The Planning Inspectorate

# Appeal Decisions

Inquiry Held on 17 & 18 November 2020
Site visit made on 4 December 2020

**by R J Perrins MA MCMI TechArborA**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 18 January 2021.**

## Appeal A Ref: APP/U5930/19/3224485
## Land at 201 Church Road, Leyton, London E10 7BQ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr Sam Denciger against an enforcement notice issued by the Council of the London Borough of Waltham Forest.
- The enforcement notice, numbered 08616, was issued on 13 February 2019.
- The breach of planning control as alleged in the notice is without planning permission
  (i) The material change of use of part of the ground floor of the Public House (Use Class 44) designated as an Asset of Community Value into a mixed use comprising of:
  - part retail unit (Use Class 41 - hatched in red in Appendix A),
  - part self-contained residential unit (use Class C3 - shown hatched in green in Appendix A),
  - part communal hallway providing access to residential units (Use Class C3 - shown hatched in pink in Appendix A);
  (ii) The material change of use of the existing outbuilding from associated ancillary office use with the public house into a self-contained residential unit (Use Class C3).
- The requirements of the notice are:
  1) Cease the use of the ground floor area as a mixed-use part retail unit (Use Class Al ) and part self-contained flat (Use Class C3) including the communal hallway;
  2) Remove all items associated with the use including, but not limited to, the counter, shop till, brackets on wall, shop shelves, fittings and fixtures and any items stored and used for the purposes of sale in connection with the A1 Use;
  3) Remove all items from the ground floor self-contained flat including, but not limited to, bathroom and toilet facilities, kitchen units, sinks, cooking apparatus, boiler units and beds;
  4) Remove any gas and electric units including fixtures and fittings in connection with the ground floor flat;
  5) Cease the use of the outbuilding as a self-contained residential unit (Use Class C3);
  6) Remove all items from the outbuilding associated with the C3 use including, but not limited to, bathroom, shower unit and toilet facilities, kitchen units, sinks, cooking apparatus, boiler units, beds and any separate gas meters
  7) Remove all resulting materials, rubble and general detritus from the Land following compliance with steps 1-6 above.
- The period for compliance with the requirements is within 6 months.
- The appeal is proceeding on the grounds set out in section 174(2)(a), (b), (c), (d) and (f) of the Town and Country Planning Act 1990 as amended.

**Appeal B Ref: APP/U5930/19/3224508**
**Land at 201 Church Road, Leyton, London E10 7BQ**

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr Sam Denciger against an enforcement notice issued by the Council of the London Borough of Waltham Forest.
- The enforcement notice, numbered 080617, was issued on 30 October 2020.
- The breach of planning control as alleged in the notice is without planning permission, the material change of use of the first and second floors from a Suis Generis HMO to 12 self-contained studio flats and associated building works.
- The requirements of the notice are:
  1) Cease the use of the first and second floors as 12 self-contained studio flats (Use Class C3);
  2) Remove any additional bathrooms and toilet facilities, kitchen units, sinks, cookers and boiler units so that only one of each remains;
  3) Remove any additional electricity and gas meters associated with the self-contained studio flats so that only one of each remains.
  4) Remove associated fixtures and fittings, materials and general detritus including, but not limited to the partition walls and doors erected to form the studio flats.
- The period for compliance with the requirements is six months.
- The appeal is proceeding on the grounds set out in section 174(2)(b), (d) and (f) of the Town and Country Planning Act 1990 as amended. Since the prescribed fees have not been paid within the specified period, the appeal on ground (a) and the application for planning permission deemed to have been made under section 177(5) of the Act as amended have lapsed.

## Decisions

### *Appeal A Ref: APP/U5930/19/3224485*

1. The appeal is dismissed and the enforcement notice is upheld. Planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

### *Appeal B Ref: APP/U5930/19/3224508*

2. It is directed that the enforcement notice be corrected by the deletion of the issue date in section 7 of the notice (13th February 2019) and the replacement with "30 October 2020". Subject to this correction the appeal is dismissed and the enforcement notice is upheld.

## Application for costs

3. At the Inquiry an application for costs was made by the Council of the London Borough of Waltham Forest against Mr Sam Denciger. This application is the subject of a separate Decision.

## Preliminary matters

4. At the Inquiry the appeal on grounds (b), (c) and (d) in respect of Appeal A were withdrawn. Appeal A proceeded on grounds (a) and (f).

5. All of the oral evidence given to the Inquiry was given by sworn affirmation.

*Enforcement notice – Appeal B*

6. At the start of the Inquiry both parties made submissions concerning the validity of the enforcement notice subject of Appeal B which the appellant initially maintained was a nullity. That assertion was based on the fact that the notice issued on 13 February 2019 had an incorrect date for the notice taking effect (13 March 2018). Thus, the time for compliance would have been 13 September 2018; 5 months before it was served and as such impossible to comply with.

7. As set out in my pre-Inquiry note I accepted that an enforcement notice should specify the date on which it is to take effect (S173(8)). Nevertheless, the principle derived from *Miller-Mead v MHLG* [1963] 2 WLR is that one should consider whether an enforcement notice is hopelessly ambiguous and uncertain so that the appellant could not tell in what respect it was alleged that he had developed the land without permission, or that he could not tell with reasonable certainty what steps he had to take to remedy the alleged breach.

8. In this case it was clear from submissions that the appellant understood what was alleged and the steps required. The date specified on the notice of 13 March 2018 was clearly an administrative error. That would not be at odds with *Lynes*[1] which found that failure to state the date on which the notice takes effect, in accordance with s173(8), would render the notice a nullity. The same would apply if the notice failed to specify a period for compliance whether by complete omission or by failing to specify a period as such, perhaps by requiring compliance 'immediately' or 'forthwith'.

9. However, in this case a date was specified albeit with one digit being incorrect. To claim a nullity on that basis alone would go against the principle held by the courts, that "pettifogging" should not undermine the enforcement of planning control. Moreover, on the submissions made, I advised that no injustice would occur if the notice were to be corrected as also set out in *Miller-Mead*.

10. Further to that the Council chose to issue what it considered to be a corrected notice on 30 October 2020. The appellant asserted at the Inquiry that the second notice was an entirely new notice, in effect not the notice that was appealed against. A 'new' notice which has not been subject of an appeal and has led to prejudice as the appellant may have wished to pursue a ground (a) appeal on this 'new' notice. The appellant has not had the opportunity to do so. Moreover, if that were so then the Secretary of State would have no power to hear an appeal against the 'new' notice.

11. However, that argument is, to my mind, counter to the findings in the cases of *Koumis*[2] *and McKay*[3]*.* In *Koumis* it was held that although a variation notice issued under s173A was a nullity because it purported to vary the compliance period, but did not specify the period, this did not make the enforcement notice itself null. The flaw was not on the face of the enforcement notice. Further an LPA ought to be able to withdraw and replace an erroneous variation notice without having the original EN quashed by a court. The same principle, it seems to me, should apply here; the Council have simply sought, using powers

[1] *R (oao Lynes & Lynes) v West Berkshire DC* [2003] JPL 1137
[2] *Koumis v. Secretary of State for Communities and Local Government* [2014] EWCA Civ 1723
[3] *R. (On the application of McKay) v. First Secretary of State* [2005] EWCA Civ 774

under section 173A, to withdraw and replace the enforcement notice to correct an administrative error.

12. In *Mckay* the findings there found against the Planning Inspectorate; an appeal should have been heard in respect of a second enforcement notice. Even though, in that case, there were two separate notices with two separate numbers, the second being issued following withdrawal of the previous. In this appeal the second enforcement notice carries the same number. Furthermore, I do not accept that prejudice has occurred. The appellant did not seek to appeal on ground (a) initially and the argument that was because of the reliance on the initial view that the notice was a nullity carries little weight.

13. Whilst I accept a ground (a) appeal would have required a not inconsiderable fee, circumstances have not changed; to rely on a nullity argument, rather than incur the cost of applying for planning permission, seems to be a perilous way to approach an appeal. If the appellant, represented by an experienced planning agent, considered the development could succeed under ground (a) it seems an appeal should have been made. For the reasons set out I do not consider any injustice has been caused.

14. Overall therefore, I consider that the Planning Inspectorate does have jurisdiction in respect of Appeal B. There is an appeal before me, and it rests with me to make my decision accordingly.

15. Even if I am wrong in drawing that conclusion, the powers available to me in terms of declaring a notice a nullity are restricted to matters within the notice. That is to say an enforcement notice is null if it is 'defective on its face', normally by missing some vital element that should be included under section 173 and as set out above. There is no argument here that this is the case. In that light, where the issue does not fall within the scope of what can amount to a nullity argument, the courts have held that the proper course would be to challenge the issue of the enforcement notice by way of judicial review.

16. Finally, the enforcement notice as varied had only amended the date the notice took effect. The notice has the original date of issue, 13 February 2019. The parties agree it should bear the date of re-issue 30 October 2020. I have the power to correct the notice to reflect that and to do so would not lead to prejudice.

## Appeal A – ground (a)

*Main Issues*

- The effect of the loss of the public house upon social infrastructure in Waltham Forest.

- The effect upon the living conditions of occupiers of the residential accommodation, with particular regard to internal space and the provision of outdoor space. The effect upon the living conditions of those living nearby by way of noise and disturbance.

*Reasons*

17. The appeal site is situated at the junction of Church Road a main road, and Park Road a residential street. The property is three storeys with its historic use being that of a public house 'The Antelope'. Currently the majority of

ground floor is boarded up. The rest of the building is being used for residential purposes. At the time the enforcement notice was served the pub was listed as an Asset of Community Value (ACV). However, due to the passage of time (5 years since the listing) the pub is no longer on the list. The ACV listing has not therefore formed part of my deliberations.

18. The ground (a) appeal seeks permission for the development alleged in the enforcement notice. In brief, a mixed use comprising of part retail unit, part self-contained residential unit, part communal hallway providing access to four existing residential units and the change of use of the existing outbuilding into a self-contained residential unit. That change of use has led to the loss of the public house. Under this ground I have not considered the residential use of the first or second floors, and only the residential use on the ground floor as embraced by the notice[4] .

19. Turning to the first main issue, Policy DM17 of the London Borough of Waltham Forest Local Plan Core Strategy (2013) (CS) sets out, amongst other things that the Council will resist the loss of social infrastructure, which includes public houses, subject to a number of criteria. That is consistent with the National Planning Policy Framework (the Framework) which guards against the unnecessary loss of valued facilities and services.

20. At part (A)(iv) of Policy DM17 it is clear that a loss will not be resisted where the evidence demonstrates that the facility is no longer required. For public houses, evidence of suitable marketing activity will be required or evidence that it was not financially viable, through submission of financial evidence whilst the public house was operating as a full-time business.

21. I accept that the appellant has produced a viability statement amounting to some 109 pages. The statement is based upon CAMRA approved methodology and points to the business not being viable in 2014. I also acknowledge a community campaign to re-open the pub in 2015 did not attract any support and that the space available for activities associated to the public house use are limited. Alongside that there was communication with the Council culminating in some but limited interest from a pub owner. That is evidenced by an email chain which also suggests that the appellant has been in touch with a number of potential tenants/pub operators.

22. However, the statement has been produced by the appellant's planning agent who accepted he is not an expert in the leisure industry. In addition, the Waltham Forest Local Plan *Public Houses Supplementary Planning Document* (2015) (SPD) stresses the important role public houses have to play in local communities and what needs to be demonstrated in order to meet the policy tests for the loss of such a facility.

23. The SPD also sets out that the Council will require trading accounts for three years and any 'Marketing and Viability statement' should include such accounts. Along with evidence that the site has been prominently marketed at a realistic price for at least 12 months; that value being determined by an independent RICS valuer. Followed by a further 12 months marketing for alternative community uses. It is clear that the submitted viability statement contains none of this.

[4] Namely, the part-self-contained residential unit, the communal hallway and the outbuilding.

24. There are no trading accounts and no marketing details of any substance and I do not accept that there was an attempted 'campaign' to save the pub. On the evidence, that 'campaign' amounted to one tweet from a Twitter account with some 12 followers, with no subsequent responses; it carries no weight. There is nothing of any substance to suggest that tweet reached any more than the followers of the account. That is unlike the response this appeal has had, albeit late in the day, from local people represented at the Inquiry who have an undisputed desire to investigate the possibilities of a community pub and do not want the community asset to be lost.

25. Furthermore, the viability statement undertook no robust analysis of the locality, the facilities identified or local competition. There are two bus routes and two stations nearby and there is no analysis of the number of people living in the locality. In addition, I see no reason to disagree with the view that there are opportunities for passing trade given the location near business park, school and public park. Also, there was no dispute a significant number of premises identified in the statement have closed and it was accepted that there was no vigour in interpreting the data. For example, comparing the premises to a champagne bar was not helpful. The viability statement therefore has limited weight.

26. For these reasons there is some inevitability that I find the loss of the public house is contrary to Policy DM17 and the SPD. That loss is also at odds with Policies CS1, CS3 of the CS and Policy DM17 of the London Borough of Waltham Forest Development Management Policies Local Plan (2013) (LP) which together seek developments that benefit the wider community and enhance and resist the loss of existing social infrastructure. It is also at odds with the Framework in that regard.

27. Turning to the second main issue Policy CS13 of the CS seeks amongst other things satisfactory amenity for future and surrounding occupiers. That is reflected by Policy DM32 of the LP and DM7 which sets out internal and external space standards for new development. I was able to see that the residential unit hatched green on the enforcement notice plan, along with the outbuilding, were in residential use both with double beds and a bathroom with the outbuilding having a separate kitchen area. That is to say all the facilities one needs for day-to-day living.

28. However, given the lack of circulation space that one would reasonably expect to enjoy and the restricted outlook, the units feel cramped. There is an unacceptable sense of enclosure and confinement which has resulted in unacceptable harm to the living conditions of occupiers of the units. That would not be in accordance with Strategic Objective 2 of the LP which seeks a range of housing choices which are of **high quality** (my emphasis).

29. Furthermore, there is no dispute that the units provide less than the 39 square meters of internal space required by Policy 3.5 of the London Plan (2016) and there is no access to any external amenity space. With regards to those living nearby there would be a degree of noise associated with the use of the public house, and the toing and froing of residents from the additional units throughout the day would add to that. Whilst that would, in my view, be minimal, there is nothing before me to counter the Council's argument that the noise and disturbance has led to unacceptable harm to the living conditions of occupiers of nearby properties.

30. Thus, I find the development has led to unacceptable harm to the living conditions of occupiers of the residential accommodation and those living nearby contrary to the aforementioned policies.

*Conclusion – ground (a)*

31. For all the above reasons and having considered all matters raised, the appeal on ground (a) fails.

**Appeal A – ground (f)**

32. The appeal on ground (f) is made on the basis that the requirements of the enforcement notice exceed that required to remove the alleged harm. The principle in *Kestrel Hydro*[5] is not contested by the appellant. That is to say it is not enough in ground (f) cases for the appellant to show that the works could serve the lawful use. The notice may still require the removal of such works if they were in fact installed to enable the unauthorised change in use.

33. Nevertheless, the appellant contends that consideration should be given to retaining the till and counter within the bar area. Also that the removal of gas and electric 'units' from the flat at Unit 5 (requirement 4), is excessive in light of the previous use of the outbuilding as an office.

34. Dealing with the counter and till first. The till has been removed and the counter is like nothing one would expect to find in a pub. Temporary in nature, I can see no merit in its retention and it was clearly installed to facilitate the use as a shop; it would serve no useful purpose in a public house.

35. From my inspection of the ground floor and Unit 5 I saw no separate electric or gas meters, there were however cooking facilities in Unit 5. Such facilities are not commensurate with an office use, if that were the previous use, and should be removed in compliance with the requirements to ensure the residential use ceases.

36. Both requirements are therefore not excessive in that they would achieve the objective of removing the alleged harm and further would restore the land to its previous condition.

37. Thus, the appeal on ground (f) also fails.

**Appeal B – grounds (b) and (c)**

38. These grounds of appeal are (b) that the matters alleged have not occurred and (c) that those matters (if they occurred) do not constitute a breach of planning control. The arguments advanced by the appellant under these grounds are closely linked, in which case I will deal with them together.

39. The thrust of appellant's argument under these grounds is that the units were already self-contained and the reconfiguration, to which the Council refer, did nothing to change that. The appellant bought the property in November 2014 with a total of 18 residential units across all three floors. Reliance is placed on the oral evidence given by the appellant and the following matters:

    - Survey drawings dated 22 December 2014

[5] *Kestrel Hydro v SSCLG & Spelthorne BC* [2015] 1654 (Admin), [2016] EWCA Civ 784

- The 'Before' and 'After' floor plans submitted by the Council dated 17 August 2018
- The responses given in the PCN dated 2 August 2016
- The statutory declarations of James Mulqueen, Bernhard Schmitz, Victor Rogers and Raphael Davis
- Photographs submitted at the Inquiry by the Council

40. I do not accept the 2014 drawings show a total of 18 units across three floors. They are to my mind a typical set of survey drawings setting out rooms, doorways, windows and facilities. On the ground floor the toilets associated with the pub use are set out along with a sink unit in what was the pub kitchen. The wet room and toilet shower that now serve Units 1 and 2 (as set out on the 'After' drawings) are also shown. On the first floor there is one toilet and two sinks depicted and on the second one toilet and a sink.

41. There is no clear explanation as to why the drawings do not reflect the position argued by the appellant. The bathroom facilities shown on the first floor were accepted as being shared facilities but then it was not accepted that what are now Units 10 and 11 were three rooms with two doors. The room with no door (now the northernmost half of Unit 10) remains unexplained as does the smaller room which is shown on the 'After' drawings as now being the en-suites to Units 7 & 8. Moreover, the appellant accepted he had not been into all of the rooms before he bought the building.

42. Turning to the responses given for the Planning Contravention Notice (PCN) the planning agent sets out that there were some "self-contained and some not self-contained" but no numbers are given for the first floor. A "not known" answer was given to the number of rooms. The same response was given for the second floor and that the ground floor contained six kitchens, the first floor one and the second floor none. Furthermore, the answer to Question X[6] on the PCN cannot be squared by assuming the response was because the units had already been created, given the answer to Question K[7] which refers to non-self-contained flats.

43. The statutory declarations state that the premises were used and available for letting solely as 18 separate residential units and no other purpose for at least four years. Two are from previous occupiers of the premises; Mr Mulqueen from March 2006 to March 2015 supported by a bank statement from July 2014 and; Mr Schmitz from May 2001 to December 2014 whilst the remaining two are, it is suggested, previous customers of The Antelope. On their face these declarations indicate that there have always been separate units. However, they remain untested. It is not clear if any of the signatories had access to all of the rooms and why those who do not purport to have lived there would have an intimate knowledge of the residential units. They carry little weight.

44. In the face of that evidence are the observations of Ann Duffy who worked in the pub and states that there was a large shared kitchen but there is nothing to suggest she had an intimate knowledge of the premises and her statement also remains untested and carries little weight. Although it points to a different set of circumstances to that described by the appellant and runs alongside the

[6] How many self-contained flats have been created on the first and second floors? *Answer* 'None'.
[7] Was the first floor in use as an HMO when you purchased the property?

survey drawings. Those drawings remain unexplained in terms of whether or not they include a communal kitchen and living area.

45. The photographs submitted at the Inquiry, showing the first-floor kitchen, also cast doubt on the appellant's assertions regarding the use of the premises. I do not accept that the toilet pictured on the third photograph demonstrates that behind the doors, shown in the first and second photographs, would have been a bathroom not shown on the survey plans. The photographs simply do not demonstrate that and there is no other evidence to corroborate that assertion.

46. In addition to this is the marketing evidence produced by the Council along with photographs showing extensive works being carried out. I have also considered the two previous appeal cases relied upon by the appellant at Mornington Crescent and Fellows Road[8] but as the planning agent accepted, they involve different sets of circumstances. They add no weight to the arguments put forward.

47. The onus is upon the appellant in these cases and care must be taken to submit sufficient evidence to meet the balance of probabilities and to satisfy the burden of proof. There is no clarity in the evidence put forward. It lacks in precision and is countered to some degree by the evidence relied upon by the Council.

48. All of this leads me to find that insufficient evidence has been produced to lead me to conclude as a matter of fact and degree that the units have always been self-contained. Therefore, on the balance of probability, I find the change of use from a sui generis HMO to 12 self-contained studio flats has occurred and a breach of planning control has taken place.

49. Thus, the appeals on grounds (b) and (c) fail.

**Appeal B – ground (d)**

50. The Planning Practice Guidance (the Guidance) sets out an appellant is responsible for providing sufficient information to support an application for a Lawful Development Certificate, which is also the equivalent of ground (d) in an enforcement appeal. The Guidance says: "In the case of applications for existing use, if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application, provided the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability".

51. Those sentiments apply equally to an Inspector at appeal stage and the tests relate in substance to the use at issue in this appeal. Therefore, in this case, the onus is upon the appellant to demonstrate, on the balance of probabilities, that the material change of use in respect of the residential units started more than 4 years before the date of the original enforcement notice i.e. on or before 13 February 2015.

52. Given my findings under the ground (b) and (c) appeals I must give little weight to the evidence of the appellant when he first saw the property; on his own admission he did not inspect all the rooms. There is no dispute that the upper floors have been used for residential purposes for many years. However,

[8] APP/X5210/C/07/2034125 & APP/X5210/C/12/2187790

the declarations submitted by the appellant, as set out above, carry limited weight. The signatories have not been called and the evidence is untested.

53. Moreover, two enforcement investigations have taken place in 2010 and 2013 and no action was taken. Whilst I recognise in 2013 four ground-floor flats were found to be immune through the passage of time, that does not mean the upper floors were operating in the same manner. The evidence does not support that view. Alongside this are the photographs submitted by the Council from 2015 (Appendix H) showing extensive unfinished works, which the appellant sets out were not completed until 2016.

54. Whilst I heard arguments concerning sitting tenants and builders occupying the premises during the refurbishment works there is nothing to corroborate the view, that the 12 units were occupied continuously throughout a four-year period in any event.

55. Therefore, for the reasons set out and as a matter of fact and degree I find, on the balance of probabilities, that the burden of proof in respect of the four-year period is unfulfilled.

56. Accordingly, the appeal on ground (d) fails

***Appeal B – ground (f)***

57. The principle in *Kestrel Hydro* is again not contested by the appellant. However, the appellant suggests that he only need remove the cooking facilities to return it to the previous use as an HMO. That would also remedy the injury to amenity in accordance with section 174(4)(b) namely that of the occupiers of the refurbished units.

58. However, the appeal on ground (f) is that the requirements of the notice exceed what is necessary. When an appeal is made on ground (f), it is essential to understand the purpose of the notice. Section 173(4) of the Town and Country Planning Act 1990 sets out the purposes which an enforcement notice may seek to achieve, either wholly or in part. These purposes are, in summary, (a) the remedying of the breach of planning control by discontinuing any use of the land or by restoring the land to its condition before the breach took place or (b) remedying any injury to amenity which has been caused by the breach. In this case, the requirements of notice include to cease the use of the premises as self-contained studio flats. The primary purpose of the notice must therefore be to remedy the breach.

59. Furthermore, as set out under my deliberations above, there is no dispute that extensive works were carried out to create the self-contained units. That work, alongside removal of the communal areas would have included the introduction of kitchenettes (including appliances) and bathroom facilities in each room. The steps set out remedy the breach of control; to accept the lesser steps put forward by the appellant would do little to prevent the resumption of the unlawful use. Simply removing the cooking facilities would not achieve the purpose of the notice.

60. Accordingly, the appeal on ground (f) also fails

*Richard Perrins*

Inspector

## APPEARANCES

FOR THE APPELLANT:

| | |
|---|---|
| Mr Giles Atkinson of Counsel | Instructed by Mr Alvin Ormonde |
| He called | |
| Mr Alvin Ormonde | Agent |
| Mr Sam Denciger | Appellant |

FOR THE LOCAL PLANNING AUTHORITY:

| | |
|---|---|
| Ms Melissa Murphy | Instructed by Head of Legal Services |
| She called | |
| Mr James McDermott BSc MRTPI | Planning Enforcement Officer |

INTERESTED PARTIES

| | |
|---|---|
| Ms Michelle Connolly | Local Resident |
| Mr Curran McKay | Local Resident |

DOCUMENTS

1 Legal submission from the appellant regarding nullity
2 Copy of *McKay* submitted by the appellant
3 Council's legal submission regarding nullity
4 Photographs and report ref no: 2013/0016/C submitted by Council