

2nd July 2018

Our Ref: **AWPINS/020718**

The Planning Inspectorate
Temple Quay House
2 The Square
Avon
Bristol BS1 6PN

Dear Sirs

RE: Statement of Case – Appeal (non determination) -
LPA Ref: 2018/1341/P
43 Hampstead High Street NW3 1QG

This appeal is submitted in accordance with the legislation set out under Section 78 of the Town and Country Planning Act 1990 following the LPA's failure to determine the application within the statutory time period (8 weeks).

The application was submitted to the LPA via the planning portal on 16th March 2018 and confirmed as valid (received with sufficient particulars) on **19th March 2018**

(The LPA website incorrectly suggests it was registered 17.05.18).

We contacted the LPA by e mail in **week 2** (26.03.18), **week 6** (27.04.18) and **week 9** (17.05.18) enquiring as to the progress of the application.

We subsequently received an e mail from the case officer confirming that the '**valid from**' date was 19.03.18.

We requested that the LPA forward us the requisite notice as outlined in DMPO 2015 (schedule 1) and articles 11(2) (<https://www.legislation.gov.uk/ukxi/2015/595/article/11/made>) but this was not forthcoming.

At the time of writing, **2nd July 2018 (week 16 of 8)**, the application remains un-determined.

The applicant hereby wishes to exercise their rights as set out under Section 78 of the Town and Country Planning Act 1990 and refer the proposals to The Planning Inspectorate for their independent determination following the LPA's failure to determine the application within the statutory time period (8 weeks).

Our proposals and design rationale are set out in the application drawings and Design and Access Statement.

Andrew West
For + behalf of
STUDIO 08 : architecture + planning ltd