

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/22/3303805

Appeal By

MR A KAMALI

Site Address

190 Finchley Road
LONDON
NW3 6BX

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.*

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

To assess impact on character, function, vitality and viability of the Finchley Road town centre. To assess impact on promotion of more sustainable and efficient forms of transport.

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

Please describe

The premises are vacant. The matter of accessibility is unclear to me.

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 ☐

Please give our reference number(s)

APP/X5210/W/22/3304589
APP/X5210/W/22/3302422

Please attach details

PART 2

- | | | | |
|--|-----|-----------------------------|-------------------------------------|
| 4. Does the appeal relate to an application for approval of reserved matters? | Yes | <input type="checkbox"/> No | <input checked="" type="checkbox"/> |
| 5. Was a site ownership certificate submitted with the application? | Yes | <input type="checkbox"/> No | <input checked="" type="checkbox"/> |
| 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 Conservation Areas) Act 1990 or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990? | Yes | <input type="checkbox"/> No | <input checked="" type="checkbox"/> |
| 7. Does the appeal relate to a county matter? | Yes | <input type="checkbox"/> No | <input checked="" type="checkbox"/> |

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

- | | |
|--------------------|-------------------------------------|
| Major Developments | <input type="checkbox"/> |
| Minor Developments | <input checked="" type="checkbox"/> |
| Other Developments | <input type="checkbox"/> |

8.b. Minor Developments

- | | |
|--------------------------------------|-------------------------------------|
| Dwellings | <input type="checkbox"/> |
| Offices/R and D/light industry | <input type="checkbox"/> |
| General industry/storage/warehousing | <input type="checkbox"/> |
| Retail and services | <input checked="" type="checkbox"/> |
| Traveller caravan pitches | <input type="checkbox"/> |
| All other minor developments | <input type="checkbox"/> |

Is the appeal site within:

- | | | | |
|---|-----|-----------------------------|-------------------------------------|
| 9.a. A Green Belt? | Yes | <input type="checkbox"/> No | <input checked="" type="checkbox"/> |
| 9.b. An Area of Outstanding Natural Beauty? | Yes | <input type="checkbox"/> No | <input checked="" type="checkbox"/> |
| 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 | <input type="checkbox"/> No | <input checked="" type="checkbox"/> |

PART 3

- | | | | |
|--|-----|-----------------------------|-------------------------------------|
| 11. Would the development require the stopping up or diverting of a public right of way? | Yes | <input type="checkbox"/> No | <input checked="" type="checkbox"/> |
| 12.a. Is the site in a Conservation Area? | Yes | <input type="checkbox"/> No | <input checked="" type="checkbox"/> |
| 12.b. Is the site adjacent to a Conservation Area? | Yes | <input type="checkbox"/> No | <input checked="" type="checkbox"/> |
| 12.c. Does the appeal proposal include the demolition of a non-listed building within a conservation area? | Yes | <input type="checkbox"/> No | <input checked="" type="checkbox"/> |
| 13.a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II* / II listed building? | Yes | <input type="checkbox"/> No | <input checked="" type="checkbox"/> |
| 13.b. Would the proposed development affect the setting of a listed building? | Yes | <input type="checkbox"/> No | <input checked="" type="checkbox"/> |
| 14. Has a grant been made under s3A or s4 of the Historic Buildings and Ancient Monuments Act 1953? | Yes | <input type="checkbox"/> No | <input checked="" type="checkbox"/> |

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 ☐
☒ see 'Questionnaire Documents' section

21. Have all notifications or consultations under any Act, Order or Departmental Circular, necessary before granting permission, taken place? Yes ☐ No ☒

Please inform the appropriate bodies of the appeal now and ask for any comments to be sent to us by the date your statement is due.

PART 5

22. Do you wish to attach your statement of case? Yes ☒ No ☐
☒ see 'Questionnaire Documents' section

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

16/12/2022

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](#)

☒ [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](#)

☒ [see 'Questionnaire Documents' section](#)

List of policies

A1, CC1, E1, TC1, TC2, TC4

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

☒ [see 'Questionnaire Documents' section](#)

List of policies

4(1)

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;	<input type="checkbox"/>
24.n. your Authority's CIL charging schedule has been/is likely to be adopted;	<input checked="" type="checkbox"/>
Please provide the date of adoption:	<input type="text" value="30/10/2020"/>
24.o. any other relevant information or correspondence you consider we should know about.	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> see 'Questionnaire Documents' section	
For the Mayor of London cases only	
25.a. Was it necessary to notify the Mayor of London about the application?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
25.b. Did the Mayor of London issue a direction to refuse planning permission?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

LPA Details	
I certify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent today. <input checked="" type="checkbox"/>	
LPA's reference	<input type="text" value="2022/0318/P"/>
Completed by	<input type="text" value="Karina Wujek"/>
On behalf of	<input type="text" value="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/W/22/3303805

Appeal By MR A KAMALI

Site Address
190 Finchley Road
LONDON
NW3 6BX

The documents listed below were uploaded with this form:

Relates to Section: PART 1
Document Description: 3.b. Copies of any other appeals or matters, including our reference number(s) which are adjacent or close to the site still being considered by us or the Secretary of State.
File name: appeal 3304589 valid.pdf
File name: Start letter 3302422.pdf

Relates to Section: PART 4
Document Description: 20.e. A copy of the site notice and local advertisement published as required for EIA development.
File name: 2022_0318_P.jpeg
File name: 2022_0318_P-2.jpeg

Relates to Section: PART 5
Document Description: 22. The LPA's statement of case.
File name: LPA Statement to follow.docx

Relates to Section: PART 5
Document Description: 24.a. A copy of the letter with which you notified people about the appeal.
File name: Appeal -190 Finchley Road - notify Redington Frognal NF.pdf
File name: Appeal -notify- 190 Finchley Road.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: appeal distribution list - neighbours.pdf
File name: appeal distribution list - parade.pdf

Relates to Section: PART 5
Document Description: 24.c. Copies of all representations received from interested parties about the original application.
File name: 6 March, 2022 .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: report.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: No Committee documents.docx

Relates to Section: PART 5

Document Description:	24.f. Copies of extracts from any relevant statutory development plan policies.
File name:	Camden Local Plan - cover and introduction.pdf
Relates to Section:	PART 5
Document Description:	24.f. Copies of extracts from any relevant statutory development plan policies.
File name:	A1 - Managing the Impact of Development.pdf
File name:	E1 - Economic Development.pdf
File name:	TC1 - Quantity and Location of Retail Development.pdf
File name:	TC2 - Camden's centres and other shopping.pdf
File name:	TC4 - Town Centre Uses.pdf
File name:	CC1 - Climate Change Mitigation.pdf
Relates to Section:	PART 5
Document Description:	24.f. Copies of extracts from any relevant statutory development plan policies.
File name:	Neighbourhood area boundary.pdf
File name:	Neighbourhood Development Plan Adoption Statement.pdf
File name:	Neighbourhood Forum Constitution.pdf
File name:	Neighbourhood Forum redesignation application.pdf
File name:	Neighbourhood Plan 2021 to 31.12.2045.pdf
Relates to Section:	PART 5
Document Description:	24.g. Copies of extracts of any relevant policies which have been 'saved' by way of a Direction.
File name:	Notice for area outside the CAZ KQ.pdf
File name:	Article 4 Direction outside CAZ - confirmed 29 June 2022.pdf
File name:	article 4 - Outside CAZ KQ - WEST v.2.pdf
Relates to Section:	PART 5
Document Description:	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.
File name:	Amenity CPG January 2021.pdf
File name:	Town Centres & Retail CPG January 2021.pdf.docx
Relates to Section:	PART 5
Document Description:	24.o. Copies of any other relevant information or correspondence you consider we should know about.
File name:	Map overview - article 4 direction area specifically for 190 Finchley Road.pdf
File name:	2022_3588_P RFNF consultation response (16 September 2022).pdf
File name:	2022_3588_P Planning Statement (January 2022).pdf
File name:	2022_3588_P Proposed plan.pdf
File name:	2022_3588_P Current plan.pdf
File name:	2022_3588_P Location plan.pdf
File name:	2022_3588_P Application Form.pdf
Completed by	Not Set
Date	16/11/2022 17:35:10
LPA	London Borough of Camden