

For official use only (date received): 19/03/2016 18:27:24

## The Planning Inspectorate

### LISTED BUILDING CONSENT APPEAL FORM (Online Version)

**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.

**Appeal Reference: APP/X5210/Y/16/3146875**

#### A. APPELLANT DETAILS

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

Name	Mr Keith Fawkes
Address	Keith Fawkes Bookshop 1-3 Flask Walk LONDON NW3 1HJ
Phone number	[REDACTED]
Preferred contact method	Email <input checked="" type="checkbox"/> Post <input type="checkbox"/>

#### B. AGENT DETAILS

Do you have an Agent acting on your behalf?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Name	Mr Ian Trehearne
Address	20 New End Square London NW3 1LN
Phone number	0207 794 5250
Email	iantrehearne@easynet.co.uk
Preferred contact method	Email <input checked="" type="checkbox"/> Post <input type="checkbox"/>

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

Name of the Local Planning Authority	London Borough of Camden
LPA reference number	2016/0502/L
Date of the application	01/02/2016
Did the LPA validate and register your application?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Did the LPA issue a decision?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

Date of LPA's decision

#### D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address? Yes  No

Address

Keith Fawkes Bookshop  
1-3 Flask Walk  
LONDON  
NW3 1HJ

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

Please describe the health and safety issues

The main part of the site is only visible externally from the roof at threar or from upper floors of nearby properties

#### E. DESCRIPTION OF THE DEVELOPMENT

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

Please enter details of the proposed development. This should normally be taken from the planning application form.

Erection of rear roof extension (retention) at no 3 Flask Walk

Area (in hectares) of the whole appeal site [e.g. 1234.56]

Area of floor space of proposed development (in square metres)

#### F. BUILDING INFORMATION

Please indicate the grade of the building

Grade I

Grade II\*

Grade II

Has a grant been made under section 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953? Yes  No

#### G. REASON FOR THE APPEAL

The reason for the appeal is that the LPA has:

1. Refused listed building consent.

2. Granted listed building consent for the development subject to conditions to which you object.

3. Refused to vary a condition(s) in a previous grant of listed building consent.

4. Refused to remove a condition(s) in a previous grant of listed building consent.

5. Failed to give notice of its decision within the appropriate period (usually 8 weeks) of an application for permission or approval.

#### H. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations

(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

Please explain.

The extension is barely visible from the street although the ridge has been raised. It is only visible either from the roof or from neighbouring property

2. Hearing

3. Inquiry

#### I. FULL STATEMENT OF CASE

The full statement of case is set out in

the box below

the need for the alteration came from a major problem of water penetration into the building. A new roof was erected over the existing balcony at the rear of the building using traditional materials and methods. There is a high parapet at the rear on the party wall of the adjacent commercial building in Hampstead High Street and the roof was taken to a level to oversail this which involved raising the ridge a little to ensure the necessary slope.

There are both listed building and planning enforcement notices outstanding and a planning enforcement notice appeal extant (ref APP/X5210/C/15/3141041) This appeal has been lodged following an application for listed building consent to retain the works and it would be right to have it dealt with by the same inspector. The case officer at PINS is Craig Maxwell

(a) Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? Yes  No

(b) Have you made a costs application with this appeal? Yes  No

#### J. SITE OWNERSHIP CERTIFICATES

Which certificate applies?

CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner (see 'How To' guidance for a definition) of any part of the building to which the appeal relates;

CERTIFICATE 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 (see 'How To' guidance for a definition) of any part of the building to which the appeal relates, as listed below:

CERTIFICATE C and D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D and attach it below.

#### K. SUPPORTING DOCUMENTS

01. A copy of the application form 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 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.
05. (a) 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.
05. (b) A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.
06. (a) 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).
06. (b) 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.
08. A copy of a draft statement of common ground if you have indicated the appeal should follow the hearing or inquiry procedure.
09. (a) 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.
09. (b) A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA.
10. 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.
11. Any relevant correspondence with the LPA.

#### L. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided? Yes  No

Please give details, including our reference number(s), if known.

APP/X5210/C/15/3141041 relates to a planning enforcement notice appeal

#### M. CHECK SIGN AND DATE

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

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

I confirm that I will send a copy of this appeal form and supporting documents (including the full statement of case) to the LPA today.

**Signature**

Mr Ian Trehearne

**Date**

19/03/2016 18:27:59

**Name**

Mr Ian Trehearne

**On behalf of**

Mr Keith Fawkes

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 on our website under Privacy Statement.

#### **N. NOW SEND**

##### **Send a copy to the LPA**

Send a copy of the completed appeal form and any supporting documents (including the full statement of case) not previously sent as part of the application to the LPA. If you do not send them a copy of this form and documents, we may not accept your appeal.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:  
<https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council>
- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

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.

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

## 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 3035, 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.

### The documents listed below are to follow by post:

- Relates to Section:** SUPPORTING DOCUMENTS  
**Document Description:** 01. A copy of the original application form sent to the LPA.
- Relates to Section:** SUPPORTING DOCUMENTS  
**Document Description:** 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).
- Relates to Section:** SUPPORTING DOCUMENTS  
**Document Description:** 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, a copy of the LPA's letter in which they acknowledged the application.
- Relates to Section:** SUPPORTING DOCUMENTS  
**Document Description:** 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 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.
- Relates to Section:** SUPPORTING DOCUMENTS  
**Document Description:** 05.a. 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.
- Relates to Section:** SUPPORTING DOCUMENTS  
**Document Description:** 05.b. A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.<br/>
- Relates to Section:** SUPPORTING DOCUMENTS  
**Document Description:** 07. A copy of the design and access statement sent to the LPA. (Note: this does not apply to applications for conservation area consent).

PLEASE ENSURE THAT A COPY OF THIS SHEET IS ENCLOSED WHEN POSTING THE ABOVE DOCUMENTS TO US

**Completed by**

MR IAN TREHEARNE

**Date**

19/03/2016 18:27:59