

## The Planning Inspectorate

### CERTIFICATE OF LAWFUL USE OR DEVELOPMENT APPEAL FORM (Online Version)

**Appeal Reference: APP/X5210/X/19/3241042**

#### A. APPELLANT DETAILS

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

Name	Mr S Cox
Company/Group Name	Golden Brick Pubs
Address	88-90 George St London W1U 8PA
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 type="checkbox"/> No <input checked="" type="checkbox"/>
Name	Miss Emma Conwell
Company/Group Name	Iceni Projects Ltd
Address	Da Vinci House 44 Saffron Hill London EC1N 8FH
Phone number	02034354207
Email	econwell@iceniprojects.com
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 (if applicable)	2019/2271/P
Date of the application	28/04/2019
Did the LPA issue a decision?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

#### 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

171 Camden High Street  
London  
NW1 7JY

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

Please describe the health and safety issues

The building has fallen into significant disrepair and trip hazards are likely.

#### E. DETAILS OF THE APPEAL

Please give a precise description of the proposed or existing use, operation or activity as outlined in the application in respect of which a certificate is sought.

Public House (Class A4) at basement, 1st, 2nd & 3rd floors with only the ground floor level accommodating space for cabaret (sui-generis)

Select the section under which the application was made:

Section 191

Section 192

Section 26H

Please state the actual use of the site at the time of application to the LPA. (if not in use, write "nil" and state last known use).

Public House (Class A4) at basement, 1st, 2nd & 3rd floors with only the ground floor level accommodating space for cabaret (sui-generis)

Is there an effective enforcement notice on the site? Yes  No

#### F. REASON FOR THE APPEAL

1. Refused/refused in part to grant a certificate of lawful use or development.

2. Failed to give notice of their decision within the appropriate period on an application for a certificate of lawful use or development.

#### 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

Given the significant level of local interest in this Public House building, this case will require detailed discussion. There are complex issues at hand which will need to be asked to establish the facts.

Is there any further information relevant to the hearing which you need to tell us about? Yes  No

3. Inquiry

## H. APPEAL STATEMENT

The statement is set out in  
 see '[Appeal Documents](#)' section

## I. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided? Yes  No

## J. SUPPORTING DOCUMENTS

01. The application made to the LPA.
02. (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. Please number them clearly and list the numbers here or on a separate sheet.
02. (b) A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.
03. The LPA's decision (if any).
04. All other relevant correspondence with the LPA.
05. 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 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.
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).
06. (b) A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.

## K. CHECK SIGN AND DATE

**(All supporting documents must be received by us within the 8 week 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 grounds of appeal) to the LPA today.

**Signature**

Miss Emma Conwell

**Date**

12/11/2019 16:15:13

**Name**

Miss Emma Conwell

**On behalf of**

Mr S Cox

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 2018. Further information about our Data Protection policy can be found on our website under Privacy Statement.

## L. NOW SEND

### **Send a copy to the LPA**

Send a copy of the completed appeal form and any supporting documents (including the full grounds of the appeal) not previously sent as part of the application to the LPA.

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.**

## M. 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 Initial Appeals, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6PN.

**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>	APPEAL STATEMENT
<b>Document Description:</b>	The Appeal statement.
<b>File name:</b>	Black Cap - Appeal Statement.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	01. The application made to the LPA.
<b>File name:</b>	Application Form No Personal Data.PDF
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	02.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>	Appendix A - Site Plans.pdf
<b>File name:</b>	Existing basement and ground floor plans - Jan 2013.PDF
<b>File name:</b>	Existing basement ground 1 2 and 3 floor plans April 2013.pdf
<b>File name:</b>	Existing ground first second third floor plans Aug 1997.pdf
<b>File name:</b>	First and second floor plans - April 1995.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	02.b. Copies of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.
<b>File name:</b>	Appendix C - 1916 Map.JPG
<b>File name:</b>	Appendix C - 1873 Map.JPG
<b>File name:</b>	Appendix C - 1879 Map.JPG
<b>File name:</b>	Appendix C - 1952 Map.JPG
<b>File name:</b>	Appendix C - 1896 Map.JPG
<b>File name:</b>	Appendix C - 1995 Map.JPG
<b>File name:</b>	Appendix C - 1973 Map.JPG
<b>File name:</b>	Appendix C - 1987 Map.JPG
<b>File name:</b>	Appendix C - 1971 Map.JPG
<b>File name:</b>	Appendix C - 1991 Map.JPG
<b>File name:</b>	190426 - CLEUD Report.pdf
<b>File name:</b>	150211 - Correspondence (Camden).pdf
<b>File name:</b>	2015 to 2020 - Council Listing Record of Premises as ACV.pdf
<b>File name:</b>	130523 - Correspondence (Council).pdf
<b>File name:</b>	130719 - Correspondence (Council).pdf
<b>File name:</b>	131023 - Correspondence (Camden).pdf
<b>File name:</b>	130913 - Correspondence (Iceni).pdf
<b>File name:</b>	150224 - Correspondence (Iceni).pdf
<b>File name:</b>	130627 - Correspondence (Iceni).pdf
<b>File name:</b>	150408 - Correspondence (Camden).pdf
<b>File name:</b>	150625 - ACV Listing Review Representation (Iceni).pdf
<b>File name:</b>	151010 - Council Borough Solicitor Note - Review of ACV Listing.PDF

**File name:** Appendix B - Asset of Community Value - Part 2.pdf  
**File name:** 150707 - Council Deputy Chief Note - Summary of ACV Listing.pdf  
**File name:** Appendix B - Asset of Community Value - Part 1.pdf  
**File name:** 170704 - Historic England Consultation Report.pdf  
**File name:** Appendix D - Heritage - Part 3.pdf  
**File name:** Appendix D - Heritage - Part 4.pdf  
**File name:** 170426 - Black Cap Certificate of Immunity from Listing Application Statement.pdf  
**File name:** Appendix D - Heritage - Part 2.pdf  
**File name:** 170821 - Historic England Advice Report.pdf  
**File name:** 170811 - Historic England Advice Report.pdf  
**File name:** Appendix D - Heritage - Part 5.pdf  
**File name:** Appendix D - Heritage - Part 1.pdf  
**File name:** CA1646 - Decision Notice - 1970.PDF  
**File name:** CTPJ1118A32921R1 - Decision Notice - 1981.PDF  
**File name:** 8903652 - Decision Notice.PDF  
**File name:** 9003221 - Decision Notice.PDF  
**File name:** 9500223 - Decision Notice.PDF  
**File name:** 9501984 - Decision notice.PDF  
**File name:** PE9700816 - Decision Notice.PDF  
**File name:** PE9900364 - Decision notice.PDF  
**File name:** 2005\_2817\_P - Decision Notice.PDF  
**File name:** 2006\_4571\_P - Decision notice.PDF  
**File name:** 2012-1444-P - Decision notice.PDF  
**File name:** 2012-1444-P - Officers report.PDF  
**File name:** 2013-2301-P - Camden Planning Applications Page.pdf  
**File name:** 2013-0262-P - Decision notice.pdf  
**File name:** 2013-0191-NEW - Camden Planning Applications Page.pdf  
**File name:** 2014-2176-P - Decision notice.PDF  
**File name:** 2014-2176-P Officers report.pdf  
**File name:** 2016-0528-A - Camden Planning Applications Page.pdf  
**File name:** 2016-0350-P - Camden Planning Applications Page.pdf  
**File name:** 2016-0347-P - Camden Planning Applications Page.pdf  
**File name:** 2016-1307-P - Camden Planning Applications Page.pdf  
**File name:** Appendix E - Planning History - Part 3.pdf  
**File name:** Appendix E - Planning History - Part 1.pdf  
**File name:** Appendix E - Planning History - Part 2.pdf  
**File name:** Appendix F - Policy 15 Excerpt - Camden Development Policies 2010-2025.pdf  
**File name:** Appendix G - APP-X5210-A-12-2184317 - Appeal decision.PDF  
**File name:** 2010 onwards - VOA Record (Business Rates).pdf  
**File name:** 2015 to 2016 - Camden Business Rates Invoice.pdf  
**File name:** 2015 to 2016 - VOA Record (Business Rates).pdf  
**File name:** Appendix H - Business Rates.pdf  
**File name:** 2016 to 2017 - Camden Business Rates Invoice.pdf  
**File name:** 2011 - Camden Premise Licence - Phillip Cooper.pdf  
**File name:** Council Individual Premises Licence - Phillip Cooper.pdf  
**File name:** Valid 2005 - Premises Licence (Ind. Daniel Thomas).pdf  
**File name:** Appendix I - Premises Licence - Part 2.pdf  
**File name:** Appendix I - Premises Licence - Part 4.pdf  
**File name:** Council Individual Premises Licence - Jamie Henderson.pdf  
**File name:** Council Individual Premise Licence - Ian Ellis.pdf  
**File name:** Appendix I - Premises Licence - Part 1.pdf  
**File name:** Appendix I - Premises Licence - Part 3.pdf  
**File name:** 2012 - Water Bill.pdf  
**File name:** 2014 - Water Bill.pdf  
**File name:** 2015 - Water Bill.pdf  
**File name:** Appendix J - Utility Bills.pdf

**File name:** 2013 - Electric Bill.pdf  
**File name:** Appendix K - 2013 - Fire Risk Assessment report.pdf  
**File name:** Appendix L - 2010 - Electrical Inspection Report.pdf  
**File name:** Appendix M - 2013 - Food Premises Inspection Report by Camden.pdf  
**File name:** 2010 to 2011 - Employers Liability Insurance.pdf  
**File name:** Appendix N - Insurance Certificates.pdf  
**File name:** 2012 to 2013 - Commercial Loss Recovery Insurance.pdf  
**File name:** 2010 - Blogger review of The Black Cap PH.pdf  
**File name:** 2010\_2011\_2015 - Reviews of The Black Cap on Public House Website.pdf  
**File name:** 2010 - Review of Black Cap Public House Experience by Food Blogger.pdf  
**File name:** 2011 - The Guardian Article.pdf  
**File name:** 2012 - Polari Magazine Article - The Black Cap Redevelopment.pdf  
**File name:** 2013 - Islington Tribune Article.pdf  
**File name:** 2013 - Camden New Journal Article - Incident Summary.pdf  
**File name:** 2013 - Article About Charity Event for Amy Winehouse.pdf  
**File name:** 2014 - Article About Cabaret Event.pdf  
**File name:** 2015 - Camden New Journal Article About Closure.pdf  
**File name:** 2015 - ITV Report About Closure.pdf  
**File name:** 2015 - Guardian Article About Closure.pdf  
**File name:** 2015 - Intendant Article About Closure.pdf  
**File name:** 2015 - Evening Standard Article About Closure.pdf  
**File name:** 2015 - Time Out Article About Closure.pdf  
**File name:** 2015 - Camden Council Article About Closure.pdf  
**File name:** 2016 - Agent Advert for Sale Listing of The Black Cap.pdf  
**File name:** 2017 - Time Out Article.pdf  
**File name:** 2017 - Ham and High Article re Calls to Reopen The Black Cap.pdf  
**File name:** 2018 - Camden New Journal Article.pdf  
**File name:** Black Cap listing as a pub on Out Magazine.pdf  
**File name:** Black Cap listing as pub on London Drum.pdf  
**File name:** Youtube Video Performance Records.pdf  
**File name:** Appendix O - Media and Press Articles - Part 1.pdf  
**File name:** Appendix O - Media and Press Articles - Part 2.pdf

**Relates to Section:** SUPPORTING DOCUMENTS

**Document Description:** 05. 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 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.

**File name:** Site Location Plan.PDF

**Completed by** MISS EMMA CONWELL

**Date** 12/11/2019 16:15:13