

## 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/C5690/W/23/3321935**

#### A. APPELLANT DETAILS

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

Name	Miss Sara Sweeney
Company/Group Name	Kitewood Estates Ltd
Address	7 Dacre Street London SW1H 0DJ
Preferred contact method	Email <input checked="" type="checkbox"/> Post <input type="checkbox"/>

#### B. AGENT DETAILS

Do you have an Agent acting on your behalf?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Name	Ms Paula Carney
Company/Group Name	CarneySweeney
Address	Scott House, Suite 1, Office 3.18, The Concourse, Waterloo Station London SE1 7LY
Phone number	07305 784397
Email	paula.carney@carneysweeney.co.uk
Preferred contact method	Email <input checked="" type="checkbox"/> Post <input type="checkbox"/>

#### C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority	London Borough of Lewisham
LPA reference number	22/129789
Date of the application	22/12/2022

Did the LPA validate and register your application? Yes  No

Did the LPA issue a decision? Yes  No

Date of LPA's decision

#### 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

21-57 Willow Way  
Upper Sydenham, Forest Hill  
London  
SE26 4QP

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. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form? Yes  No

If YES, please state below the revised wording

Demolition of existing buildings and redevelopment of the site comprising a block rising to 5/6 storeys accommodating 1,401sqm of employment floorspace (Use Classes E(g)(i)(ii)(iii)) at ground and mezzanine floors and 60 residential units (Use Class C3) above, with associated landscaping, amenity areas, cycle, car parking and refuse/recycling stores at 21- 57 Willow Way, London, SE26.

Please attach a copy of the LPA's agreement to the change.

see 'Appeal Documents' section

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

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

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

the box below

There are six reasons for refusal which deal with a wide number of issues. The issues cover many technical specialist matters; the inter-relationship of policies from the London Plan, the adopted and emerging policy framework of the local planning authority; legal obligations including those for affordable housing; and the matters relevant to the co-location of employment and housing uses. Such issues should be discussed at a Local Hearing rather than through just written representations.

3. Inquiry

## 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:**

<b>Owner's Name:</b>	Simon Brown
<b>Address at which notice was served:</b>	40 Thorpewood Avenue, London, SE26 4QP
<b>Date the notice was served:</b>	22/12/2022
<b>Owner's Name:</b>	Greg Fergus Hall
<b>Address at which notice was served:</b>	27
<b>Date the notice was served:</b>	49 Willow Way, London, SE26 4QP - 22/12/2022
<b>Owner's Name:</b>	Joanne King
<b>Address at which notice was served:</b>	27

**Date the notice was served:** 49 Willow Way, London, SE26 4QP - 22/12/2022

**Owner's Name:** Nevzat Mehmet Emin

**Address at which notice was served:** 6 Castledine Road, London, SE20 8PL

**Date the notice was served:** 22/12/2022

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**

Ms Paula Carney

**Date**

11/05/2023 14:31:34

**Name**

Ms Paula Carney

**On behalf of**

Miss Sara Sweeney

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.

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our [privacy notice](#).

## 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:

<b>Relates to Section:</b>	DESCRIPTION OF DEVELOPMENT
<b>Document Description:</b>	A copy of the LPA's agreement to the change.
<b>File name:</b>	Registration Letter.pdf
<b>Relates to Section:</b>	FULL STATEMENT OF CASE
<b>Document Description:</b>	A copy of the full statement of case.
<b>File name:</b>	Statement of Case 11th May 2023 final.pdf
<b>File name:</b>	App 1 -Willow Way - existing floorspace schedule - 27.04.23.pdf
<b>File name:</b>	App 2 - Biodiv Metric 4.0 Calculation Tool.pdf
<b>File name:</b>	App 2 - Ecology Addendum - (21-57 Willow Way SE26 4QP) - Arbtech 040523 v1.pdf
<b>File name:</b>	App 2 - 2023 Bat Survey (21-57 Willow Way SE26 4QP) 040523 v1.pdf
<b>File name:</b>	App 2 - BNG Part 1 and 2 Willow Way Arbtech 042023.pdf
<b>File name:</b>	App 3 - Lewisham DRP Meeting 28 03 2023_Comments 10 March 2023.pdf
<b>File name:</b>	App 4 - Redacted LBL Consultation comments v2.pdf
<b>File name:</b>	App 5 - DC_22_129789-OFFICERS_DELEGATED_REPORT-1178451.pdf
<b>File name:</b>	App 6 - 127154 - LBL pre-app response letter.pdf
<b>File name:</b>	App 6 - KTW000_Willow Way_Pre-app_220923_LR (002).pdf
<b>File name:</b>	App 7 - Workspace Section.pdf
<b>File name:</b>	App 8 - Pages from KTW034_Willow Way - DAS_221219[2].pdf
<b>File name:</b>	App 9 - Workspace Plan comparison_B[1].pdf
<b>File name:</b>	App 10 - Willow Way - Relocation Strategy.pdf
<b>File name:</b>	App 11 - APPENDIX A - INDUSTRIAL FOR SALE.pdf
<b>File name:</b>	App 11 - APPENDIX B - INDUSTRIAL TO LET.pdf
<b>File name:</b>	App 11 - APPENDIX E - example CGIs.pdf
<b>File name:</b>	App 11 - APPENDIX C - INDUSTRIAL SOLD.pdf
<b>File name:</b>	App 11 - APPENDIX D - INDUSTRIAL LET.pdf
<b>File name:</b>	App 11 - 110523 A01 - REPORT WILLOW WAY.pdf
<b>File name:</b>	App 12 - 2211s009 ref 31878 Dartmouth Road-Layout 1.pdf
<b>File name:</b>	App 12 - 2211s009 ref 31878 Dartmouth Road-Layout 2.pdf
<b>File name:</b>	App 13 - 21 - 57 Willow Way (Site A) - Landscape Addendum.pdf
<b>File name:</b>	App 14 - PCAH10232_R03_Site A Rev A Willow Way.pdf
<b>File name:</b>	App 15 - R9784-2 Rev 1 Willow Way Sydenham - Noise Addendum.pdf
<b>File name:</b>	App 16 - AC22260-ABS-XX-XX-RP-C-5801_P01.pdf
<b>File name:</b>	App 17 - 230510 Willow Way TVIA_Part2.pdf
<b>File name:</b>	App 17 - 230510 Willow Way TVIA_Part1.pdf
<b>File name:</b>	App 17 - 230510 Willow Way TVIA_Part3.pdf
<b>File name:</b>	App 19 - Willow Way Lewisham Kent Sustainability Addendum document 02.pdf
<b>File name:</b>	App 18 - 230511 Willow Way Sydenham - TN04 Site A Transport Technical Note V1.2.pdf
<b>Relates to Section:</b>	FULL STATEMENT OF CASE
<b>Document Description:</b>	A separate list of appendices to accompany your full statement of case
<b>File name:</b>	Appendices list Statement of Case 11th May 2023.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS

<b>Document Description:</b>	01. A copy of the original application sent to the LPA.
<b>File name:</b>	ApplicationForm.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	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.
<b>File name:</b>	Willow Way Site A Decsion Notice 23 03 2023.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	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 appellatant (if any) edged or shaded blue.
<b>File name:</b>	KTW034-DCR-EX-OS-A-0001 - Site Location Plan.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	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.
<b>File name:</b>	KTW034-DCR-EX-EL-A-0001 - Existing Contextual Elevations.pdf
<b>File name:</b>	KTW034-DCR-EX-EL-A-0002 - Existing Elevations.pdf
<b>File name:</b>	KTW034-DCR-EX-PL-A-0002 - Existing Block Plan.pdf
<b>File name:</b>	KTW034-DCR-EX-PL-A-0004 - Existing First Floor Plan.pdf
<b>File name:</b>	KTW034-DCR-EX-PL-A-0003 - Existing Ground Floor Plan.pdf
<b>File name:</b>	KTW034-DCR-EX-SE-A-0001 - Existing Site Sections.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT03 - Flat Layout Type 3.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT01 - Flat Layout Type 1.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT04 - Flat Layout Type 4.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT02 - Flat Layout Type 2.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT06 - Flat Layout Type 6.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT07 - Flat Layout Type 7.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT18 - Flat Layout Type 18.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT05 - Flat Layout Type 5.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT19 - Flat Layout Type 19.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT12 - Flat Layout Type 12.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT22 - Flat Layout Type 22.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT08 - Flat Layout Type 8.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT24 - Flat Layout Type 24.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT11 - Flat Layout Type 11.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT13 - Flat Layout Type 13.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT10 - Flat Layout Type 10.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT26 - Flat Layout Type 26.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT15 - Flat Layout Type 15.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT17 - Flat Layout Type 17.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT21 - Flat Layout Type 21.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT16 - Flat Layout Type 16.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT29 - Flat Layout Type 29.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-0101 - Ground Floor Mezzanine Plan.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT23 - Flat Layout Type 23.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT09 - Flat Layout Type 9.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT14 - Flat Layout Type 14.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT27 - Flat Layout Type 27.pdf
<b>File name:</b>	KTW034-DCR-05-PL-A-0105 - Roof Plan.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT28 - Flat Layout Type 28.pdf
<b>File name:</b>	KTW034-DCR-04-PL-A-0104 - Fourth Floor Plan.pdf
<b>File name:</b>	KTW034-DCR-01-PL-A-FT20 - Flat Layout Type 20.pdf

**File name:** KTW034-DCR-03-PL-A-0103 - Third Floor Plan.pdf  
**File name:** KTW034-DCR-01-PL-A-FT25 - Flat Layout Type 25.pdf  
**File name:** KTW034-DCR-GF-PL-A-0001 - Proposed Block Plan.pdf  
**File name:** KTW034-DCR-02-PL-A-0102 - First and Second Floor Plan.pdf  
**File name:** KTW034-DCR-GF-PL-A-0100 - Ground Floor Plan.pdf  
**File name:** KTW034-DCR-00-SE-A-0200 - Proposed Sections.pdf  
**File name:** KTW034-DCR-00-DE-A-0001 - Elevation Detail.pdf  
**File name:** KTW034-DCR-00-EL-A-0300 - Proposed Elevations.pdf  
**File name:** KTW034-DCR-00-EL-A-0301 - Proposed Contextual Elevations.pdf  
**File name:** KTW034-DCR-00-EL-A-0300-CL - Proposed Elevations Coloured.pdf  
**File name:** KTW034-DCR-00-SE-A-0200-CL - Proposed Sections Coloured.pdf  
**File name:** AC22260-ABS-XX-XX-DR-C-5100\_P01.pdf  
**File name:** AC22260-ABS-XX-XX-RP-C-5800\_P01.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:** KTW034\_Drawing Issue Sheet\_221220.pdf

**Relates to Section:** SUPPORTING DOCUMENTS  
**Document Description:** 05.(c) A list of all plans, drawings and documents upon which the LPA made their decision.  
**File name:** KTW034\_Drawing Issue Sheet\_221220.pdf

**Relates to Section:** SUPPORTING DOCUMENTS  
**Document Description:** 07. A copy of the design and access statement sent to the LPA.  
**File name:** KTW034\_Willow Way - DAS\_221219\_PART5.pdf  
**File name:** KTW034\_Willow Way - DAS\_221219\_PART2.pdf  
**File name:** KTW034\_Willow Way - DAS\_221219\_PART1.pdf  
**File name:** KTW034\_Willow Way - DAS\_221219\_PART4.pdf  
**File name:** KTW034\_Willow Way - DAS\_221219\_PART3.pdf

**Relates to Section:** SUPPORTING DOCUMENTS  
**Document Description:** 08. A copy of a draft statement of common ground.  
**File name:** Statement of Comment Ground May 2023 draft to accompany appeal submission.pdf

**Relates to Section:** SUPPORTING DOCUMENTS  
**Document Description:** 10. Any relevant correspondence with the LPA, including any supporting information submitted with your application in accordance with the list of local requirements.  
**File name:** Sara Sweeney KEL to Gareth Clegg LBL 23 November 2022 13.45.docx  
**File name:** POPPYW~1.DOC  
**File name:** SARASW~1.DOC  
**File name:** Willow Way Transport and Flood Risk Comments.docx  
**File name:** Willow Way\_UD comment (005).doc  
**File name:** 127154 - LBL pre-app response letter.pdf  
**File name:** FW\_ Willow Way pre-app - follow on meeting.pdf  
**File name:** Willow Way Conservation Comments 129789 (002).doc  
**File name:** RE\_ DC\_22\_129789\_ 21-57 Willow Way (Site A).pdf

**Completed by** MS PAULA CARNEY

**Date** 11/05/2023 14:31:34