

The Planning Inspectorate

QUESTIONNAIRE (s174) ENFORCEMENT NOTICE (Online Version)

You must ensure that a copy of the completed questionnaire, together with any enclosures, is sent to the appellant/agent. Any documents which you have indicated as 'To follow' should also be sent to the case officer by the date given in the start letter.

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 within 6 weeks of the 'starting date'.

Appeal Reference

APP/X5210/C/22/3296760

Appeal By

MS ANNA SZELEST

Site Address

88a Savernake Road
London
NW3 2JR

PART 1

1.a. Do you agree to the written representation procedure? 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.*

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

2.b. Is it essential for the Inspector to enter the site to check measurements or other relevant facts? Yes No

To assess impact on the residential amenity. To assess impact on congestion in terms of parking. To assess impact on the Conservation Area.

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

Please describe:

2.d. Would the Inspector have to go onto any privately owned adjoining land as well as the appeal site itself? Yes No

Please state where:

Possibly flat B which is adjoining flat A.

PART 2

3. Are there any related appeals currently before the Secretary of State, e.g. under s.78, 174 or 195 of the Town and Country Planning Act 1990, s20 or 39 of the Planning (Listed Buildings and Conservation Areas) Act 1990 or orders under s102 of the Town and Country Planning Act 1990? If yes please provide reference number(s) Yes No

Please provide our reference numbers:

4.a. Has the local planning authority received the correct fee payable for the deemed planning application/ground (a) to be considered? Yes No

4.b.i. Is the appeal fee exempt? Yes No

4.b.ii. Please state why the appeal is fee exempt?

The appellant hadn't pleaded Ground A.
The appellant has only pleaded Ground B and F, therefore no fee was requested and the time period has now pass for requesting Ground A / a fee.

5.a. Is the appeal site within a conservation area? Yes No

Please give the name of the conservation area, provide a plan and indicate when the conservation area was designated.

Conservation area: Mansfield

Designated: 04/12/2008

Plan of the conservation area:

see 'Questionnaire Documents' section

5.b. Is the appeal site adjacent to a conservation area? Yes No

PART 3

6.a. Does the notice relate to building, engineering, mining or other operations? Yes No

6.b. Is the area of the alleged breach different from the above? Yes No

6.c. Does the alleged breach create any floor space? Yes No

Does the enforcement notice relate to a change of use of land to use for:

7.a. the disposal of refuse or waste materials? Yes No

7.b. the deposit of materials remaining after mineral extraction? Yes No

7.c. the storage of minerals in the open? Yes No

8. If the enforcement notice relates to the erection of a building or buildings, is it accepted that their use is for purposes of agriculture on land used for agricultural purposes (not necessarily an agricultural unit as defined in the Agriculture Act (1947))? Yes No

9. Does the enforcement notice relate to the erection/change of use of a building which is a single private dwellinghouse, as defined in Regulation 2(1) of the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012? Yes No

PART 4

10. Has the local planning authority made a Local Development Order under sections 61A to 61C of the Town and Country Planning Act 1990 (as inserted by Yes No

section 40 of the Planning and Compulsory Purchase Act 2004) in relation to the application site?

11. Has any planning permission been granted previously in respect of the development?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
12. Has the appellant applied for planning permission and paid the appropriate fee for the same development as in the enforcement notice?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
13. Has a planning contravention notice been served?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
14.a. the appeal site is within 67 METRES OF A TRUNK ROAD?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
14.b. the appeal site is CROWN LAND (as defined in s293 of the Act)?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
14.c. a STOP NOTICE has been served in addition to the enforcement notice?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
14.d. the appeal site is in or adjacent to or likely to affect a SSSI?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
14.e. any protected species are likely to be affected by the alleged development?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
14.f. the appeal site is in a Green Belt or AONB?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
14.g. any part of the site is subject to a Tree Preservation Order?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
14.h. the appeal site is within 400m of an area of underground or surface mineral interest?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
14.i. the appeal site is within 250m of a waste landfill site?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
14.j. does the development affect the setting of a listed building or ancient monument?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
14.k. has importation of waste materials been involved in the development?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
14.l. 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"/>

PART 5

15. Please provide a plan of any public rights of way affected by the site.

see '[Questionnaire Documents](#)' section

16.a. Is the appeal site subject to an ARTICLE 4 Direction?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
17. Have any development rights been restricted by means of a planning condition?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
18. Does the development relate to operational development for a disabled person, as defined by s29 of the National Assistance Act 1948?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
19. Will any consultation be carried out on the possibility of planning permission being granted if the appeal is confirmed as valid?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>

Environmental Impact Assessment - Schedule 1

20.a. Is the alleged development within Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
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Environmental Impact Assessment - Schedule 2

20.b.i. Is the development Schedule 2 development as described in Column 1, Schedule 2 of the Town and Country Planning (Environmental Impact	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
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Assessment) Regulations 2011?

Environmental Impact Assessment - Environmental Statement (ES)

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

Yes

No



PART 6

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



[see 'Questionnaire Documents' section](#)

21.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](#)

the deadline you gave for their comments to be sent to us.

07/06/2022

21.c. the planning officer's report to committee or delegated report and any other relevant document/minutes.



[see 'Questionnaire Documents' section](#)

21.d. where ground (a) (s174) has been pleaded and any fee required has been paid, a comprehensive list of conditions which you consider should be imposed if planning permission is granted. You need not attach this now, but it should reach us within 6 weeks of the starting date. The list must be submitted separately from your appeal statement.



Policies/Planning Guidance

22.a. 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 approval/adoption, and the status of the plan. Copies of the policies should include the relevant supporting text.



List of policies

H1 (Maximising Housing Supply) H6 (Housing choice and mix) H7 (Large and small homes) T1 (Prioritising walking, cycling and public transport) T2 (Parking and car-free development) DM1 (Delivery and monitoring)

[see 'Questionnaire Documents' section](#)

22.b. extracts of any relevant policies which have been 'saved' by way of a Direction.



22.c. 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.



List of supplementary planning guidance

Housing- January 2021- chapter 9 Transport- January 2021-chapter 5

[see 'Questionnaire Documents' section](#)

22.d. 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.



22.e. 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;

22.f. 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;

22.g. your Authority's CIL charging schedule is being/has been examined;

22.h. your Authority's CIL charging schedule has been/is likely to be adopted.

22.i. any other relevant information or correspondence you consider we should know about.

see '[Questionnaire Documents](#)' section

Other relevant information

London Plan 2021 (Policies D6, T5, T6, & T6.1) - the Plan will be emails as too large to upload.

PART 7

23. A true copy of the Enforcement Notice

see '[Questionnaire Documents](#)' section

24. The Enforcement Notice Plan (if applicable)

see '[Questionnaire Documents](#)' section

25. A list of those served with the Notice

see '[Questionnaire Documents](#)' section

26. Do you wish to attach your statement of case? Yes No

see '[Questionnaire Documents](#)' section

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

EN21/0386

Completed by

Karina Wujek

On behalf of

London Borough of Camden

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/C/22/3296760

Appeal By MS ANNA SZELEST

Site Address
88a Savernake Road
London
NW3 2JR

The documents listed below were uploaded with this form:

Relates to Section: PART 2
Document Description: 5.a. Plan of the Conservation Area.
File name: Mansfield (Dec 2008).pdf
File name: Location with the Borough.pdf
File name: CA boundary.pdf
File name: Listed Building map.pdf
File name: Church of All Hallows War Memorial - listing 1452850 Historic England.pdf

Relates to Section: PART 5
Document Description: 15. A plan of any public rights of way affected by the site.
File name: Public rights of way not affected.docx

Relates to Section: PART 6
Document Description: 21.a. A copy of the letter with which you notified people about the appeal.
File name: appeal notification Savernake Rd.pdf
File name: appeal notification Savernake Rd Mansfield CAAC.pdf
File name: appeal notification FAO 88B Savernake Rd.pdf

Relates to Section: PART 6
Document Description: 21.b. A list of the people you notified and the deadline you gave for their comments to be sent to us.
File name: appeal notification distribution list.pdf

Relates to Section: PART 6
Document Description: 21.c. the planning officer's report to committee or delegated report and any other relevant document/minutes.
File name: Delegated report.pdf

Relates to Section: PART 6
Document Description: 22.a. Extracts from any statutory development plan policy including the front page, title and date of approval/adoption and status.
File name: Camden Local Plan - cover and introduction.pdf
File name: DM1 - Delivering and Monitoring.pdf
File name: H1 - Maximising Housing Supply.pdf
File name: H6 - Housing Choice and Mix.pdf
File name: H7 - Large and Small Homes.pdf
File name: T1 - Prioritising Walking, Cycling and Public Transport - Copy.pdf
File name: T2 - Parking and Car Free Development - Copy.pdf

Relates to Section: PART 6
Document Description: 22.c. 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.

File name: Transport CPG January 2021.pdf

File name: Housing January 2021 CPG.docx

Relates to Section: PART 6

Document Description: 22.i. Any other relevant information or correspondence you consider we should know about.

File name: 31.5.2019 Decision Notice - 88A Savernake Rd.pdf

File name: 31.5.2019 Drawing 1705_A002_A.pdf

File name: 31.5.2019 Drawing 1705_A002_C.pdf

File name: 1705_A001_Ground Floor Plan_As Proposed.pdf

File name: 1705_A002_Roof Plan_As Proposed.pdf

File name: 1705_A003_A_Section AA_As Proposed.pdf

File name: 1705_A004_Section BB_As Proposed.pdf

File name: 1705_A006_A_East Elevation_As Proposed.pdf

File name: 1705_A006_East Elevation_As Proposed.pdf

File name: 1705_A007_A_West Elevation_As Proposed.pdf

File name: 1705_A007_West Elevation_As Proposed.pdf

File name: 1705_A008_A_Rear Elevation_As Proposed.pdf

File name: 1705_A008_Rear Elevation_As Proposed.pdf

File name: 1705_E001_Ground Floor Plan_As Existing.pdf

File name: 1705_E002_Roof Plan_As Existing.pdf

File name: 1705_E003_Section AA_As Existing.pdf

File name: 1705_E004_Section BB_As Existing.pdf

File name: 1705_E005_Front Elevation_As Existing.pdf

File name: 1705_E006_East Elevation_As Existing.pdf

File name: 1705_E007_West Elevation_As Existing.pdf

File name: 1705_E008_Rear Elevation_As Existing.pdf

File name: 1705_E009_Site Location Plan_As Existing.pdf

File name: 1705_R001_Design and Access Statement.pdf

File name: Decision Notice - 88A Savernake Rd 4.12.2017.pdf

File name: Delegated Report (Members Briefing) 22.11.2017.pdf

File name: 30092 original consent for conversion.pdf

File name: 30092 drawings.pdf

File name: 30092 application form.pdf

File name: 1705_A003_Section AA_As Proposed.pdf

Relates to Section: PART 7

Document Description: 23. A true copy of the Enforcement Notice.

File name: EN without schedule of addresses.pdf

The documents listed below are to follow by post:

Relates to Section: PART 6

Document Description: 21.d. where ground (a) (s174) has been pleaded and any fee required has been paid, a comprehensive list of conditions which you consider should be imposed if planning permission is granted. You need not attach this now, but it should reach us within 6 weeks of the starting date. The list must be submitted separately from your appeal statement.

Relates to Section: PART 7

Document Description: 24. The Enforcement Notice Plan.

Relates to Section: PART 7

Document Description: 25. A list of those served with the Notice.

Relates to Section: PART 7

Document Description: 26. Statement of case.

Completed by

Not Set

Date

28/04/2022 10:25:32

LPA

London Borough of Camden