



Questionnaire (s78) & (s20)

Planning and Listed Building Consent

Appeal ref: APP/B1930/W/21/3279463

Appeal by: Castleoak Care Developments Ltd

Grid ref: _____

Site address: Burston Nurseries Ltd, North Orbital Road, ST. ALBANS,

Postcode: AL2 2DS

When you have completed this questionnaire you must send a copy, with attachments, to the appellant/agent and to our case officer, by the date specified in our start letter. You can send it to us by e-mail. The start date and case officer's details and e-mail address are in our letter.

1	a	Do you consider the written representation procedure to be suitable?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
<p>Note: If the written procedure is agreed, the Inspector will visit the site <u>unaccompanied</u> 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.</p>				
	b	If NO, do you wish to be heard by an Inspector at;		
		(i) a hearing? or	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
		(ii) an inquiry?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
	c	How long do you expect an inquiry would last?	4 days	
	d	How many witnesses do you intend to call?	2	
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 <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
	b	Is it <i>essential</i> for the Inspector to enter the site to assess the impact of the proposal?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
		If YES, please explain;		
		To view the setting of the Listed Building and see the site		
	c	Are there any known health and safety issues that would affect the conduct of the site inspection?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
		If YES, please describe;		

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 <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
		If YES, please give our reference numbers and if necessary attach details:		
		Refs: _____	<input type="checkbox"/> Attached	
	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 <input type="checkbox"/>	NO <input checked="" type="checkbox"/>

	If YES, please give our reference numbers and if necessary attach details: Refs: _____	<input type="checkbox"/> Attached
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 checked="" type="checkbox"/> NO <input 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? If YES, please attach;	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
a	a copy of the notice published;	<input checked="" type="checkbox"/> Attached
b	any representations received as a result of that notice;	No of docs 0
7	Does the appeal relate to a county matter?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
8 a	Major Developments – please indicate the development type for the application to which the appeal relates	
	Dwellings	YES <input checked="" type="checkbox"/>
	Offices/R & D/light industry	YES <input type="checkbox"/>
	General Industry/storage/warehousing	YES <input type="checkbox"/>
	Retail and service	YES <input type="checkbox"/>
	Traveller caravan pitches	YES <input type="checkbox"/>
	All other major developments	YES <input type="checkbox"/>
b	Minor Developments – please indicate the development type for the application to which the appeal relates	
	Dwellings	YES <input type="checkbox"/>
	Offices/R & D/light industry	YES <input type="checkbox"/>
	General Industry/storage/warehousing	YES <input type="checkbox"/>
	Retail and services	YES <input type="checkbox"/>
	Traveller caravan pitches	YES <input type="checkbox"/>
	All other minor developments	YES <input type="checkbox"/>
c	Other Developments – please indicate the development type for the application to which it relates	
	Mineral Working	YES <input type="checkbox"/>
	Change of use	YES <input type="checkbox"/>
	Householder developments	YES <input type="checkbox"/>
9	Is the appeal site within;	
a	a Green Belt?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
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? If YES, please attach details.	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> <input type="checkbox"/> Attached

11	<p>Would the development require the stopping up or diverting of a public right of way?</p> <p>If YES, please attach an extract from the Definitive Map and Statement for the area, and any other details.</p>	<p>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/></p> <p><input type="checkbox"/> Attached</p>
12 a	<p>Is the site in a Conservation Area?</p> <p>If YES, please attach a plan of the Conservation Area</p>	<p>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/></p> <p><input type="checkbox"/> Attached</p>
b	<p>Is the site adjacent to a Conservation Area?</p> <p>If YES, please attach a plan of the Conservation Area</p>	<p>YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p><input type="checkbox"/> Attached</p>
c	<p>Does the appeal proposal include the demolition of a non – listed building within a conservation area?</p>	<p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>
13 a	<p>Does the proposed development involve the demolition, alteration or extension of a listed building?</p> <p>If YES, is it a:</p> <p>Grade 1 <input type="checkbox"/> Grade II* <input type="checkbox"/> Grade II <input type="checkbox"/> Date of Listing: _____</p>	<p>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/></p>
b	<p>Would the proposed development affect the setting of a listed building?</p> <p>If YES to (a) or (b), please attach a copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest.</p>	<p>YES <input checked="" type="checkbox"/> NO <input type="checkbox"/></p> <p><input checked="" type="checkbox"/> Attached</p>
c	<p>If YES to (a) or (b), was Historic England consulted?</p> <p>Please attach a copy of any comments,</p>	<p>YES <input checked="" type="checkbox"/> NO <input type="checkbox"/></p> <p><input checked="" type="checkbox"/> Attached</p>
14	<p>Has a grant been made under s3A or s4 of the Historic Buildings and Ancient Monuments Act 1953?</p>	<p>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/></p>
15 a	<p>Would the proposals affect an Ancient Monument (whether scheduled or not)?</p>	<p>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/></p>
b	<p>If YES, was Historic England consulted?</p> <p>Please attach a copy of any comments.</p>	<p>YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p><input type="checkbox"/> Attached</p>
16	<p>Is any part of the site subject to a Tree Preservation Order?</p> <p>If YES, please attach a plan showing the extent of the Order and any relevant details.</p>	<p>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/></p> <p><input type="checkbox"/> Attached</p>
17	<p>Have you made a Local Development Order under s61A to s61C of the Town and Country Planning Act 1990 (as inserted by s40 of the Planning & Compulsory Purchase Act 2004) relating to the application site?</p> <p>If YES, please attach a copy of the relevant order.</p>	<p>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/></p> <p><input type="checkbox"/> Attached</p>
18	<p>Does the appeal involve persons claiming Gypsy/Traveller status, whether or not this is accepted by the planning authority?</p>	<p>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/></p>
19 a	<p>Is the appeal site in or adjacent to or likely to affect an SSSI and/or an Internationally designated site (ie. cSAC, SAC, pSPA, SPA, Ramsar)?</p> <p>If YES, was it necessary to consult Natural England?</p> <p>If YES, please attach the comments of Natural England.</p>	<p>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/></p> <p>YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p><input type="checkbox"/> Attached</p>
b	<p>Are any protected species likely to be affected by the proposals?</p> <p>If YES, please attach the comments of Natural England</p> <p style="text-align: center;">OR</p> <p>attach details, including the relevant extracts of any protected species standing advice that has been considered.</p>	<p>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/></p> <p><input type="checkbox"/> Attached</p>

20	Environmental Impact Assessment		
	Schedule 1		
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 <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
	(ii) If YES, under which description of development? (ie Nos 1-23).	_____	
	Schedule 2		
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 <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
	(ii) If YES, under which description of development in Column 1? (ie Nos 1-13)	_____	
	(iii) Is the development within or partly within a 'sensitive area' as defined by Regulation 2 of the Town and Country planning (Environmental Impact Assessment) Regulations 2011?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
	If YES, please provide details:	_____	
	(iv) Is the applicable threshold/criteria in Column 2 exceeded/met?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	Screening		
c	(i) Have you issued a screening opinion (SO)?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
	If YES, please attach a copy of the SO that was placed on the planning register, and any other related correspondence.	<input type="checkbox"/> Attached	
	(ii) If YES, did the SO state that the proposed development is EIA development as defined by the EIA Regulations?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	Environmental Statement (ES)		
d	Has the appellant supplied an environmental statement?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
	If YES, please supply any related correspondence from statutory consultees and others that you may have had about the adequacy of the environmental information contained in the ES, having regard to The Town and Country Planning (Environmental Impact Assessment) Regulations 2011.	<input type="checkbox"/> Attached	
	Publicity		
e	If applicable, please attach a copy of the site notice and local advertisement published as required for EIA development.	<input type="checkbox"/> Attached	
21	Have all notifications or consultations under any Act, Order or Departmental Circular, necessary before granting permission, taken place?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
	If YES, please attach copies of any comments that you received in response.	Attached <input checked="" type="checkbox"/>	
	If 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.		
22	Do you wish to attach your statement of case?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
	If YES, statement should either be attached or should follow.	<input type="checkbox"/> Attached	
23	For appeals dealt with by written representations only.	_____	

If this appeal is not following the written representations expedited procedure, do you intend to send a statement of case about this appeal?		YES <input type="checkbox"/>	NO <input type="checkbox"/>
If NO, please attach the following information now (for all appeals, whether refusal or non-determination);			
a	a full list of the plans submitted with the application;	<input checked="" type="checkbox"/>	Attached
b	the relevant planning history;	<input checked="" type="checkbox"/>	Attached
c	what the decision notice would have said if it was a non-determination;	<input type="checkbox"/>	Attached
d	relevant development plan policies;	<input checked="" type="checkbox"/>	Attached
24	Copies of the following documents must, if appropriate, be attached to this questionnaire;	N/A	No of docs
a	a copy of the letter with which you notified people about the appeal;	<input type="checkbox"/>	_____
b	a list of the people you notified and the deadline you gave for their comments to be sent to us; Deadline: _____	<input type="checkbox"/>	_____
c	all representations received from interested parties about the original application;	<input type="checkbox"/>	_____
d	the planning officer's report to committee or delegated report on the application and any other relevant documents/minutes;	<input type="checkbox"/>	1
e	any representations received as a result of service of site ownership notification;	<input type="checkbox"/>	0
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 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; List of those policies: _____	<input type="checkbox"/>	1
g	extracts of any relevant policies which have been 'saved' by way of a Direction. List of those policies: Policy 1 Metropolitan Green Belt Policy 106 Nature Conservation Policy 143B Implementation Policy 34 Highways Considerations in Development Control Policy 35 Highway Improvements in Association with Development Policy 39 Parking Standards, General Requirements. Policy 43 Elderly Persons Dwellings and Residential Homes / hostels, Parking Standards Policy 69 General Design and Layout Policy 70 Design and Layout of New Housing Policy 74 Landscaping and Tree Preservation Policy 84a Drainage Infrastructure Policy 97 Existing Footpaths, Bridleways and Cycleways. Policy 102 Loss of Agricultural Land Policy 111 Archaeological sites where planning permissions may be subject to a recording condition	<input type="checkbox"/>	1

- 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; 1
 List of supplementary planning guidance:
 Parking SPG
- 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; _____
 List of supplementary planning documents:

- j** a comprehensive list of conditions which you consider should be imposed if planning permission is granted. You need not attach this to the other questionnaire papers, but it should reach us by the date your statement is due. The list must be submitted separately from your appeal statement; Attached
 List of conditions:
 To follow
- 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; N/A
 Date and comments:

- 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; N/A
 Comments: St Stephens Neighbourhood Plan
- m** if your Authority's CIL charging schedule is being /has been examined; YES NO
- n** the date the CIL is likely to be adopted OR if the CIL has been adopted the date of the adoption;
 Date: _____
- o** any other relevant information or correspondence you consider we should know about. No of docs _____

25 For the Mayor of London cases only

- a** Was it necessary to notify the Mayor of London about the application? YES NO
 If YES, please attach a copy of that notification. Attached
- b** Did the Mayor of London issue a direction to refuse planning permission? YES NO
 If YES, please attach a copy of that direction. Attached

Please provide the name, telephone number and e-mail address of the officer we can contact to make arrangements for the site visit, hearing or inquiry.

Name: _____

Tel No: _____

E-mail address: _____

Your reference: _____

I confirm that a copy of this questionnaire and any attachments have been sent to the appellant/agent today.

Name: _____

On behalf of (LPA): _____

Date: _____

Please tell us of any changes to the information you have given on this form.