

LIPINSKI · PATES

CHARTERED ARCHITECTS

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697/3.01

J. Brown Esq.,
London Borough of Richmond upon Thames,
Civic Centre,
44, York Street,
Twickenham,
MIDDLESEX TW1 3BZ.

27 September 2007.



Dear Mr. Brown,

Planning application to convert the air raid shelter at St. Leonard's Court, London SW14 7NG.
Local Authority reference 06/1925/FUL.

We are writing to you on behalf of our clients' Dorrington Investment plc., to advise you that a planning appeal with regard to the above application has been submitted to the Planning Inspectorate on the grounds that the local authority have failed to determine it within a reasonable period.

The documents enclosed with the appeal comprised:

The appeal form.

Appendix A: A copy of all the documents that comprised the planning application.

Appendix B: A copy of a report on the application site prepared by English Heritage in November 2006.

Appendix C: A copy of the flood risk assessment submitted to the local authority in April 2007 and of the Arboricultural report submitted in May 2007.

You have been sent copies of all the above documents previously, with the exception of the appeal form, a copy of which we enclose with this letter. If you need additional copies of any of the documents please let us know.

If you are able to issue a planning permission for the application we would, of course, be happy to withdraw the appeal.

Yours sincerely,

A handwritten signature in black ink that reads 'Alan Pates'.

Alan Pates.

Lipinski Pates Architects

Enc: Planning appeal form.

Cc Dorrington Investment plc.
Planning Inspectorate:

D. Salvesen Esq.
Registry.

Planning application to convert the air raid shelter at St. Leonard's Court, London SW14 7NG.
Local Authority reference 06/1925/FUL.

APPENDICES:

A: Documents comprising the original application:

- A1: Lipinski Pates Architects letter dated 12 June 2006.
- A2-3: Planning application form TP1 with Certificate A.
- A4-8: The design statement document. Dated June 2006.
- A9: A photo montage of the proposed development showing the new access.
Lipinski Pates Architects drawings:
 - A10: 06/697/01: Site layout as existing and location plan.
 - A11: 06/697/02: Site layout as proposed.
 - A12: 06/697/03: Site elevations as existing.
 - A13: 06/697/04: Site elevations as proposed.
 - A14: 06/697/05: Basement level plan and cross sections.
 - A15: 06/697/06: Ground level plan and elevations.
- A16: Acknowledgement letter from Richmond dated 5 July 2006.

B: Report from English Heritage:

- B1-2: English Heritage letter dated 2 November 2006, reference 162322.
- B3-5: English Heritage Listing adviser's report dated 2 November 2006.
- B6: Lipinski Pates Architect's letter to London Borough of Richmond dated 6 November 2006.

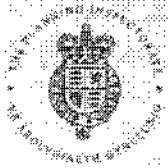
C: Flood risk assessment /Arboricultural report.

- C 1-8: Lipinski Pates Architect's letter to London Borough of Richmond dated 26 February 2007.
Flood Risk assessment dated March 2007.
- C9: Lipinski Pates Architect's letter to London Borough of Richmond dated 3 April 2007.
- C10-38: Arboricultural report dated 15 May 2007.
- C39: Lipinski Pates Architect's letter to London Borough of Richmond dated 18 May 2007.

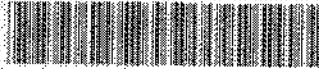
Cc	Planning Inspectorate: Dorrington Investment plc. London Borough of Richmond upon Thames: File.	Registry. D. Salvesen Esq. J. Brown Esq.
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27 September 2007.

The Planning Inspectorate



Further information about us and the planning appeal system is available on our website www.planning-inspectorate.gov.uk



For official use only
Date Received

PLANNING APPEAL

If you need this document in large print, on audio tape, in Braille or in another language, please contact our helpline on 0117 372 6372.

Please use a separate form for each appeal

Your appeal and essential supporting documents must reach the Inspectorate within 6 months of the date shown on the Local Planning Authority's decision notice (or, for 'failure' appeals, within 6 months of the date by which they should have decided the application).

Before completing this form, please read our booklet 'Making your planning appeal' which was sent to you with this form.

WARNING: If any of the 'Essential supporting documents' listed in Section 3 are not received by us within the 6 month period, the appeal will not be accepted.

PLEASE PRINT CLEARLY IN CAPITALS USING BLACK INK

A. APPELLANT DETAILS

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

Name **D. SALVESEN ESQ**

Organisation Name (if applicable) **DORRINGTON INVESTMENT**

Address **14 HANS ROAD**

LONDON

Postcode **SN3 1RT**

Daytime Tel **020 75811477**

Fax

Email

I prefer to be contacted by Email Post

B. AGENT DETAILS (if any) FOR THE APPEAL

Name **ALAN PATES**

Organisation Name (if applicable) **LIPINSKI PATES ARCHITECTS**

Address **68A KELMSCOTT ROAD**

BATTERSEA LONDON

Postcode **SW11 6PT**

Your Ref **697**

Daytime Tel **02077389127**

Fax **02077389128**

Email **alan@lipinskipates.co.uk**

I prefer to be contacted by Email Post

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA: **RICHMOND UPON THAMES**

LPA's application reference no. **06/1925/FUL**

Date of the planning application **130606**

Date of LPA's decision notice (if issued)

The Planning Inspectorate - Planning Appeal

D. APPEAL SITE ADDRESS

Address **CENTRAL COURTYARD AREA**
ST LEONARDS COURT
ST LEONARDS ROAD, EAST SHEEN

Postcode **SW14 7NG** Note: Failure to provide the full postcode may delay the processing of your appeal.

Is the appeal site within a Green Belt? YES NO

E. DESCRIPTION OF THE DEVELOPMENT

Please enter details of the proposed development. This should normally be taken from the planning application form, but if the application was revised (and agreed) while it was with the local planning authority for consideration, you may enter a description of the revised scheme.

CONVERSION OF EXISTING UNDERGROUND AIR RAID SHELTER INTO TWO SELF CONTAINED APARTMENTS

Size of the whole appeal site (in hectares) **0.04**

Area of floor space of proposed development (in square metres) **124**

Has the description of the development changed from that entered on the application form? YES NO

F. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to:

Please tick **ONE** box only. ✓

- 1 Refuse planning permission for the development described in Section E.
- 2 Grant planning permission for the development subject to conditions to which you object.
- 3 Refuse approval of the matters reserved under an outline planning permission.
- 4 Grant approval of the matters reserved under an outline planning permission subject to conditions to which you object.
- 5 Refuse to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above).

OR

- 6 The failure of the LPA to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval.

G. CHOICE OF PROCEDURE

CHOOSE ONE PROCEDURE ONLY

You should start by reading our booklet 'Making your planning appeal' which explains the different procedures used to determine planning appeals. In short there are 3 possible methods: - written representations, hearings and inquiries. You should consider carefully which method suits your circumstances.

Please note that when we decide how the appeal will proceed we will take into account the LPA's views.

1 WRITTEN REPRESENTATIONS

This is normally the simplest, quickest and most straightforward way of making an appeal. Three out of every four people making an appeal choose this method. The written procedure is particularly suited to small-scale developments (e.g. extensions of buildings, individual houses or small groups of houses, appeals against conditions and changes of use). It is also very popular with people making their own appeal without professional help. The process involves the submission of written 'grounds of appeal' followed by a written statement and any supporting documents. It also provides an opportunity to comment in writing on the Local Planning Authority's reasons for refusing permission (or failing to determine the application). An Inspector will study all of the documents before visiting the appeal site/area and issuing a written decision.

NOTE: 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.

- 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
- b) Is it essential for the Inspector to enter the site to check measurements or other relevant facts? YES
NO

If the answer to **1b** is 'YES' please explain

IF THE INSPECTOR WISHES TO ACCESS THE INSIDE OF THE SHELTER THEN THIS CAN BE ORGANISED BY ARRANGEMENT.

2 HEARINGS

This process is likely to be suited to slightly more complicated cases which require detailed discussion about the merits of a proposal. Like the written procedure, the process starts with the submission of 'written grounds of appeal' followed by a full written statement of case and an opportunity to comment in writing on the Local Planning Authority's reasons for refusing permission (or failing to determine the application). The Planning Inspectorate will then arrange a hearing at which the Local Planning Authority and the appellant(s) will be represented. Members of the public, interested bodies (e.g. Parish/Town Councils) and the press may also attend. At the hearing the Inspector will lead a discussion on the matters already presented in the written statements and supporting documents. The Inspector will visit the site/area and issue a written decision in the same way as the written procedure.

Although you may prefer a hearing the Inspectorate must consider your appeal suitable for this procedure.

3 INQUIRIES

This is the most formal of procedures. Although it is not a court of law the proceedings will often seem to be quite similar as the parties to the appeal will usually be legally represented and expert witnesses will be called to give evidence. Members of the public and press may also attend. In general, inquiries are suggested for appeals that:

- are complex and particularly controversial;
- have caused a lot of local interest;
- involve the need to question evidence through formal cross-examination.

H. GROUNDS OF APPEAL

If you have requested the written procedure, please provide your **FULL** grounds of appeal.

If you have requested a hearing or an inquiry, you do not have to provide your full grounds of appeal. You can provide only a brief outline of your grounds, but it must be sufficiently detailed and comprehensive to enable the LPA to prepare their case.

Refer to our booklet 'Making your planning appeal' for help.

Please continue on a separate sheet if necessary.

THIS APPEAL IS BEING MADE ON THE GROUNDS THAT THE LOCAL AUTHORITY HAS FAILED TO DETERMINE THIS APPLICATION WITHIN A REASONABLE PERIOD.

THIS APPLICATION REPRESENTS AN OPPORTUNITY TO BRING BACK INTO USE A REDUNDANT STRUCTURE TO PROVIDE 2 NEW APARTMENTS. THE NATURE OF THE DEVELOPMENT WILL PRODUCE DWELLINGS WITH A LOW CARBON FOOTPRINT AND A MINIMAL IMPACT ON THEIR ENVIRONMENT.

THE PROPOSAL IS DESCRIBED IN DETAIL IN THE APPLICATION DOCUMENTS ATTACHED IN APPENDIX A. IT SHOULD BE NOTED THAT THE POSITIONS OF WINDOWS AND ROOMS HAVE BEEN CAREFULLY CONSIDERED TO ENSURE THE DEVELOPMENT WILL NOT OVERLOOK ANY NEIGHBOURING PROPERTY.

THE PROPOSAL IS IN LINE WITH GOVERNMENT AND LOCAL AUTHORITY POLICY IN THAT IT =

- 1/ MAKES USE OF A "BROWNFIELD" SITE.
- 2/ BRINGS BACK INTO USE A REDUNDANT BUILDING.
- 3/ WOULD HAVE A LOW CARBON CONSTRUCTION COST IN THAT, FOR THE MOST PART, IT MAKES USE OF EXISTING WALLS AND SLABS.
- 4/ HAS LOW ENVIRONMENTAL RUNNING COSTS. ITS UNDERGROUND LOCATION AND THE USE OF A THICK PLANTED ROOF WILL RESULT IN HEAT LOSSES FAR BELOW THOSE EXPERIENCED FROM STANDARD NEW-BUILD UNITS.
- 5/ HAS MINIMAL ENVIRONMENTAL IMPACT. MOST RAINWATER FALLING ON THE SITE WILL BE ABLE TO GO DIRECTLY INTO THE GROUND.

THE LOCATION IS SUITABLE FOR A RESIDENTIAL DEVELOPMENT AS IT IS:

- A/ IN AN EXISTING RESIDENTIAL AREA
- B/ WITHIN A SHORT WALK OF GOOD SHOPPING & FACILITIES IN EAST SHEEN
- C/ WITHIN A SHORT WALK OF MORTLAKE RAILWAY STATION AND SEVERAL BUS ROUTES

H. GROUNDS OF APPEAL (continued)

ENGLISH HERITAGE HAVE BEEN CONSULTED AS TO THE VALUE OF THE SHELTER AS A HISTORICAL RECORD OF THE WWII PERIOD AND REPORTED IN NOVEMBER 2006 THAT THE STRUCTURE DOES NOT MERIT LISTING FOR PRESERVATION BEING UNREMARKABLE IN ITS CONSTRUCTION AND QUALITY. THEIR REPORT IS ATTACHED IN APPENDIX B.

DISCUSSIONS WITH THE COUNCIL OFFICERS IN FEBRUARY 2007 INDICATED THAT, SUBJECT TO THE CONSIDERATION OF 3 SPECIFIC MATTERS, THEY FELT THAT THE PROPOSAL COMPLIED WITH ALL THE RELEVANT COUNCIL POLICIES AS CONTAINED IN THE UDP. THE 3 MATTERS THAT NEEDED FURTHER CONSIDERATION WERE:

- 1/ AN ASSESSMENT OF PARKING PRESSURE IN THE AREA
- 2/ AN ASSESSMENT OF FLOOD RISK.
- 3/ AN ASSESSMENT OF THE IMPACT OF THE DEVELOPMENT ON THE ADJACENT TREES.

THESE MATTERS HAVE SINCE BEEN ADDRESSED SUCCESSFULLY.

- 1/ THE COUNCIL UNDERTOOK A PARKING STUDY IN THE AREA & HAVE NOT ADVISED THAT PARKING WOULD BE A MATTER THAT WOULD BE AN OBSTACLE TO GRANTING CONSENT.
- 2/ A FLOOD RISK ASSESSMENT HAS BEEN UNDERTAKEN AND CONCLUDES THAT THE DEVELOPMENT CAN BE COMPLETED WITHOUT A SIGNIFICANT RISK OF FLOOD TO ITS OCCUPANTS OR ANY ADVERSE IMPACT ON THE FLOOD RISK TO OTHER PROPERTIES IN THE AREA.
- 3/ AN ARBORICULTURAL REPORT HAS BEEN UNDERTAKEN AND CONCLUDES THAT THE DEVELOPMENT CAN BE COMPLETED WITHOUT ANY SIGNIFICANT IMPACT ON THE ADJACENT TREES.

COPIES OF REPORTS ARE INCLUDED IN APPENDIX C.

THIS PROPOSAL SHOULD BE GRANTED CONSENT BECAUSE:

- i) IT BRINGS BACK INTO USE A REDUNDANT STRUCTURE TO PROVIDE 2 NEW HOMES IN AN AREA SUITED TO RESIDENTIAL DEVELOPMENT
- ii) IT PROVIDES RESIDENTIAL UNITS THAT WILL HAVE A LOW ENERGY USE AND AT A LOW ENVIRONMENTAL IMPACT AND TO STANDARDS ABOVE CURRENT REQUIREMENTS.
- iii) IT COMPLIES WITH LOCAL AUTHORITY POLICIES AND WILL HAVE NO SIGNIFICANT IMPACT ON LOCAL AMENITY, PARKING, THE LEVEL OF FLOOD RISK AND THE WELFARE OF THE EXISTING ADJACENT TREES.

4 MONTHS HAVE ELAPSED SINCE THIS INFORMATION WAS PROVIDED TO LA.

I. APPEAL SITE OWNERSHIP DETAILS

We need to know who owns the appeal site. If you do not own the appeal site or if you own only a part of it, we need to know the name(s) of the owner(s) or part owner(s). We also need to be sure that any other owner knows that you have made an appeal. **YOU MUST TICK WHICH OF THE CERTIFICATES APPLIES.**

Please read the enclosed *Guidance Notes* if in doubt.

Please tick **ONE** box only

If you are the **sole** owner of the **whole** appeal site, certificate A will apply:

CERTIFICATE A A

I certify that, on the day 21 days before the date of this appeal, nobody except the appellant, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates:

OR

CERTIFICATE B B

I certify that the appellant (or the agent) has given the requisite notice (see *Guidance Notes*) to everyone else who, on the day 21 days before the date of this appeal, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates, as listed below:

Owner's Name	Address at which the notice was served	Date the notice was served
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

CERTIFICATES C and D C & D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D enclosed with the accompanying *Guidance Notes* and attach it to the appeal form.

AGRICULTURAL HOLDINGS CERTIFICATE (This has to be completed for all appeals)

We also need to know whether the appeal site forms part of an agricultural holding. Please tick either (a) or (b).

If the appellant is the **sole** agricultural tenant, (b) should be ticked and 'not applicable' should be written under 'Tenant's name'.

a) None of the land to which the appeal relates is, or is part of, an agricultural holding:

OR

b) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates as listed below:

Tenant's Name	Address at which the notice was served	Date the notice was served
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

K. PLEASE SIGN BELOW

(Signed forms together with all supporting documents must be received by us within the 6 month time limit)

- 1 I confirm that I have sent a copy of this appeal form and relevant documents to the LPA.
(If you do not your appeal will not normally be accepted).
- 2 I confirm that all sections have been fully completed and that the details of the ownership (section I) are correct to the best of my knowledge.

Signature

Date 27 09 07

Name (in capitals) ALAN PATES (LIPINSKI PATES)

On behalf of (if applicable) DORRINGTON INVESTMENT PLC



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 1998. Further information about our Data Protection policy can be found on our website under "Privacy Statement" and in the booklet accompanying this appeal form.

NOW SEND

1 COPY to us at:

The Planning Inspectorate
Registry/Scanning Team
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

1 COPY to the LPA

Send a copy of the appeal form to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA). There is no need to send them all the documents again, send them any supporting documents not previously sent as part of the application. If you do not send them a copy of this form and documents, we may not accept your appeal.

1 COPY for you to keep

When we receive your appeal form, we will:

- 1 Tell you if it is valid and who is dealing with it.
- 2 Tell you and the LPA the procedure for your appeal.
- 3 Tell you the timetable for sending further information or representations.

YOU MUST KEEP TO THE TIMETABLE

If information or representations are sent late we may disregard them. They will not be seen by the Inspector but will be sent back to you.

- 4 Tell you about the arrangements for the site visit, hearing or inquiry.

At the end of the appeal process, the Inspector will give the decision, and the reasons for it, in writing.

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