

For official use only (date received): 05/01/2017 15:05:17

## 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/17/3166578**

#### A. APPELLANT DETAILS

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

Name	Mrs Merete de Coninck-Smith
Address	Flat A 22 Harrington Square LONDON NW1 2JJ
Phone number	[REDACTED]
Fax number	[REDACTED]
Email	[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  No

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

Name of the Local Planning Authority	London Borough of Camden
LPA reference number	2016/3803/L
Date of the application	08/07/2016
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	05/12/2016

#### D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address? Yes  No   
Address Flat A 22 Harrington Square

LONDON  
NW1 2JJ

- 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

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

The work was done before we had applied for LBC, as we did not know it was necessary as many of the other lightwell staircases in the building had been changed to the same structure as we did. We did not even know it was a listed building as it is not mentioned in any of the legal papers we have from when we bought the apartment in April 2013.

The lightwell staircase was changed, as the existing staircase was dangerous. It was rusty and with very steep steps.

The refusal of the planning decision was made because of the mesh-design of the railing. This is not a valid reason, as it was the existing staircase which was reinstalled after it was renovated. 4 other lightwells in the building have mesh in their railings as well.

- Area (in hectares) of the whole appeal site [e.g. 1234.56] 00009 hectare(s)
- Area of floor space of proposed development (in square metres) 9 sq metre(s)

#### 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

**2. Hearing**



**3. Inquiry**



**I. FULL STATEMENT OF CASE**

The full statement of case is set out in

the box below

We bought 22 Harrington Square in April 2013 and did not know it was a listed building. As several of the other staircases in the lightwells in the building were changed, and because the staircase was very dangerous and steep and with sharp pieces of rusted iron sticking out, we decided to improve the situation this spring. We tried to copy what was done to many of the other staircases in the building. Furthermore the whole lightwell was renovated so we can keep it clean and hygienic. We changed the stairs, but the railing was only taken off and renovated and installed again.

After it was done, we were contacted by Camden council and an inspector came to site. He gave us the option of apply for permission, even if the work was done. We did that in July.

In the following material, there is a correction to make. After the work was done we had a surveyor to create the drawings, you required, and unfortunately he drew the preexisting drawing without the mesh at the railing. This is incorret, as there has always, in our ownership, been mesh at the railing. As mentioned above we have only renovated the railing, as it was rusty. Please look at the photo from February 2016, before the work was done. In December we recieved letters saying that our application was refused because of the mesh in the railing. This mesh has been there all the time as it is the same railing we have reinstalled.

We have taken photos of three other staircases in lightwells in the building and they have mesh as well.

We attach the photos

We also would like to draw your attention to the time it has taken Camden Council to make a decision. From July to December. After having spoken to the officer, Helaina Farthing, I understand that she has taken over the job from the previous officer Amy Douglas, with whom we had all the discussions. Helaina has not been in contact with us at all before we received the letter of December 5th, and we believe she has not known about the details discussed with Amy.

(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.
- 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.
- 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

**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**

Mrs Merete de Coninck-Smith

**Date**

05/01/2017 15:06:23

**Name**

Mrs Merete de Coninck-Smith

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:

<b>Relates to Section:</b>	FULL STATEMENT OF CASE
<b>Document Description:</b>	A separate list of appendices to accompany your full statement of case
<b>File name:</b>	Harrington Square 24, before renovation 8-2 2016.jpg
<b>File name:</b>	Harrington Square other house December 2016,2.jpg
<b>File name:</b>	Harrington Square other house,December 2016.jpg
<b>File name:</b>	Harrington Square, other house,December 2016 3.jpg
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	01. A copy of the original application form sent to the LPA.
<b>File name:</b>	Application Form (No Personal Data) (1).PDF
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	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).
<b>File name:</b>	application.docx
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	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.
<b>File name:</b>	Site Plan.PDF
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	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.
<b>File name:</b>	Existing Ground Floor (1).PDF
<b>File name:</b>	Existing Lower Ground Floor (1).PDF
<b>File name:</b>	Pre-Existing & Existing Front Elevation.PDF
<b>File name:</b>	Pre-Existing & Existing Rear Elevation.PDF
<b>File name:</b>	Pre-Existing Ground Floor.PDF
<b>File name:</b>	Pre-Existing Lower Ground Floor.PDF

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

<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	05.b. A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.
<b>File name:</b>	see all the plans under 05,a

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

**Completed by**

MRS MERETE DE CONINCK-SMITH

**Date**

05/01/2017 15:06:23