

11/0042/AP/KON

The Planning Inspectorate

Further information on us and the planning appeal system can be found on our website www.planning-inspectorate.gov.uk

For official use only
(Date received)

21-Feb-2011 15:48

LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT APPEAL FORM (Online Version)

Your appeal and essential supporting documents must reach the Inspectorate within 6 months of the date of receipt of 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.

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

APPEAL REFERENCE: APP/L5810/E/11/2147786

A. APPELLANT DETAILS

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

Name Mr WG Bailey (Hamilton Lofts Limited)

Address 20 Mortlake High Street
London

Phone no. [REDACTED]

Fax no

Postcode SW14 8JN

E-mail [REDACTED]

Please confirm how you wish to correspond with us: Electronically, via the email address specified above
On paper, by post.

B. AGENT DETAILS FOR THE APPEAL (if any)

Name Mr WG Bailey (Hamilton Lofts Limited)

Address 20 Mortlake High Street
London

Your reference

Phone no. 02083926672

Fax no

Postcode SW14 8JN

E-mail wgb@frendcastle.co.uk

Please confirm how you wish to correspond with us: Electronically, via the email address specified above
On paper, by post.

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA Richmond Upon Thames London Borough Council

LPA's reference number 10/1691/ful

Date of the LBC/CAC application 11 Jun 2010

Date of the LPA's decision (if issued)

D. APPEAL SITE ADDRESS

Address 37 Hamilton Road
TWICKENHAM

Postcode TW2 6SN

Grid Reference: Easting 05154432

Northing 01733829

Is the appeal site within a Green Belt? YES NO

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

E. SUPPORTING INFORMATION

Please tick

Grade I Grade II* Grade II

1. If the building is listed, please indicate the grade of the building

2. Has a grant been made under sections 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953? YES NO

3. Does the appeal relate to an application for conservation area consent? YES NO

F. DESCRIPTION OF THE DEVELOPMENT

Size of the whole appeal site (in hectares) Area of floor space of proposed development (in square metres)

0.2

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

If YES, please state below the revised wording, and enclose a copy of the LPA's agreement to the change.

Conversion of existing redundant industrial building into 21 flats, demolition of minor buildings and structures and construction of 6 new residential units, with 24 car parking spaces

G. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to:-
(*Delete as appropriate)

Please tick **one** box only

1 Refuse *listed building consent/conservation area consent for the development described on the application form or in Section F.

2 Grant *listed building consent/conservation area consent for the development subject to conditions to which you object.

3 Refuse to vary a condition(s) in a previous grant of *listed building consent/conservation area consent.

4 Refuse to remove a condition(s) in a previous grant of *listed building consent/conservation area consent.

or

5 Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an application for *listed building consent/conservation area consent.

H. CHOICE OF PROCEDURE

There are 3 possible procedures:- written representations, hearings and inquiries. You should consider carefully which method suits your circumstances before selecting your preferred option by ticking the box.

1. THE WRITTEN REPRESENTATIONS PROCEDURE _____

This is normally the simplest, quickest and most straightforward way of making an appeal. The written procedure is particularly suited to small-scale developments (e.g. individual houses or small groups of houses; appeals against conditions or changes of use).

Please answer the questions below.

- a) Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from 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 so, please explain below or on a separate sheet.

2. THE HEARING PROCEDURE _____ ✓

This procedure is likely to be suited to more complicated cases which require detailed discussion about the merits of a proposal. At the hearing the Inspector will lead a discussion on the matters already presented in the written statements and supporting documents. Although you may indicate a preference for a hearing, the Inspectorate must also consider that your appeal is suitable for this procedure.

Please answer the question below.

- a) Is there any further information relevant to the hearing which you need to tell us about? If so please explain below. YES ✓ NO

3. THE INQUIRY PROCEDURE _____

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 may be called to give evidence. Although you may indicate a preference for an inquiry the Inspectorate must also consider that your appeal is suitable for this procedure.

Please answer the questions below.

- a) How long do you estimate the inquiry will last? No. of days
(Note: We will take this into consideration, but please bear in mind that our estimate will also be informed by others' advice and our own assessment.)
- b) How many witnesses do you intend to call? No. of witnesses
- c) Is there any further information relevant to the inquiry which you need to tell us about? If so, please explain below. YES NO
Please continue on a separate sheet if necessary.

I. GROUNDS OF APPEAL

If you have chosen the written representations procedure, your **FULL** grounds of appeal must be made; otherwise we will return the appeal form. You should give a clear explanation of why you disagree with each of the LPA's reasons for not granting listed building consent or conservation area consent, if appropriate.

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 enough 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.

Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? YES NO

J. SITE OWNERSHIP DETAILS

We need to know who owns the appeals site. If you do not own the appeal site or only own 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.

If you are the sole owner of the whole appeal site, certificate A will apply: Please tick **one** box only ✓

CERTIFICATE 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 building to which the appeal relates:

OR

CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice (see the *Guidance Notes*) to every one 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 building to which the appeal relates, as listed below:

Owner's name	Address at which the notice was served	Date the notice was served
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CERTIFICATES 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.

K. ESSENTIAL SUPPORTING DOCUMENTS

You **must** send the documents listed 1-7 below with your appeal form. Please tick the boxes to show which documents you are enclosing.

- | | | |
|---|---|---|
| 1 | A copy of the original listed building/conservation area consent application sent to the LPA. | ✓ |
| 2 | A copy of the site ownership certificate and ownership details submitted to the LPA <u>at application stage</u> (this is usually part of the LPA's planning application form). | ✓ |
| 3 | A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application. | ✓ |
| 4 | 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 <u>two named roads</u> so as to assist identifying 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. | ✓ |
| 5 | 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: | ✓ |
| 6 | Copies of all 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).
Please number them clearly and list the numbers here or on a separate sheet: | ✓ |
| 7 | A copy of the design and access statement sent to the LPA (Note: This does not apply to applications for conservation area consent). | |

You must send copies of the following, if appropriate:

- | | | |
|----|--|---|
| 8 | Additional plans, drawings or documents relating to the application but not previously seen by the LPA .
Please number them clearly and list the numbers here or on a separate sheet: | |
| 9 | If the appeal is against the LPA's refusal or failure to decide an application which relates to a condition , we must have a copy of the original permission with the condition attached. | |
| 10 | Any relevant correspondence with the LPA. | ✓ |

PLEASE TURN OVER AND SIGN THE FORM – UNSIGNED FORMS WILL BE RETURNED

L OTHER APPEALS

If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers.

APP/L5810/A/11/2147776

M CHECK SIGN AND DATE

(All supporting documents must be received by us within the 6 month time limit)

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*).

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 21 February 2011

Name (in capitals) Mr WG Bailey

On behalf of (if applicable) Mr WG Bailey

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."

N. NOW SEND

• **1 COPY to the LPA**

• **1 COPY for you to keep**

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.

WHEN WE RECEIVE YOUR APPEAL

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.
- 4) Tell you about the arrangements for the site visit, hearing or inquiry.
- 5) At the end of the appeal process, the Inspector will give the decision, and the reasons for it, in writing.

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.

O. 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 PO Box 2606, Bristol, BS1 9AY.

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:

APP/L5810/E/11/2147786

Please ensure that a copy of your appeal form and any supporting documents are sent to the local planning authority.

* The Documents Listed Below Were Uploaded With The Appeal Form *

----- ESSENTIAL SUPPORTING DOCUMENTS -----

TITLE: 01. A copy of the original listed building consent/conservation area consent application sent to the LPA.

DESCRIPTION: Application

FILENAME: 37HR 4th application completed form.pdf

TITLE: 02. A copy of the site ownership certificate and ownership details submitted to the LPA at application stage (this is usually part of the LPA's planning application form).

DESCRIPTION: Site owner form

FILENAME: 37HR 4th application completed form.pdf

TITLE: 03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.

DESCRIPTION: LPA Acknowledge letter

FILENAME: 37HR 4th appl LA acknowledge letter.pdf

TITLE: 04. 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 identifying the location of th

DESCRIPTION: Site Plan

FILENAME: 37HR location plan.doc.pdf

TITLE: 05. 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.

DESCRIPTION: Drawings 1 of 3

FILENAME: 37HR planning drawings 1 of 3.pdf

TITLE: 05. 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.

DESCRIPTION: Drawings 2 of 3

FILENAME: 37HR planning drawings 2 of 3.pdf

TITLE: 05. 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.

DESCRIPTION: Drawings 3 of 3

FILENAME: 37HR plannin drawings 3 of 3.pdf

TITLE: 05i. A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.

DESCRIPTION: Design and access statement

FILENAME: 37HR Design and Access Statement fourth application main text.pdf

TITLE: 06. 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

Continued on Supplementary Sheet

P. SUPPLEMENTARY SHEET

Appeal Documents (continued)

illustrative purposes).
DESCRIPTION: Energy report
FILENAME: 37HR energy report Aug10.pdf

TITLE: 06. 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).

DESCRIPTION: Revised drawings
FILENAME: 37HR revised drawings PL 116B 124B 127B.pdf

TITLE: 10. Any relevant correspondence with the LPA.
DESCRIPTION: LA last draft of S106
FILENAME: 475164 - 440856 - Draft 37 HamRd-106 Deed LBRUT28 5 10.pdf

TITLE: 10. Any relevant correspondence with the LPA.
DESCRIPTION: Applicant email response
FILENAME: 37HR clawback final agreed inputs 24.8.10.pdf