

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/16/3164577

A. APPELLANT DETAILS

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

Name	N/A N/A N/A
Company/Group Name	28 Redington Road LLP
Address	c/o Agent London W1G 0JD
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 checked="" type="checkbox"/> No <input type="checkbox"/>
Name	Mr Nigel Dexter
Company/Group Name	Savills
Address	Savills (UK) Ltd 33 Margaret Street LONDON W1G 0JD
Phone number	020 7420 6374
Email	ndexter@savills.com
Your reference	MSPL354840
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	2016/2997/P

Date of the application

27/05/2016

Did the LPA validate and register your application?

Yes No

Did the LPA issue a decision?

Yes No

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

28 Redington Road
LONDON
NW3 7RB

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.

Demolition of the existing property, and redevelopment of the site to provide a four storey (plus basement storey and accommodation within the roof) detached property comprising 8 self contained apartments (1 x 1 bed, 5 x 2 bed, 1 x 3 bed and 1 x 4 bed). The proposals also include hard and soft landscaping and the provision of off street car parking.

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

0.2 hectare(s)

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

1543 sq metre(s)

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

the box below

Without a formal determination of the application, it is difficult to be certain of the reasons for refusal. However, based upon previous correspondence with the LPA's officers during the determination of the application it is expected that the demolition of the existing building would have been the main reason if a decision had been made.

The Appellant and the LPA appear to hold very different views on how the relevant policy, DP25, should be applied when considering the demolition of a positive contributor in a Conservation Area. Specifically, where the LPA have assessed only the demolition of the existing building the Appellant takes the view that the positive contribution of the replacement building must also be assessed in terms of impact upon the Conservation Area.

This matter is considered to be a key element of any consideration of the Appeal now submitted and interpretation of this policy must be fully considered. Given the subjective nature of many elements of design/heritage and related planning policies, the Appellant is of the view that matters surrounding the proposed design of the development and its impact upon the character and setting of the Conservation Area are sufficiently complex that it would be in the interests of all parties to be able to discuss this in an open forum.

A Hearing will allow both parties to clearly set out and explain their case and discuss the intricacies of the specific context and characteristics of the appeal site with the Planning Inspector. Such a process also offers more opportunity for the Inspector to question both parties and clarify comments in their previous written submissions. This will not be possible if parties are restricted to their written statement only.

A Hearing also offers the Inspector an opportunity to clarify all aspects of the proposed development with both the Appellant and the LPA. It also means that an open discussion between the Appellant, the LPA and Planning Inspector can be held on site as part of the hearing.

(a) Is there any further information relevant to the hearing which you need to tell us about?

N/A

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	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
(a) Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? <input checked="" type="checkbox"/> see 'Appeal Documents' section	Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/>
(b) Have you made a costs application with this appeal?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>

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:

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

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

Date

Name

On behalf of

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:	FULL STATEMENT OF CASE
Document Description:	A copy of the full statement of case.
File name:	Statement of Case - 05.12.16.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:	List of Documents Submitted - 05.12.16.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	08. A copy of a draft statement of common ground.
File name:	Statement of Common Ground - 05.12.16.pdf

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

Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	06.b. A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.
File name:	List of Documents Submitted - 05.12.16

The documents listed below are to follow by post:

Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A planning obligation (a section 106 agreement or a unilateral undertaking).
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	01. A copy of the original application sent to the LPA.
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).
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: 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).

Relates to Section: SUPPORTING DOCUMENTS

Document Description: 07. A copy of the design and access statement sent to the LPA.

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

Completed by

MR NIGEL DEXTER

Date

05/12/2016 11:11:43