

The Planning Inspectorate

PLANNING APPEAL FORM (Online Version)

WARNING: The appeal **and** essential supporting documents **must** reach the Inspectorate within the appeal period. **If your appeal and essential supporting documents are not received in time, we will not accept the appeal.**

Appeal Reference: APP/B1930/W/20/3260479

A. APPELLANT DETAILS

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

Name

Company/Group Name

Address

Preferred contact method

Email ☒ Post ☐

B. AGENT DETAILS

Do you have an Agent acting on your behalf? Yes ☒ No ☐

Name

Company/Group Name

Address

Phone number

Email

Preferred contact method

Email ☒ Post ☐

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority

LPA reference number

Date of the application

19/12/2019

Did the LPA validate and register your application?

Yes



No



Did the LPA issue a decision?

Yes



No



Date of LPA's decision

16/07/2020

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address?

Yes



No



Does the appeal relate to an existing property?

Yes



No



Address

Smallford Works
Smallford Lane
St Albans
Hertfordshire
AL4 0SA

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



Please describe the health and safety issues

Industrial operations. Site can be viewed from central estate road with no need to enter individual units where industrial operations are taking place.

E. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form?

Yes



No



Please enter details of the proposed development. This should normally be taken from the planning application form.

Outline planning permission with all matters reserved, except access, for the redevelopment of site including demolition of existing buildings to provide up to 100 residential units

Area (in hectares) of the whole appeal site [e.g. 1234.56]

3.5 hectare(s)

Does the proposal include demolition of non-listed buildings within a conservation area?

Yes



No



F. REASON FOR THE APPEAL

The reason for the appeal is that the LPA has:

1. Refused planning permission for the development.



2. Refused permission to vary or remove a condition(s).



3. Refused prior approval of permitted development rights.



4. Granted planning permission for the development subject to conditions to which you object.



5. Refused approval of the matters reserved under an outline planning permission.



6. Granted approval of the matters reserved under an outline planning permission subject to conditions to which you object. ☐
7. Refused to approve any matter required by a condition on a previous planning permission (other than those specified above). ☐
8. Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval. ☐
9. Failed to give notice of its decision within the appropriate period because of a dispute over provision of local list documentation. ☐

G. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations ☐
2. Hearing ☐
3. Inquiry ☒

You must give detailed reasons below or in a separate document why you think an inquiry is necessary. The reasons are set out in

☒ the box below

The Appellant requests the appeal to be determined by a blend of procedures, as introduced and encouraged under the Business and Planning Act 2020.

Given the complexities of the planning policy and balance issues raised, it would be appropriate to allow these matters to have an inquiry format, with cross-examination of expert witnesses. The issues to be discussed, particularly around the Green Belt include a need to examine planning judgement, worthy of cross-examination, but also the interpretation of national policy, that would benefit from input of advocates.

Other issues should be capable of, and may be most appropriately explored through a roundtable discussion. These topics comprise:

- Drainage and water supply;
- Landscape; and
- Ecology.

Any additional topics raised during the appeal should be capable of being covered by written representations.

We anticipate that the inquiry would last 3-4 days if the above format is followed.

(a) How many witnesses do you intend to call?

1

(b) How long do they need to give their evidence?

1 day for planning evidence, 1-2 days for round-table discussions on technical matters. 1 further day for opening and closing submissions, public statements, and planning obligations and conditions discussion.

(c) How long do you estimate the inquiry will last?

3 day(s)

(d) Is there any further information relevant to the inquiry which you need to tell us about?

The proposed method seeks to adopt a hybrid approach in line with the recommendations of the Rosewell Inquiry and procedures introduced and encouraged under the Business and Planning Act 2020.

H. FULL STATEMENT OF CASE

☒ see 'Appeal Documents' section

Do you have a separate list of appendices to accompany your full statement of case? Yes ☒ No ☐

☒ see 'Appeal Documents' section

(a) Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? (Please attach draft version if available) Yes ☒ No ☐

(b) Have you made a costs application with this appeal? Yes ☐ No ☒

I. (part one) SITE OWNERSHIP CERTIFICATES

Which certificate applies?

CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner of any part of the land to which the appeal relates; ☒

CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner of any part of the land to which the appeal relates, as listed below: ☐

CERTIFICATE C and D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D and attach it below. ☐

I. (part two) AGRICULTURAL HOLDINGS

We need to know whether the appeal site forms part of an agricultural holding.

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

(b)(i) The appeal site is, or is part of, an agricultural holding, and the appellant is the sole agricultural tenant. ☐

(b)(ii) 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. ☐

J. SUPPORTING DOCUMENTS

01. A copy of the original application form sent to the LPA. ☒

02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (if these did not form part of the LPA's planning application form). ☐

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. ☒

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 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. ☒

05. (a) 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.

05. (b) A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA. ☒
- 05.(c) A list of all plans, drawings and documents upon which the LPA made their decision. ☐
06. (a) Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application. ☒
06. (b) A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application. ☐
07. A copy of the design and access statement sent to the LPA (if required). ☒
08. A copy of a draft statement of common ground if you have indicated the appeal should follow the hearing or inquiry procedure. ☒
09. (a) Additional plans, drawings or documents relating to the application but not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion. ☐
09. (b) A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA. ☐
10. Any relevant correspondence with the LPA. Including any supporting information submitted with your application in accordance with the list of local requirements. ☐
11. If the appeal is against the LPA's refusal or failure to approve the matters reserved under an outline permission, please enclose:
- (a) the relevant outline application; ☐
- (b) all plans sent at outline application stage; ☐
- (c) the original outline planning permission. ☐
12. 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. ☐
13. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA). ☐
14. If the appeal is against the LPA's refusal or failure to decide an application because of a dispute over local list documentation, a copy of the letter sent to the LPA which explained why the document was not necessary and asked the LPA to waive the requirement that it be provided with the application. ☐

K. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided? Yes ☐ No ☒

L. CHECK SIGN AND DATE

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

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledge.

I confirm that I will send a copy of this appeal form and supporting documents (including the full statement of case) to the LPA today.

Signature

Mr Jamie Stanley

Date

02/10/2020 11:32:23

Name

Mr Jamie Stanley

On behalf of

Mr David Norman

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 2018. Further information about our Data Protection policy can be found on our website under Privacy Statement.

M. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form and any supporting documents (including the full statement of case) not previously sent as part of the application to the LPA. If you do not send them a copy of this form and documents, we may not accept your appeal.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:
<https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council>
- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

N. 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. Please ensure that any correspondence you send to us is clearly marked with the appeal reference number.

You will not be sent any further reminders.

The documents listed below were uploaded with this form:

Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A copy of the full statement of case.
File name:	Smallford Works - Statement of Case.pdf
Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A separate list of appendices to accompany your full statement of case
File name:	appendix a - site location plan.PDF
File name:	appendix e - decision notice.PDF
File name:	appendix c - pre-application response.PDF
File name:	appendix g - letter to council dated 3rd february 2020.PDF
File name:	appendix h - emerging local plan inspectors' post-hearings letter.PDF
File name:	appendix p - clued application cover letter.PDF
File name:	appendix d - indicative masterplan.PDF
File name:	appendix b - adopted policies map of site.PDF
File name:	appendix f - shlaa 2009 pro-forma of site.pdf
File name:	appendix i - officer's report relating to an application for a new access road (ref 5-2002-2112).PDF
File name:	appendix j - 2009 reinstatement cost assessment.PDF
File name:	appendix k - 2012 reinstatement cost assessment.PDF
File name:	appendix l - 2013 report and valuation.PDF
File name:	appendix m - 2015 reinstatement cost assessment.PDF
File name:	appendix n - occupational lease agreements dating the prior 10 years.PDF
File name:	appendix o - historical aerial imagery of site.PDF
File name:	appendix q - photograph of site access dated august 2020.JPG
File name:	appendix r - officers report (ref 5-2019-2434).PDF
File name:	Appendix S - Counsel Opinion.PDF
File name:	Appendix T - Image of LWS signage.JPG
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	01. A copy of the original application sent to the LPA.
File name:	application forms.PDF
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	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.
File name:	Smallford Work - Decision Notice.PDF
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	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 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.
File name:	17206-TUR-00-00-DR-A-02100_A-A2 Location Plan.PDF
Relates to Section:	SUPPORTING DOCUMENTS

Document Description:	05.a. 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.
File name:	17206-TUR-00-00-DR-A-02101_A-A2 Existing Site Plan.PDF
File name:	17206-TUR-00-00-DR-A-02200_A-A2 Block Plan.PDF
File name:	17206-TUR-00-00-DR-A-02102_A-A2 Proposed Site Plan.PDF
File name:	17206-TUR-00-00-DR-A-02300_A-A2 Unit Type - Ground Floor.PDF
File name:	17206-TUR-00-00-DR-A-02302_A-A2 Amenity.PDF
File name:	17206-TUR-00-00-DR-A-02303_A-A2 Parking.PDF
File name:	17206-TUR-00-00-DR-A-02304_A-A2 External Surfaces.PDF
File name:	17206-TUR-00-01-DR-A-02301_A-A2 Unit Type - Level 01.PDF
File name:	17206-TUR-00-XX-VS-A-02701_A-A2 Neighbourhood Green Perspective.PDF
File name:	17206-TUR-00-ZZ-DR-A-02501_A-A2 Street Type 2.PDF
File name:	17206-TUR-00-ZZ-DR-A-02500_A-A2 Street Type 1.PDF
File name:	17206-TUR-00-ZZ-DR-A-02503_A-A2 Street Type 4.PDF
File name:	17206-TUR-00-ZZ-DR-A-02502_A-A2 Street Type 3.PDF
File name:	17206-TUR-00-ZZ-DR-A-02504_A-A2 Site Sections A-A and B-B.PDF
File name:	17206-TUR-00-ZZ-DR-A-02505_A-A2 Site Section C-C and D-D.PDF
File name:	17206-TUR-02-ZZ-DR-A-02601_A-A2 2 Bed House - Type 01.PDF
File name:	17206-TUR-01-ZZ-DR-A-02600_A-A2 Apartment Block - Type 01.PDF
File name:	17206-TUR-03-ZZ-DR-A-02602_A-A2 2 Bed House - Type 02.PDF
File name:	17206-TUR-04-ZZ-DR-A-02603_A-A2 3 Bed House - Type 01.PDF
File name:	17206-TUR-08-ZZ-DR-A-02607_A-A2 4 Bed House - Type 01.PDF
File name:	17206-TUR-07-ZZ-DR-A-02606_A-A2 3 Bed House - Type 04.PDF
File name:	17206-TUR-06-ZZ-DR-A-02605_A-A2 3 Bed House - Type 03.PDF
File name:	17206-TUR-05-ZZ-DR-A-02604_A-A2 3 Bed House - Type 02.PDF
File name:	102940 smallford works - ta draft 051119part-1.PDF
File name:	102940 smallford works - ta draft 051119part-2.PDF
File name:	Air Quality Assessment.PDF
File name:	271119 smallford works sci.PDF
File name:	Arboricultural Implications Report.PDF
File name:	smallford planning statement.PDF
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.b. A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.
File name:	17206-TUR-00-XX-SC-A-02000_A-S2 Drawing Issue Sheet.PDF
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	06.a. 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).
File name:	letter to sacdc on emerging plan.PDF
File name:	Smallford Works - Response to Welwyn Hatfield.PDF
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	07. A copy of the design and access statement sent to the LPA.
File name:	17206-TUR-00-XX-RP-A-02400_A-A2 Design & Access Statement-1.0.PDF
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	08. A copy of a draft statement of common ground.
File name:	Draft Smallford Works - Statement of Common Ground.pdf
Completed by	MR JAMIE STANLEY
Date	02/10/2020 11:32:23