

## The Planning Inspectorate

### QUESTIONNAIRE (s78) and (s20) PLANNING AND LISTED BUILDING CONSENT (Online Version)

You must ensure that a copy of the completed questionnaire, together with any attachments, are sent to the appellant/agent by the date given in the start letter. **You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan.**

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us by the date your statement is due.

Appeal Reference

APP/X5210/W/21/3272103

Appeal By

MR AND MRS NEIL BREARLEY

Site Address

4b Hampstead Hill Gardens  
Camden  
NW3 2PL

#### PART 1

1.a. Do you consider the written representation procedure to be suitable? Yes  No

*Note: If the written procedure is agreed, the Inspector will visit the site **unaccompanied** by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.*

1.b. Do you wish to be heard by an Inspector at; Inquiry  Hearing

2.a. If the written procedure is agreed, can the relevant part of the appeal site be seen from a road, public footpath, bridleway or other public land? Yes  No

2.b. Is it essential for the Inspector to enter the site to assess the impact of the proposal? Yes  No

Please explain

Need to view from the site

2.c. Are there any known health and safety issues that would affect the conduct of the site inspection? Yes  No

3.a. Are there any other appeals or matters relating to the same site still being considered by us or the Secretary of State? Yes  No

3.b. Are there any other appeals or matters adjacent or close to the site still being considered by us or the Secretary of State? Yes  No

#### PART 2

4. Does the appeal relate to an application for approval of reserved matters? Yes  No

5. Was a site ownership certificate submitted with the application? Yes  No

6. Did you give publicity to the application in accordance with either Article 15 of the DMPO 2015, Section 67/73 of the Planning (Listed Buildings and Yes  No

Conservation Areas) Act 1990 or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990?

6.a. If a press advert notice was published, please upload a copy

see 'Questionnaire Documents' section

7. Does the appeal relate to a county matter? Yes  No

**8. Please indicate the development type for the application to which the appeal relates.**

Major Developments

Minor Developments

Other Developments

**8.b. Minor Developments**

Dwellings

Offices/R and D/light industry

General industry/storage/warehousing

Retail and services

Traveller caravan pitches

All other minor developments

**Is the appeal site within:**

9.a. A Green Belt? Yes  No

9.b. An Area of Outstanding Natural Beauty? Yes  No

10. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? Yes  No

**PART 3**

11. Would the development require the stopping up or diverting of a public right of way? Yes  No

12.a. Is the site in a Conservation Area? Yes  No

Please attach a plan of the Conservation Area

see 'Questionnaire Documents' section

12.b. Is the site adjacent to a Conservation Area? Yes  No

12.c. Does the appeal proposal include the demolition of a non-listed building within a conservation area? Yes  No

13.a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II\* / II listed building? Yes  No

13.b. Would the proposed development affect the setting of a listed building? Yes  No

Please attach a copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest

see 'Questionnaire Documents' section

13.c. If YES to 13.a or 13.b, was Historic England consulted? Yes  No

14. Has a grant been made under s3A or s4 of the Historic Buildings and Ancient Monuments Act 1953? Yes  No

15.a. Would the proposals affect an Ancient Monument (whether scheduled or not)?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
16. Is any part of the site subject to a Tree Preservation Order?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
17. Have you made a Local Development Order under s61A to 61C of the Town and Country Planning Act 1990 (as inserted by s40 of the Planning & Compulsory Purchase Act 2004) relating to the application site?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
18. Does the appeal involve persons claiming Gypsy/Traveller status, whether or not this is accepted by the planning authority?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
19.a. Is the appeal site in or adjacent to or likely to affect an SSSI or an internationally designated site (ie. cSAC, SAC, pSPA, SPA Ramsar)?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
19.b. Are any protected species likely to be affected by the proposals?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>

#### PART 4

##### Environmental Impact Assessment - Schedule 1

20.a.i. Is the proposed development Schedule 1 development as described in Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011?

Yes  No

##### Environmental Impact Assessment - Schedule 2

20.b.i. Is the proposed development Schedule 2 development as described in Column 1, Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011?

Yes  No

20.c.i. Have you issued a screening opinion (SO)

Yes  No

##### Environmental Impact Assessment - Environmental Statement (ES)

20.d. Has the appellant supplied an environmental statement?

Yes  No

##### Environmental Impact Assessment - Publicity

20.e. If applicable, please attach a copy of the site notice and local advertisement published as required for EIA development.

Applies  N/A

21. Have all notifications or consultations under any Act, Order or Departmental Circular, necessary before granting permission, taken place?

Yes  No

Please attach copies of any comments that you have received in response.

see 'Questionnaire Documents' section

#### PART 5

22. Do you wish to attach your statement of case?

Yes  No

##### For appeals dealt with by written representations only

23. If this appeal is not following the written representations expedited procedure, do you intend to send a statement of case about this appeal?

Yes  No

**Copies of the following documents must, if appropriate, be attached to this questionnaire**

24.a. a copy of the letter with which you notified people about the appeal;

see '[Questionnaire Documents](#)' section

24.b. a list of the people you notified and the deadline you gave for their comments to be sent to us;

see '[Questionnaire Documents](#)' section

Deadline

22/09/2021

24.c. all representations received from interested parties about the original application;

see '[Questionnaire Documents](#)' section

24.d. the planning officer's report to committee or delegated report on the application and any other relevant documents/minutes;

see '[Questionnaire Documents](#)' section

24.e. any representations received as a result of a service of a site ownership notification;

24.f. extracts from any relevant statutory development plan policies (even if you intend to rely more heavily on the emerging plan);

*You must include the front page, the title and date of the approval/adoption, please give the status of the plan. Copies of the policies should include the relevant supporting text. You must provide this even if the appeal is against non-determination.*

see '[Questionnaire Documents](#)' section

see '[Questionnaire Documents](#)' section

List of policies

G1 Delivery and location of growth, H1 Maximising housing supply H4 Maximising the supply of affordable housing H6 Housing choice and mix H7 Large and small homes C6 Access for all A1 Managing the impact of development A2 Open space A3 Biodiversity A4 Noise and vibration A5 Basements D1 Design D2 Heritage CC1 Climate change mitigation CC2 Adapting to climate change CC3 Water and flooding CC4 Air quality CC5 Waste T1 Prioritising walking, cycling and public transport T2 Parking and car-free development T4 Sustainable movement of goods and materials DM1 Delivery and monitoring

24.g. extracts of any relevant policies which have been 'saved' by way of a Direction;

24.h. extracts from any supplementary planning guidance, that you consider necessary, together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when;

see '[Questionnaire Documents](#)' section

24.i. extracts from any supplementary planning document that you consider necessary, together with the date of its adoption;

*In the case of emerging documents, please state what stage they have reached.*

24.j. a comprehensive list of conditions which you consider should be imposed if planning permission is granted;

*Only tick that this applies if you intend to submit a list of conditions with the questionnaire. If you do not submit the list with the questionnaire, then this should be submitted by the date your statement is due. This list must be submitted separately from your appeal statement.*

24.k. if any Development Plan Document (DPD) or Neighbourhood Plan relevant to this appeal has been examined and found sound/met the basic conditions and passed a referendum, the date the DPD or Neighbourhood Plan is likely to be adopted and, if you consider this date will be before the Inspector's decision on this appeal is issued, an explanation of the Council's policy position in respect of this appeal upon its adoption. You should also include an explanation of the status of

existing policies and plans, as they relate to this appeal, upon adoption and which (if any) will be superseded;

24.l. if any DPD or Neighbourhood Plan relevant to this appeal has been submitted for examination, or in the case of a Neighbourhood Plan has been examined and is awaiting a referendum, an explanation of any substantive changes in the progress of the emerging plan, and their relevance to this appeal if it is considered that the plan will not be adopted before the Inspector's decision on this appeal is issued;

24.m. your Authority's CIL charging schedule is being/has been examined;

24.n. your Authority's CIL charging schedule has been/is likely to be adopted;

24.o. any other relevant information or correspondence you consider we should know about.

#### **For the Mayor of London cases only**

25.a. Was it necessary to notify the Mayor of London about the application? Yes  No

25.b. Did the Mayor of London issue a direction to refuse planning permission? Yes  No

#### **LPA Details**

I certify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent today.

LPA's reference

Completed by

On behalf of

Please provide the details of the officer we can contact for this appeal, if different from the Planning Inspectorate's usual contact for this type of appeal.

Name

Phone no (including dialling code)

Email

**Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.**

## QUESTIONNAIRE DOCUMENTS

Appeal Reference APP/X5210/W/21/3272103

Appeal By MR AND MRS NEIL BREARLEY

Site Address  
4b Hampstead Hill Gardens  
Camden  
NW3 2PL

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

**Relates to Section:** PART 2  
**Document Description:** 6.a. A copy of the notice published.  
**File name:** 10637174\_4.pdf

**Relates to Section:** PART 3  
**Document Description:** 12.a. A plan of the Conservation Area.  
**File name:** Hampstead CA - Frognal Way map.pdf

**Relates to Section:** PART 3  
**Document Description:** 13.b. A copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest.  
**File name:** 4 Hampstead Listing.pdf  
**File name:** 7 Hampstead Hill.pdf  
**File name:** 9 Hampstead listing.pdf  
**File name:** 11 HH Listing.pdf

**Relates to Section:** PART 4  
**Document Description:** 21. Copies of any comments that you have received in response.  
**File name:** 2019.5835.A.JPG  
**File name:** 2019.5835.D.JPG  
**File name:** 2019.5835.C.JPG  
**File name:** 2019.5835.F.JPG  
**File name:** 2019.5835.E.JPG  
**File name:** 2019.5835.B.JPG

**Relates to Section:** PART 5  
**Document Description:** 24.a. A copy of the letter with which you notified people about the appeal.  
**File name:** (sent to blind copied group) Notification of an appeal letter 4B Hampstead Hill Gardens (1).pdf

**Relates to Section:** PART 5  
**Document Description:** 24.b. A document containing a list of the people you notified of the appeal.  
**File name:** list of people notified.docx

**Relates to Section:** PART 5  
**Document Description:** 24.c. Copies of all representations received from interested parties about the original application.  
**File name:** 1 x Response - Objection.DOCX  
**File name:** neighbours (mailsmart).pdf  
**File name:** 1 x Response - Hampstead Neighbourhood Forum.PDF  
**File name:** 1 x response (Redacted) 3.PDF  
**File name:** 1 x response (Redacted) 4.PDF  
**File name:** 1 x Response (Redacted) 1.PDF

**File name:** 1 x response (Redacted) S. Borini.PDF  
**File name:** 1 x response R.Wick (Redacted).PDF  
**File name:** 1 x response (Redacted) 2.PDF  
**File name:** 1 x Responses - Objection (Redacted) Bloom 23.02.2020.PDF  
**File name:** Objection J.Williams Received 30.09.2020 (Redacted) 1.PDF  
**File name:** Objection on behalf of 4A HHG 23.07.2020 (Redacted).PDF  
**File name:** 1 x response (Redacted) Support O. OHagan.PDF  
**File name:** Objection A.Shinder received 02 10 2020 (Redacted).PDF  
**File name:** Objection A.Shinder cr audit addendum received 04 10 2020 (Redacted).PDF  
**File name:** 1x 4bObjection (Redacted) Oover redacted ignore S. Lewis.PDF  
**File name:** Planning Application 20195835P objection - Chelmsford (Redacted) received 6th July.PDF  
**File name:** 1 x response (Redacted) J. Jowell.PDF  
**File name:** Objection T Berman Hampstead Hill Gardens Residents' Association (Redacted).PDF  
**File name:** DOWNSHIRE HILL RA 1 x Response (Redacted).PDF  
**File name:** 1x 4bObjection (Redacted) S.Lewis.PDF  
**File name:** 1 x Response - Objection Mr Williams.PDF  
**File name:** Objection J.Williams Received 30.09.2020 (Redacted).PDF  
**File name:** 1 x response (Redacted) 5.PDF  
**File name:** Neighbour Structural report S Brunswick on behalf of J.Williams (Redacted).PDF  
**File name:** 1 response Doc1 (Redacted) Over redacted ignore M.Menylik.PDF  
**File name:** Objection A.Shinder received 02 10 2020 (Redacted) 1.PDF  
**File name:** 4x response (Redacted).PDF  
**File name:** 1 x response (Redacted).PDF  
**File name:** H&HS 2nd objection.DOCX  
**File name:** Dr Phil Smith of Geotechnical Consulting Group letter (Redacted).PDF  
**File name:** Planning application 2019-5835-P - objection C Williams recd 19th Feb 2020.DOCX  
**File name:** 1 x Response - Objection.PDF

**Relates to Section:** PART 5  
**Document Description:** 24.d. The planning officer's report to committee or delegated report on the application and any other relevant documents/minutes.  
**File name:** Decision notice.PDF  
**File name:** Delegated Report.PDF

**Relates to Section:** PART 5  
**Document Description:** 24.f. Copies of extracts from any relevant statutory development plan policies.  
**File name:** T4 - Sustainable Movement of Goods and Materials.pdf

**Relates to Section:** PART 5  
**Document Description:** 24.f. Copies of extracts from any relevant statutory development plan policies.  
**File name:** H1 - Maximising Housing Supply.pdf  
**File name:** C6 - Access for all.pdf  
**File name:** A5 - Basements.pdf  
**File name:** CC5 - Waste.pdf  
**File name:** A4 - Noise and vibration.pdf  
**File name:** CC4 - Air Quality.pdf  
**File name:** D1 - Design - Copy.pdf  
**File name:** T4 - Sustainable Movement of Goods and Materials.pdf  
**File name:** T2 - Parking and Car Free Development - Copy.pdf  
**File name:** A2 - Open Space.pdf  
**File name:** CC2 - Adapting to Climate Change.pdf  
**File name:** T1 - Prioritising Walking, Cycling and Public Transport.pdf  
**File name:** H7 - Large and Small Homes.pdf

<b>File name:</b>	CC3 - Water and Flooding.pdf
<b>File name:</b>	DM1 - Delivering and Monitoring.pdf
<b>File name:</b>	A1- Managing the Impact of Development.pdf
<b>File name:</b>	CC1 - Climate Change Mitigation.pdf
<b>File name:</b>	A3 - Biodiversity.pdf
<b>Relates to Section:</b>	PART 5
<b>Document Description:</b>	24.h. Copies of extracts from any supplementary planning guidance, that you consider necessary, together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when.
<b>File name:</b>	Access for All CPG.pdf
<b>File name:</b>	CPG Water and Flooding.pdf
<b>File name:</b>	Developer contributions CPG (Planning Obligations).pdf
<b>File name:</b>	CPG2 Housing 2016 - as amended March 2019.pdf
<b>File name:</b>	Hampstead plan.pdf
<b>File name:</b>	Trees CPG PDF.pdf
<b>File name:</b>	CPG Basement March 2018.pdf
<b>File name:</b>	Interim Housing CPG as amended 2019.pdf
<b>File name:</b>	Energy Efficiency and Adaptation CPG.pdf
<b>File name:</b>	Transport CPG PDF.pdf
<b>File name:</b>	CPG Amenity March 2018.pdf
<b>File name:</b>	CPG Design 2019.pdf
<b>File name:</b>	CPG Biodiversity_UPDATED MAy2018.pdf
<b>File name:</b>	Hampstead Neighbourhood Plan (Appendix 1 Examiners Report).pdf
<b>File name:</b>	Hampstead Neighbourhood Plan (Part 2).pdf
<b>File name:</b>	Hampstead Neighbourhood Plan (Part 1).pdf
<b>Completed by</b>	Not Set
<b>Date</b>	25/08/2021 11:15:14
<b>LPA</b>	London Borough of Camden