The Planning Inspectorate

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Your Ref: HGY/2015/3055
Our Ref: APP/Y5420/X/15/3140831

Neil McClellan
London Borough of Haringey
Planning Appeals
6th Floor, River Park House
225 High Road
London
N22 8HQ

22 December 2015

Dear Mr McClellan,

Town and Country Planning Act 1990
Appeal by Mr. Peter Apicella
Site Address: Flats A & D, 10 High Street, LONDON, N8 7PB

I have received Lawful Development Certificate Appeal forms and documents for this site. I am the case officer, if you have any questions, please contact me.

I have checked the papers and confirm that the appeal(s) is valid. If I later find out that this is not the case, I will write to you again.

The procedure and starting date

The appellant(s) asked for this appeal to be dealt with by the Written representations procedure. However, we have applied the criteria and considered all representations received, including the appellant(s) preferred choice. We consider that the Inquiry procedure is the most suitable for this appeal(s) for the following reason(s): .The appeal is proceeding by way of Inquiry as:

- there is a need for the evidence to be tested through formal questioning;
- evidence needs to be given on oath.

An inquiry provides for investigative questioning and formal testing of evidence under oath by cross-examination, for example, where witnesses have submitted factual evidence about how long the alleged unauthorised use has been taking place.

You must supply a list of (and it would be helpful if you supplied copies of) all factual written information you intend to rely on with your statement of case. This can include documents such as:

- tenancy agreements;
- utility bills;
- council tax bills;

- receipts for work and materials;
- written testimonies;
- sworn affidavits.

We therefore intend to determine this appeal(s) by this procedure.

The date of this letter is the starting date for the appeal(s). The timetable for the appeal(s) begins from this date.

Sending documents to us and looking at the appeal(s)

If you post your documents, please:

- send one copy of the questionnaire and its supporting documents;
- send two copies of other documents as specified below;
- put the full appeal reference number(s) on each copy.

If you email them, please quote the full appeal reference number. Guidance on communicating with us electronically can be found at: www.planningportal.gov.uk/planning/appeals/guidance.

You can look at this case using the Planning Casework Service www.planningportal.gov.uk/planning/appeals/online/search
by typing in the appeal reference number and clicking on "Search for Cases".

Keeping to the timetable

You must keep to the timetable set out below and make sure that you send us the relevant documents within these deadlines. This will mean that we can deal with the appeal(s) promptly and fairly. If you do not send us the relevant documents in time, the Inspector will not normally look at them and we will return them to you unless there are exceptional reasons for accepting them. You must note the details of the following timetable because we will not send any reminders.

We will be sending out a form later in the process regarding witness and estimated timings. In order to assist in the smooth running of the inquiry we would be very grateful if you would fill it out and return in within the deadline given.

The following documents must be sent within this timetable.

By 05 January 2016

You must notify occupiers of properties near the appeal site and any other persons who, in your opinion, are affected by the appeal(s).

Your notification should include:

a) a description of the development concerned;

b) your reasons for not granting a certificate;

c) that the planning merits of the appeal(s) are not an issue;

d) an invitation to interested persons that they may make their views known by writing to the case officer at the above address, quoting our reference numbers. Their representations must be sent within 6 weeks of the starting date, by 02 February 2016. If comments are submitted after the deadline, the Inspector will not normally look at them and they will be returned. Wherever possible they must submit three copies of their letter and you should give warning that their views will be disclosed to the parties to the appeal(s) unless the representations are withdrawn before the 6 weeks deadline;

e) that the Planning Inspectorate will not acknowledge representations. We will, however, ensure that letters received by the deadline are passed on to the Inspector dealing with the appeal(s);

f) when and where the appeal documents will be available for inspection; and

g) that the decision will be published on the Planning Portal.

You must also make sure that the appellant(s) and I are sent a copy of your completed appeal questionnaire and supporting documents, including a copy of your notification letter and a list of those notified. You have the opportunity to state your preferred choice of procedure by answering Question 1 of the appeal questionnaire.

By 02 February 2016

Please send me 2 copies of your statement giving full details of the case which you will put forward at the inquiry including a list of any documents, maps or plans you intend to refer to or use in evidence. The appellants may require you to send them a copy of any of these documents (or relevant part of a document).

I will send a copy of your statement to the appellants and send you a copy of their statement. I will send you and the appellants a copy of any comments I receive from other interested people or organisations.

You must allow anyone who wants to inspect the appeal documents a reasonable opportunity to do so. Your statement must say when and where this can be done.

By 23 February 2016

You and the appellant(s) must submit 2 copies of any final comments you and they have on each other's statement and on any comments from interested people or organisations. You must not send your final comments instead of, or to add to your statement. No new evidence is allowed at this stage. I will send you a copy of the appellant's final comments at the appropriate time.

No later than 4 weeks before the inquiry

You and the appellant(s) must send me 2 copies of your proof of evidence (and a written summary if the proof is over 1500 words in length). A 'proof of evidence' is a written statement that you, the appellant(s) or a witness wishes the Inspector to take into account

at the inquiry. Any summary should reflect the contents of the proof and should not include new evidence. When a summary is provided, only that will be read at the inquiry.

The appellant(s) must also send a copy of the agreed statement of common ground, listing all matters agreed between you and them. This should include basic facts such as the site description, area, planning history, relevant planning policies, and all other matters of agreement relating to the appeal(s). The Inspector may question the information in the statement. Further guidance on producing statements of common ground (and a model form) can be found at: www.planningportal.gov.uk/planning/appeals/guidance.

If you propose to give, or call another person(s) to give evidence at the inquiry, you must also send us in writing an estimate of the time required to present all their evidence and confirmation of the number of witnesses you intend to call.

Withdrawing the appeal(s)

If you hear that the appeal(s) is to be withdrawn, please telephone me immediately. If I receive written confirmation of this from the appellant(s), I will write to you.

Costs

The appellant(s) has been directed to our Planning Portal for further information regarding costs – www.planningportal.gov.uk/planning/appeals/guidance/costs. You should also be aware that costs may be awarded to either party.

Additionally, a Planning Inspector or the Secretary of State may on their own initiative make an award of costs, in full or in part, if they judge that a party has behaved unreasonably resulting in unnecessary appeal expense.

Further information

Further information about the appeals process can be accessed at - www.planningportal.gov.uk/planning/appeals/guidance. I recommend that you read the relevant guidance.

Yours sincerely,

Dave Packer
Dave Packer