

The Planning Inspectorate

PLANNING 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/W/16/3162987

A. APPELLANT DETAILS

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

Name

Mr and Mrs Candy

Address

c/o Agent
London
W1J 8BA

Preferred contact method

Email Post

B. AGENT DETAILS

Do you have an Agent acting on your behalf?

Yes No

Name

Mr Anthony Brogan

Company/Group Name

Montagu Evans LLP

Address

5
Bolton Street
London
London
W1J 8BA

Phone number

02078668629

Email

anthony.brogan@montagu-evans.co.uk

Your reference

PD9635 - Chester Gate Garden

Preferred contact method

Email Post

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority

London Borough of Camden

LPA reference number

2016/1479/P

Date of the application

16/03/2016

Did the LPA validate and register your application? Yes No

Did the LPA issue a decision? Yes No

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

Does the appeal relate to an existing property? Yes No

Address

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. DESCRIPTION OF THE DEVELOPMENT

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

If YES, please state below the revised wording

Please attach a copy of the LPA's agreement to the change.

[see 'Appeal Documents' section](#)

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

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

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

F. REASON FOR THE APPEAL

The reason for the appeal is that the LPA has:

1. Refused planning permission.
2. Refused permission to vary a condition(s).
3. Refused prior approval of permitted development rights.
4. Granted planning permission for the development subject to conditions to which you object.
5. Refused approval of the matters reserved under an outline planning permission.
6. Granted approval of the matters reserved under an outline planning permission subject to conditions to which you object.
7. Refused to approve any matter required by a condition on a previous planning permission (other than those specified above).
8. Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an

application for permission or approval.

9. Failed to give notice of its decision within the appropriate period because of a dispute over provision of local list documentation.

G. CHOICE OF PROCEDURE

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

1. Written Representations

2. Hearing

You must give detailed reasons below or in a separate document why you think a hearing is necessary. The reasons are set out in

see 'Appeal Documents' section

3. Inquiry

H. FULL STATEMENT OF CASE

The full statement of case is set out in

see 'Appeal Documents' section

Do you have a separate list of appendices to accompany your full statement of case? Yes No

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

I. (part one) 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 of any part of the land 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 of any part of the land to which the appeal relates, as listed below:

Owner's Name: The Crown Estate
Address at which notice was served: 16 New Burlington Place, London, W1S 2HX
Date the notice was served: 11/11/2016

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.

I. (part two) AGRICULTURAL HOLDINGS

We need to know whether the appeal site forms part of an agricultural holding.

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding.

(b)(i) The appeal site is, or is part of, an agricultural holding, and the appellant is the sole

agricultural tenant.

(b)(ii) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below.

J. SUPPORTING DOCUMENTS

01. A copy of the original application form sent to the LPA.
02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (these are 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.
- 05.(c) A list of all plans, drawings and documents upon which the LPA made their decision.
06. (a) Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application.
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 (if required).
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. Any relevant correspondence with the LPA. Including any supporting information submitted with your application in accordance with the list of local requirements.
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.
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.
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).

14. If the appeal is against the LPA's refusal or failure to decide an application because of a dispute over 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.

K. 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.

Appeal submitted for equivalent listed building consent application 2016/1776/L

L. 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 Anthony Brogan

Date

11/11/2016 11:37:36

Name

Mr Anthony Brogan

On behalf of

Mr and Mrs Candy

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.

M. 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.

N. 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:	DESCRIPTION OF DEVELOPMENT
Document Description:	A copy of the LPA's agreement to the change.
File name:	Validation Reciept PP & LBC.pdf
Relates to Section:	CHOICE OF PROCEDURE
Document Description:	Document containing detailed reasons why a hearing is necessary.
File name:	4. Appeal Procedure Statement.pdf
Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A copy of the full statement of case.
File name:	2. Statement of Case.pdf
Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A separate list of appendices to accompany your full statement of case
File name:	Appendix 1 - Site Plan.pdf
File name:	Appendix 2 - Planning Permission Decision Notice.pdf
File name:	Appendix 3 - Listed Buildings Consent Decision Notice.pdf
File name:	Appendix 4 - Master Plan.pdf
File name:	Appendix 5 - Core Strategy Extracts.pdf
File name:	Appendix 6 - Development Policies Extracts.pdf
File name:	Appendix 7 - CAA and Management Strategy.pdf
File name:	Appendix 8 - London Plan Extracts.pdf
File name:	Appendix 9 - CEPC Vision.pdf
File name:	Appendix 10 - NPPF extracts.pdf
File name:	Appendix 11 - Landscape Report.pdf
File name:	Appendix 12 - Heritage Statement.pdf
File name:	Appendix 13 - Committee Report.pdf
File name:	Appendix 14 - Planning Committee Minutes - 8 September 2016.pdf
File name:	Appendix 14(b) - Transcript of webcast.pdf
File name:	Appendix 15 - Lease relating to garden at Chester Gate.pdf
File name:	Appendix 16 - Sources Review.pdf
File name:	Appendix 17(a) - Lease.PDF
File name:	Appendix 17(b) - Lease transcript.pdf
File name:	Appendix 17(c) - Lease surrender.pdf
File name:	Appendix 17(d) - Transcript of Surrender of Lease.pdf
File name:	Appendix 18 - Barnwell Manor v East Northamptonshire DC.PDF
File name:	Appendix 19 - Forge Field v Sevenoaks DC.PDF
File name:	Appendix 20 - Jones v Mordue.pdf
File name:	Appendix 21 - Transport Statement.pdf
File name:	Appendix 22 - DfT Manual for Streets extract.pdf
File name:	Appendix 23(a) - CEPC consultation response.pdf
File name:	Appendix 23(b) - Chester Terrace Residents Association consultation resp....pdf
File name:	Appendix 23(c) - Historic England consultation response.pdf

File name:	Appendix 23(d) - Responses Summary Table.pdf
File name:	Appendix 24 - Heritage Response Letter.pdf
File name:	Appendix 25 - Transport Response.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	01. A copy of the original application sent to the LPA.
File name:	1 - Application Form.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, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.
File name:	PP Decision Notice.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:	622.01 (CD) 001 Planting Plan Schematic.pdf
File name:	622.01 (MP) 001 Chester Gater Master Plan.pdf
File name:	622.01 (PP) 001 Site Plan.pdf
File name:	622.01 (PP) 002 Site Location Plan.pdf
File name:	622.01 (SC) 001 Chester Gate Elevation.pdf
File name:	622.02 (SC) 001 Section A-A .pdf
File name:	622.02 (SC) 002 Elevation B-B.pdf
File name:	622.02 (SC) 003 Elevation A-A.pdf
File name:	622_01 (RP) 006 - Proposed Indicative Parking Layout.pdf
File name:	622_01(RP)007 - Existing view west from Albany Street.pdf
File name:	622_01(RP)008 - Proposed indicative view west from Albany Street.pdf
File name:	2031_TR008 - Large Refuse Vehicle.pdf
File name:	6392-4.901 Existing elevs- Cambridge Terrace Front.pdf
File name:	6392-4.903 Existing elevs- Chester Gate Front.pdf
File name:	1 - Application Form.pdf
File name:	2 - Cover Letter.pdf
File name:	4 - Heritage Statement.pdf
File name:	5 - Landscape Report.pdf
File name:	6 - Transport Statement.pdf
File name:	7 - Statement of Community Involvement.pdf
File name:	8 - CIL Form.pdf
File name:	12 - Transport Response.pdf
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:	12 - Application Drawing Schedule.pdf
File name:	11 - Application Document Schedule.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	07. A copy of the design and access statement sent to the LPA.
File name:	9 - Design and Access Statement.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	08. A copy of a draft statement of common ground.
File name:	3. Draft Statement of Common Ground.pdf

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

Relates to Section:	DESCRIPTION OF DEVELOPMENT
Document Description:	A copy of the LPA's agreement to the change.

File name: Validation Reciept

Relates to Section: SUPPORTING DOCUMENTS

Document Description: 02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (these are usually part of the LPA's planning application form).

File name: Application Form

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: 05. (a) Copies of all plans sent to the LPA

Relates to Section: SUPPORTING DOCUMENTS

Document Description: 05.(c) A list of all plans, drawings and documents upon which the LPA made their decision.

File name: Attachments for 05. (b)

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

Completed by MR ANTHONY BROGAN

Date 11/11/2016 11:37:36