

For official use only (date received): 05/12/2016 15:08:45

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/16/3164620

A. APPELLANT DETAILS

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

Name Mr David Horbury

Address 38 Arlington Road
Camden
NW1 7HU

Email

Preferred contact method

Email ☒ Post ☐

B. AGENT DETAILS

Do you have an Agent acting on your behalf?

Yes ☒ No ☐

Name Mr Brian O'Reilly

Company/Group Name Brian O'Reilly Architects

Address The Studio
31 Oval Road
LONDON
NW1 7EA

Phone number 02072671184

Email brian@brianoreillyarchitects.com

Your reference 38 Arlington Road

Preferred contact method

Email ☒ Post ☐

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority London Borough of Camden

LPA reference number 2016/3389/p

Date of the application	15/06/2016
Did the LPA validate and register your application?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Did the LPA issue a decision?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Date of LPA's decision	14/11/2016

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Address	38 Arlington Road Camden NW1 7HU
Is the appeal site within a Green Belt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
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 <input checked="" type="checkbox"/> No <input type="checkbox"/>
Please describe the health and safety issues	
Ongoing construction works at 40 Arlington Road	

E. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Please enter details of the proposed development. This should normally be taken from the planning application form.	
Mansard roof extension to create additional floor.	
Area (in hectares) of the whole appeal site [e.g. 1234.56]	0.01 hectare(s)
Area of floor space of proposed development (in square metres)	31 sq metre(s)

F. BUILDING INFORMATION

Please indicate the grade of the building	
Grade I	<input type="checkbox"/>
Grade II*	<input type="checkbox"/>
Grade II	<input checked="" type="checkbox"/>
Has a grant been made under section 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

G. REASON FOR THE APPEAL

The reason for the appeal is that the LPA has:

1. Refused listed building consent.	<input checked="" type="checkbox"/>
2. Granted listed building consent for the development subject to conditions to which you object.	<input type="checkbox"/>

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.

Access to the rear garden enables assessment of factors not visible from Public land. Access to interior enables understanding of daylight issues and roof fabric.

2. Hearing ☐

3. Inquiry ☐

I. FULL STATEMENT OF CASE

The full statement of case is set out in

☐ the box below

☒ [see 'Appeal Documents' section](#)

(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).	<input checked="" type="checkbox"/>
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.	<input checked="" type="checkbox"/>
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.	<input checked="" type="checkbox"/>
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.	<input checked="" type="checkbox"/>
05. (b) A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.	<input checked="" type="checkbox"/>
05.(c) A list of all plans, drawings and documents upon which the LPA made their decision.	<input checked="" type="checkbox"/>
06. (a) Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application.	<input checked="" type="checkbox"/>
06. (b) A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.	<input type="checkbox"/>
07. A copy of the design and access statement sent to the LPA.	<input checked="" type="checkbox"/>
08. A copy of a draft statement of common ground if you have indicated the appeal should follow the hearing or inquiry procedure.	<input type="checkbox"/>
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.	<input type="checkbox"/>
09. (b) A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA.	<input type="checkbox"/>
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.	<input type="checkbox"/>
11. Any relevant correspondence with the LPA.	<input type="checkbox"/>

L. OTHER APPEALS

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

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	<input type="text" value="Mr Brian O'Reilly"/>
Date	<input type="text" value="05/12/2016 15:09:54"/>
Name	<input type="text" value="Mr Brian O'Reilly"/>

On behalf of

Mr David Horbury

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 were uploaded with this form:

Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A copy of the full statement of case.
File name:	161205 - 38 Arlington Road - Appeal Statement.pdf
Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A separate list of appendices to accompany your full statement of case
File name:	David Horbury Letter.pdf
File name:	Alan Chandler .pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	01. A copy of the original application form sent to the LPA.
File name:	Application Form (No Personal Data).PDF
File name:	Application Form- For further details please refer to 20163389P.PDF
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).
File name:	38 Arlington Road - Land Registry Documents.pdf
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.
File name:	FDN_Arlington38LBC.pdf
File name:	FDN_Arlington38PP.pdf
File name:	Refusal_Arlington.pdf
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.
File name:	160614 - 421 - 38AR - site and location.pdf
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.
File name:	160615 - 421 - 38AR - Existing.pdf
File name:	160615 - 421 - 38AR - Proposed.pdf
Relates to Section:	SUPPORTING DOCUMENTS

Document Description: 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).
File name: 160727 - 421 - 38AR - roof survey.pdf
File name: 160727 - 421 - 38AR - proposed roof retained.pdf
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).
File name: 160616 - 421 - 38AR - DnH statement.pdf

The documents listed below were already attached elsewhere with this form:

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.
File name: LPA Application Form
Relates to Section: SUPPORTING DOCUMENTS
Document Description: A list of all plans, drawings and documents upon which the LPA made their decision
File name: Application Form- refer to 20163389P.PDF

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

Completed by MR BRIAN O'REILLY

Date 05/12/2016 15:09:54