

## 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/17/3173819**

#### A. APPELLANT DETAILS

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

Name

Company/Group Name

Address

Preferred contact method  Email  Post

#### B. AGENT DETAILS

Do you have an Agent acting on your behalf?  Yes  No

Name

Company/Group Name

Address

Phone number

Email

Preferred contact method  Email  Post

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

Name of the Local Planning Authority

LPA reference number

Date of the application

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

51-52 Tottenham Court Road  
London  
W1T 2EH

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.

Extension and refurbishment of 51 & 52 Tottenham Court Road to provide a mixed use retail, office and residential development. This includes demolition and rebuilding of extensions to the rear of both buildings, and creation of one additional storey to both buildings (Applicant Description).

Demolition of existing rear extensions and erection of 4 storey rear extension, basement extension, roof extensions comprising an additional storey with mansard level above to no. 51 and set back roof extension no. 52 and external alterations including new shopfronts all to provide a mixed use retail, office and residential development involving the refurbishment and amalgamation of the existing ground floor retail units, refurbishment/reconfiguration of existing uses on the upper floors including the provision of additional office space at first - third floor levels and a new 3 bed residential flat at fourth floor level (LPA description).

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 for the development.
2. Refused permission to vary or remove 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 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

Based on the planning history (planning application and appeal) and nature of the proposal (extensions to buildings in the Conservation Area), detailed discussion is required about the significance of the heritage asset and merits of the proposal including planning benefits. Detailed discussion and questioning is also anticipated in relation to the basement component of the proposal.

- 3. Inquiry

### H. FULL STATEMENT OF CASE

The full statement of case is:

[see 'Appeal Documents' section](#)

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

(a) Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? Yes  No

[see 'Appeal Documents' section](#)

(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:** Pan D'Na Volta 2 Ltd

**Address at which notice was served:**

51 Tottenham Court Road

**Date the notice was served:**

08/04/2016

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

### 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. Please ensure that any correspondence you send to us is clearly marked with the appeal reference number.

**You will not be sent any further reminders.**

### The documents listed below were uploaded with this form:

<b>Relates to Section:</b>	FULL STATEMENT OF CASE
<b>Document Description:</b>	A copy of the full statement of case.
<b>File name:</b>	Statement of case.pdf
<b>File name:</b>	8781 Construction Method Statement 170412 GS REVA.pdf
<b>File name:</b>	13081_C645_P_B1_001.pdf
<b>File name:</b>	170411 TCR appeal note v2.pdf
<b>File name:</b>	13081-0701-170113-JKL01-Addendum.pdf
<b>Relates to Section:</b>	FULL STATEMENT OF CASE
<b>Document Description:</b>	A planning obligation (a section 106 agreement or a unilateral undertaking).
<b>File name:</b>	Statement of case.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	01. A copy of the original application sent to the LPA.
<b>File name:</b>	Application form.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	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).
<b>File name:</b>	Application form.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	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.
<b>File name:</b>	51-51 Tottenham Court Road FDN[1].pdf
<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>	Existing drawings.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>	51-52 TOTTENHAM CT RD Constn Man. PI 020116.pdf
<b>File name:</b>	51-52 TOTTENHAM CT RD CTMP 020116.pdf
<b>File name:</b>	20151106 - Energy and Sustainability statement - Mecserve - 51-51TCR.pdf
<b>File name:</b>	20160223 - BIA - E+M - 51-52TCR.pdf
<b>File name:</b>	Aether_AQ_assessment_51-52_Tottenham_Court_Rd_FINAL.pdf
<b>File name:</b>	Alteration drawings.pdf

<b>File name:</b>	Appendix.pdf
<b>File name:</b>	Application form.pdf
<b>File name:</b>	20150526 - Background noise assessment - AAD - 51-52TCR.pdf
<b>File name:</b>	BRE Daylight and Sunlight Study 050416.pdf
<b>File name:</b>	cil_questions.pdf
<b>File name:</b>	Design and Access Statement submission.pdf
<b>File name:</b>	160406 tottenham court road heritage statement revised v3 final.pdf
<b>File name:</b>	Existing drawings.pdf
<b>File name:</b>	Area and accommodation schedule.pdf
<b>File name:</b>	Planning statement.pdf
<b>File name:</b>	15606-20160223 GE GT SI C13604 Report PART 2.pdf
<b>File name:</b>	15606-20160223 GE GT SI C13604 Report PART 1.pdf
<b>File name:</b>	51-52 TOTTENHAM CT RD Env Impact Ass & Controls 020116.pdf
<b>File name:</b>	Proposed drawings.pdf
<b>File name:</b>	13081_C645_S_AL_001.pdf
<b>File name:</b>	13081-0102-161012-AL01 PLANNING AREA SCHEDULES Rev A.pdf
<b>File name:</b>	15606- 20160712 TCR BIA REPORT IFAUDIT.pdf
<b>File name:</b>	13081_SK_008_B1_Title.pdf
<b>File name:</b>	15606-20160712 TCR Basement Impact Assessment AUDIT INSTR.pdf
<b>File name:</b>	IMG_00000129.jpg
<b>File name:</b>	IMG_00000130.jpg
<b>File name:</b>	IMG_00000131.jpg
<b>File name:</b>	IMG_00000133.jpg
<b>File name:</b>	IMG_00000135.jpg
<b>File name:</b>	IMG_00000136.jpg
<b>File name:</b>	15606-20160712 TCR Basement Impact Assessment AUDIT INSTR.docx
<b>File name:</b>	IMG_00000570.jpg
<b>File name:</b>	IMG_00000573.jpg
<b>File name:</b>	13081_JA12_S_AL_002.pdf
<b>File name:</b>	IMG_00000584.jpg
<b>File name:</b>	IMG_00000591.jpg
<b>File name:</b>	IMG_00000595.jpg
<b>File name:</b>	Response to sustainability officer comments-2-20160817.pdf
<b>File name:</b>	Revised application form.pdf
<b>File name:</b>	13081_JA12_S_AL_001.pdf
<b>File name:</b>	13081_C645_S_AL_002.pdf
<b>File name:</b>	IMG_00000576.jpg
<b>File name:</b>	IMG_00000568.jpg
<b>File name:</b>	13081-0101-160927-PS01-REFUSE STRATEGY.PDF
<b>File name:</b>	FW 2016 2027 P - 51 - 52 Tottenham Court Road.pdf
<b>File name:</b>	RE Response to energy sustainability comments.pdf
<b>File name:</b>	Response to energy sustainability comments.pdf
<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>	Final list of documents.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	05.(c) A list of all plans, drawings and documents upon which the LPA made their decision.
<b>File name:</b>	Final list of documents.pdf
<b>File name:</b>	51-51 Tottenham Court Road FDN[1].pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	06.b. A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.
<b>File name:</b>	Final list of documents.pdf



**Relates to Section:** SUPPORTING DOCUMENTS  
**Document Description:** 07. A copy of the design and access statement sent to the LPA.  
**File name:** Design and Access Statement submission.pdf

**Relates to Section:** SUPPORTING DOCUMENTS  
**Document Description:** 08. A copy of a draft statement of common ground.  
**File name:** Statement of common ground.pdf

**Relates to Section:** SUPPORTING DOCUMENTS  
**Document Description:** 09.a. Copies of additional plans, drawings or documents relating to the application not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion.  
**File name:** 8781 Construction Method Statement 170412 GS REVA.pdf  
**File name:** 13081\_C645\_P\_B1\_001.pdf

**Relates to Section:** SUPPORTING DOCUMENTS  
**Document Description:** 09.b. A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA.  
**File name:** Final list of documents.pdf

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

**Completed by** MISS AIMEE SQUIRES

**Date** 13/04/2017 17:33:03