

SITE AT 150 HAVERSTOCK HILL, LONDON NW3 2AY

JUSTIFICATION FOR HEARING REQUEST

The appellant has requested that this appeal should be determined by the Hearing procedure. In making this request the appellant has had regard to the guidance at Annex K in the Procedural Guide to Planning Appeals – England (Published August 2016).

1. The key issues in this appeal concern:
 - the impact of the proposals on the setting of an adjoining listed building,
 - the effect on the character and appearance of the surrounding conservation area and,
 - issues of residential amenity, in particular the assessment of daylight and sunlight at adjoining residential properties.
2. It is apparent from telephone conversations and e-mail exchanges with Officers at the local planning authority that the appellant's heritage adviser has significantly different views to those of the Council's Conservation Officer in respect of the significance that should be attached to heritage assets in this case. The Council has not re-assessed the significance of the appeal building at all in accordance with the latest guidance from Heritage England, nor have they thoroughly considered the merits of the proposal as set out in the Heritage Statement. Thus, it is considered that the planning balance in this case has not been properly carried out and the issue should be thoroughly aired in a Hearing, which will also afford the Inspector the opportunity to ask questions.
3. The Hearing procedure would allow for a much more effective understanding of the significance of the heritage assets and the benefits of the scheme and this will be much more readily explored through the interactive environment of a Hearing where issues and queries can be responded to directly as they arise.
4. With regard to the issue of residential amenity, the appellant's evidence will include daylight and sunlight assessment reports which will need to be discussed in detail and the Inspector will again have the opportunity to ask questions. It will also be necessary to question the Council as to why they disagree with the expert opinion that has been presented. In addition, however, neighbouring residents have previously engaged a Daylight Consultant to present objections to the proposals on their behalf, and if the consultant is similarly instructed at appeal stage, this would represent a further reason to discuss the issue at a Hearing.
5. Whilst the appellant's case will be supported by professional witnesses and it is not considered necessary to engage Counsel, the issues are sufficiently important and

complex that the Inspector would benefit from an open discussion and the opportunity to raise questions and seek clarification. Accordingly the Hearing procedure is appropriate in this case.