I am Dr Richard John Preece, trustee of the Holly Lodge Pension Scheme and managing director of Superdeal plc (formerly Cordon Bleu Manufacturing plc), which company occupied 11 Murray Street as offices following the purchase of the property by the pension scheme in February 1988. Including myself, there were eight of us working in the offices for Superdeal plc. My secretary lived locally and travelled to work on foot. The other seven, including myself, all came by car, independent of each other. All of us were able to find spaces to park.

It was often my practice to work long hours into the evening and work at the weekends. In consequence of my personal experience, I was well able to note the parking patterns in Murray Street. Providing that I arrived in the morning by 8.00am, I was almost certain to be able to park right outside the premises and at the worst within a hundred yard radius. Similarly at the weekends or in the evenings there was no significant parking pressure.

Soon after 8.00am on weekdays the parking spaces would rapidly fill up, the spaces being taken both by people working in the immediate area and by those who parked their car and walked off to the underground station in Camden Town.

During the working day, there was often double-parking along the length of the no. 1-15 Murray Street parade. This was particularly associated with tradesmen, the garage on the corner of Murray Mews and the wine shop. The double parking was business rather than residential related. The street cries out for a residential/pay and display scheme which would solve parking abuse by non-residents.

My understanding of parking patterns in Murray Street is from long personal experience. Because I am so well acquainted with parking patterns in Murray Street, I had no need to commission a survey about matters which I was personally able to observe on a daily basis.

Signed: R J Preece

APPENDIX 7

Statement regarding actions and comments ascribed to me in Heber-Percy's submission.

I am Dr Richard John Preece, trustee of the Holly Lodge Pension Scheme and managing director of Superdeal plc (formerly Cordon Bleu Manufacturing plc), which company occupied 11 Murray Street as offices following the purchase of the property by the pension scheme in February 1988.

I now confirm that all of the actions and comments ascribed to me in Heber-Percy's response to the Council's arguments are true and correct and as reported by me to Heber-Percy.

I refer in particular to references to my actions, reporting and comments under the sections:

"History" - my visit to Camden Council Planning Department, and

5.3 - Parking,

both of which are true and correct.

Signed: R J Preece

~~For~~ For Donna as Requested

11 Murray Street Land use survey 7 September 1999

The area is predominantly residential, but the appeal site is within a small shopping parade. Opposite is the Irish Centre and a car repair yard.

The uses in the parade from observation are as follows:

25 (corner)	Public House
1 and 1a offices.	shopfronts with obscured glass, could be in use as
2	cafe
3	camden restoration (appears vacant)
4	video shop
5	shop
6	laundrette
7	shop
8	cafe
9	office
10	off licence
11	vacant
12 - 15	residential block

The properties all appear to have residential accommodation above.

Donna Hipkins 8/9/99

Date: 17TH August 1999

Case Officer: ALICE L

APPEALS STATEMENT DUE

YOUR APPEAL STATEMENT FOR

11 MURRAY STREET

IS DUE ON

9th SEPTEMBER 1999

If you are unable to meet this deadline please let me know ASAP.

Thank you

Maggie

* file ordered



The Planning Inspectorate

Room 1015
Tollgate House
Houlton Street
Bristol BS2 9DJ

Direct Line 0117-9878653
Switchboard 0117-9878000
Fax No 0117-9878624
GTN 1374-8653

Ms M Tetsola
London Borough Of Camden
N/k
Head Of Planning, Transport &
Health Services
Town Hall
Argyle Street Entrance
Euston Road
London
WC1H 8EQ

Your Ref:

Our Ref:
APP/X5210/A/99/1027179

12 August 1999

Dear Madam

**TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY HOLLY LODGE PENSION SCHEME
SITE AT 11 MURRAY STREET, NW1**

I have received an appeal form and accompanying documents for this site. I am the case officer. I am checking the papers and if I need further information, or if for legal reasons the appeal is not acceptable, I will write again.

The appellant has chosen the written procedure. The date of this letter is the starting date for the appeal. Unless you tell me otherwise, I will assume that you do not wish to exercise your right to be heard.

As you know, if you agree to the written procedure, you are required to:

♦ **Within 5 working days** - notify interested persons who were required to be consulted on the original planning application, and all those who made representations at application stage, that an appeal has been made. You should tell interested persons that any comments they have on the appeal should be made in writing and sent directly to me within the next 28 days. **Please also tell them that if they wish to receive a copy of the appeal decision letter, they must write to me asking for one.**

♦ **Within the next 14 days** - send the appellant and me, a completed appeal questionnaire together with all the necessary enclosures.

♦ **Within the next 28 days** - send the appellant and me, any further statement you wish to make, if the questionnaire and supporting documents do not comprise your case. Please keep the statement concise as recommended in Appendix 1 of DOE circular 15/96.

We will arrange for our inspector to visit the appeal site and will send you details.

You should keep to the timetable set out above. Inspectors will not accept representations at the site visit, nor will they wait for representations. Having drawn your attention to the timetable, I will not send reminders to you or the appellant.

Please send any further correspondence to me, giving the full appeal reference number. If you have any questions, please contact me.

Yours faithfully

Mrs G Briggs
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SITE VISIT DATES

We have improved the time taken to fix the date for a site visit. Most visits are now arranged within 8 to 12 weeks from the start of the appeal. Ministers are anxious that appeal decisions are issued quickly. You must comply with the timetable in the accompanying letter, and ensure your representations are with us on time. If the representations are late, the Inspector may proceed to issue a decision without considering them.

SECTION 106 AGREEMENTS

If you intend to rely on an obligation made under Section 106, we must receive a completed, signed and dated copy before the date of the site visit. We will

not delay the issue of the decision letter to wait for the completion of a Section 106 obligation.