



The Planning Inspectorate

For official use only
Date Received

PLANNING APPEAL FORM

If you need this document in large print, in audio format or in Braille, please contact our helpline on 0303 444 5000. To help you fill in this form correctly please refer to the enclosed guidance leaflet "How to complete your planning appeal form".

WARNING: The appeal and essential supporting documents must reach the Inspectorate within the appeal period. If your appeal and essential supporting documents are not received in time we will not accept the appeal.

PLEASE PRINT CLEARLY IN CAPITALS USING **BLACK** INK

A. APPELLANT DETAILS

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

Name Landon Kulick
Company/Group name (if applicable) —
Address 2 Nottingham St London
Postcode W11 0 5EF
Daytime phone [REDACTED] Fax —
I prefer to be contacted by Post ☐ Email* ☒
*Email address [REDACTED]

B. AGENT DETAILS (IF ANY) FOR THE APPEAL

See section B of the guidance leaflet.

Name David Joyner
Company/Group name (if applicable) David R Joyner Ltd
Address 24 ROSEHILL CLOSE HODDESDON
HERTS
Postcode EN11 8NH
Your reference —
Daytime phone 01992 469372 Fax —
I prefer to be contacted by Post ☐ Email* ☒
*Email address davidapdesign@ntlworld.com

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

See section C of the guidance leaflet.

Name of the LPA **LB OF CAMDEN**

LPA's application reference number **2015 / 1380 / P**

Date of the application **27 02 2015**

Did the LPA validate and register your application? Yes ☒ No

Date of the LPA's decision notice **30 06 2015**

D. APPEAL SITE ADDRESS

See section D of the guidance leaflet.

Address **5 HEMSTAL RD LONDON**

Postcode **NW6 2AB**

Note: Failure to provide the full postcode may delay the processing of your appeal

Please answer the questions below:

- 1 Is the appeal site within a Green Belt? Yes No ☒
- 2 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? If yes, please describe them on a separate sheet. Yes No ☒

E. DESCRIPTION OF THE DEVELOPMENT

See section E of the guidance leaflet.

Has the description of the development changed from that on the application form? Yes No ☒

Area of the whole appeal site (i.e. the boundary) in hectares **0.0364**

Area of floor space of proposed development in square metres **21.00**

Does the proposal include demolition of non - listed buildings within a conservation area? Yes No ☒

F. REASON FOR THE APPEAL

See section F of the guidance leaflet.

- The reason for this appeal is that the LPA has (please tick which applies):
- | | |
|--|---------------------------------------|
| 1 Refused planning permission for the development described in Section E. | 1 <input checked="" type="checkbox"/> |
| 2 Refused permission to vary a condition(s) | 2 |
| 3 Refused prior approval of permitted development rights | 3 |
| 4 Granted planning permission for the development subject to conditions to which you object | 4 |
| 5 Refused approval of the matters reserved under an outline planning permission | 5 |
| 6 Granted approval of the matters reserved under an outline planning permission subject to conditions to which you object | 6 |
| 7 Refused to approve any matter required by a condition on a previous planning permission (other than those above) | 7 |
| 8 Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval | 8 |
| 9. Failed to give notice of its decision within the appropriate period because of a dispute over provision of local list documentation | 9 |

G. CHOICE OF PROCEDURE

It is important that you read carefully section G or the guidance leaflet before you complete this section.

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

W ☒

This is normally the simplest, quickest and most straightforward way of making an appeal. The written procedure is suited to the vast majority of appeals. You should refer to the criteria within the guidance leaflet to help you select the appropriate option.

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

Yes ☒ No

THE ASPECT FROM THE REAR OF THE APPEAL SITE IS AN ESSENTIAL PART OF THE CASE

2 THE HEARING PROCEDURE

H ☒

This procedure is likely to be suited to more complicated cases which require detailed discussion about the merits of a proposal. Although you may indicate a preference for a hearing, the Inspectorate must also consider that your appeal is suitable for this 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 on a separate sheet 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 yes please explain below.

Yes No

3 THE INQUIRY PROCEDURE

I ☒

This is the most formal of the procedures. Although you may indicate a preference for an inquiry the Inspectorate must also consider that your appeal is suitable for this procedure. You are required to provide information concerning the number of witnesses and the length of time they need to give their evidence. 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 on a separate sheet why you think an inquiry is necessary.

- ▲ a) How many witnesses do you intend to call?

No. of witnesses

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

- c) 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.)

G. CHOICE OF PROCEDURE (continued)

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 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.

Yes No

H. FULL STATEMENT OF CASE

See section H of the guidance leaflet to help you decide what to include in your full statement of case.

There is no further opportunity to add to your statement of case at a later stage.

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

Yes No

☒

Have you made a costs application with this appeal?

Yes No

☒

FULL STATEMENT OF CASE RELATING TO APPEAL APPLICATION AT
5 HEMSTAL RD LONDON NW6 2AB

(Application No.2015/1380/P)

Background to planning application

5 Hemstal Rd was originally a single family dwelling but was divided into self contained flats some years ago. The applicant, Mr Landon Kulick lives at flat No.4.

This flat is a long narrow unit & could be improved upon with imaginative extending & relocation of the various rooms. To the rear of this flat is a flat roof formed on top of a previous ground floor rear extension.

This appeal application relates to L.P.A. 2015/1380/P although a previous planning application was withdrawn.

Appeal Statement

Studying the L.P.A. reference document CS14 it is apparent that the issues stipulated in this document have been incorporated in the proposed rear extension. The existing single storey flat roofed rear extension does not improve the overall rear elevation of the property & is out of keeping with the overall visual impact when viewed from the other properties in Dynham Rd. Some of the existing back additions to the properties in Dynham Rd have flat roofs commencing at a level close to the main eaves line. This feature would appear to set a precedent for houses facing the rear of No.5 Hemstal Rd.

Studying the L.P.A. reference document DP24 it is apparent that the issues relating to appropriate good design, scale of extensions, matching of external materials, composition of elevations & suitability of proposed design to its intended use have all been considered & included in the proposed scheme. The provision of appropriate amenity space & overlooking issues would not be affected with the construction of the proposed extension.

The existing line of windows in flat No.4 move a mere 2100mm closer to properties in Dynham Rd & the rear garden at 5 Hemstal Rd but this is a minimal amount & could not be considered as having undue affect on amenity space & overlooking and indeed any neighbours loss of privacy.

Conclusion:-

It is considered that the proposed rear extension to 5 Hemstal Rd will not appreciably affect the views offered to the residents in the surrounding properties & will have little affect on the overall surroundings, bearing in mind the mixed property styles in the area.

My client would be happy to incorporate an acceptable degree of obscure glazing as a condition of approval should the Inspector be mindful to uphold this appeal.

L.P.S. policies CS14 & DP24 have generally been satisfied & for all the above stated reasons I respectfully request that this appeal is upheld.

To be read in conjunction with the D & A statement (issue 2) which was submitted with the planning application (2015/1/1380/P).

I. (part one) APPEAL SITE OWNERSHIP DETAILS

This must be completed for all appeals.
See section I of the guidance leaflet.

We need to know who owns the appeal site. If you do not own the appeal site or if you own only a part of it, we need to know the name(s) of the owner(s) or part owner(s) and be sure that you have told them that you have made an appeal.

You must tick below which of the "certificates" applies.

Please tick **ONE** box only ✓

If you are the **sole** owner of the **whole** appeal site, certificate A will apply:

CERTIFICATE A

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 land to which the appeal relates:

OR

CERTIFICATE B

B ✓

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner of any part of the land to which the appeal relates, as listed below:

Owner's name

Address at which the notice was served

Date the notice was served (this must be within the last 21 days)

SEE ATTACHED SHEET FOR DETAILS OF CERT B

08 09 2015

OR

C/D

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 leaflet and attach it to the appeal form.

I. (part two) AGRICULTURAL HOLDINGS CERTIFICATE

This must be completed for all appeals.
See section I of the guidance leaflet.

CERTIFICATE OF OWNERSHIP - CERTIFICATE B

Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12
I certify/ The applicant certifies that I have/ the applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner* and/or agricultural tenant** of any part of the land or building to which this application relates.

* "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.

** "agricultural tenant" has the meaning given in section 65(8) of the Town and Country Planning Act 1990

Name of Owner / Agricultural Tenant	Address	Date Notice Served
MR S BURR (FLAT 1)	L.B. OF CAMDEN BIDBOROUGH HOUSE 38-50 " ST WC1 H9DB	8/9/15
MR A BOYCE (FLAT 2)	HEMSTAL RD NW6 2AB	u
MR S BURR (FLAT 3)	L.B. OF CAMDEN BIDBOROUGH HOUSE 38-50 " ST WC1 H9DB	u
MS K.L. THIRKETT (FLAT 5)	c/o 3 TRUMAN DRIVE ST LEONARDS ON SEA E.SSEX TN37 7T	u
MS D.A. USKIN (FLAT 6)	c/o 33 MANOR HOUSE NW6 7DE	8/9/15

Signed - Applicant:

Ors

8/9/15 =

J. ESSENTIAL SUPPORTING DOCUMENTS

See section J of the guidance leaflet.

If we do not receive ALL your appeal documents by the end of the appeal period we will not accept your appeal.

You **must** send the documents listed 1-6 below with your appeal form. Please tick the boxes to show which documents you are enclosing.

- | | | | |
|---|---|---|---|
| 1 | A copy of the planning application sent to the LPA. | 1 | ✓ |
| 2 | A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (this is usually part of the LPA's planning application form). | 2 | ✓ |
| 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. | 3 | ✓ |
| 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 two named roads 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. | 4 | ✓ |
| 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. | 5 | ✓ |

DRG 5294 1351 @ 5295 1354

- | | | | |
|---|---|---|--|
| 6 | 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). Please number them clearly and list the numbers here or on a separate sheet. | 6 | |
|---|---|---|--|

You **must** send copies of the following, if appropriate:

- | | | | |
|---|--|---|---|
| 7 | A copy of the design and access statement sent to the LPA (if required). | 7 | ✓ |
| 8 | A copy of a draft statement of common ground if you have indicated the appeal should follow the hearing or inquiry procedure. | 8 | |
| 9 | Additional plans, drawings or documents relating to the application but not previously seen by the LPA . Acceptance of these will be at the Inspector's discretion. | 9 | |

Please number them clearly and list the numbers here or on a separate sheet:

- | | | | |
|----|--|-------------------|--|
| 10 | Any relevant correspondence with the LPA. Including any supporting information submitted with your application in accordance with the list of local requirements. | 10 | |
| 11 | If the appeal is against the LPA's refusal or failure to approve the matters reserved under an outline permission , please enclose:
a) the relevant outline application;
b) all plans sent at outline application stage;
c) the original outline planning permission. | 11a
11b
11c | |
| 12 | 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. | 12 | |
| 13 | A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA). | 13 | |
| 14 | If the appeal is against the LPA's refusal or failure to decide an application because of a dispute over the local list documentation, a copy of the letter sent to the LPA which explained why the document was not necessary and asked the LPA to waive the requirement that it be provided with the application | 14 | |

K. OTHER APPEALS

See section K of the guidance leaflet.

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.

L. CHECK SIGN AND DATE

See section L of the guidance leaflet.

Please tick the boxes to confirm that the following actions have been carried out

1 I have completed all sections of the form and the details of the ownership (sections I one and two) are correct to the best of my knowledge. ✓

2 I have enclosed **all** the essential supporting documents listed in section J. ✓

3 I have sent a copy of this appeal form and relevant documents to the LPA (if you do not we will not normally accept your appeal). ✓

4 I have signed  signed forms will be returned to you). ✓

Signature Date 8/9/15

Name (in capitals) J. R. Joyner On behalf of (if applicable) LANDON RULICK



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.

M. NOW SEND

Remember, it is your responsibility to make sure that we RECEIVE your appeal form and ALL supporting documents within the time limit. See section M of the guidance leaflet

Send THIS form (not a photocopy of it) to us at:

Initial Appeals
PO Box 3035
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 9FG

Helpline: 0303 444 5000

Send a 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. If you do not send them a copy of this form and documents, we may not accept your appeal.

You may wish to keep a copy of the completed 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 it and what happens next.