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## Appeal Decision

Hearing held on 23 March 2026

Site visits made on 14 October 2025 & 25 March 2026

**by Mr JP Sargent BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1<sup>st</sup> May 2026

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### Appeal Ref: APP/Z0116/W/25/3371784

#### 40 Berkeley Square, Clifton, Bristol BS8 1HP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with a condition subject to which a previous planning permission was granted.
  - The appeal is made by Origin Workspace against the decision of Bristol City Council.
  - The application Ref is 23/00199/X.
  - The application sought planning permission for alterations and extensions, comprising an infill extension at ground floor level on part of the existing undercroft car park on 40 Berkeley Square; a 3-storey extension to the front of 40 Berkeley Square to create a new entrance reception and roof terrace above; a third-floor rear roof extension to create additional office accommodation with communal terrace above; infill of the existing internal lightwell at 39 Berkeley Square; installation of new curtain walling glazing to the front and rear elevations and installation of new windows, doors and entrance ramp, without complying with a condition attached to planning permission Ref 17/06959/X, dated 18 September 2018.
  - The condition in dispute (the disputed condition) is Condition 10 which states that:  
*Hours of operation of roof terraces:*  
*The use of the front and rear roof terraces shall not be carried out outside the hours of 9am to 6pm on Mondays to Fridays, and shall not be used on bank holidays.*
  - The reason given for the condition is:  
*To safeguard the residential amenity of nearby occupiers.*
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### Decision

1. The appeal is allowed insofar as it concerns the front terrace only, and planning permission is granted for alterations and extensions, comprising an infill extension at ground floor level on part of the existing undercroft car park on 40 Berkeley Square; a 3-storey extension to the front of 40 Berkeley Square to create a new entrance reception and roof terrace above; a third-floor rear roof extension to create additional office accommodation with communal terrace above; infill of the existing internal lightwell at 39 Berkeley Square; installation of new curtain walling glazing to the front and rear elevations; and installation of new windows, doors and entrance ramp at 40 Berkeley Square, Clifton, Bristol BS8 1HP, in accordance with the application Ref 23/00199/X, without compliance with Condition 10 previously imposed on planning permission Ref 17/06959/X and subject to the conditions in the conditions schedule below.

### Main Issue

2. The main issue is the effect that using the front and rear roof terraces for longer periods would have on the living conditions of adjacent residents with regard to noise and overlooking.

## Reasons

### *Background*

3. Following the grant of permission 17/06959/X, and its preceding permission, 16/05148/F, the above office development was formed on the south-eastern corner of Berkeley Square as co-working space for small and medium enterprises. It follows the linear pattern of built form around the square, and rises to 4 storeys in height. It has a rear balcony on the 3<sup>rd</sup> floor, and to the front and rear of the top floor accommodation are 2 distinct and separate terraces.
4. This building backs onto Berkeley House - a row of properties that faces Charlotte Street. These properties were originally individual houses but have now been converted to flats (hereafter referred to as the flats). I understand that these properties tend to have bedrooms, kitchens and bathrooms looking towards the appeal site, although some are single aspect and have all their rooms facing that direction. However, there appear to be no outdoor activities at the rear of the row as there is no external amenity space there. Rather, these 2 buildings are separated by the relatively narrow parking area that serves Berkeley House.
5. Given the proximity of the appeal premises to these neighbouring flats, Condition 12 was imposed on permission 17/06959/X to protect the living conditions they offered, and that says

*The balcony area at the rear of the third floor shall only be used for maintenance purposes or for emergency escape access, and not for amenity or sitting out.*

This condition has not been challenged, and so, irrespective of this current appeal and unless changed under a future permission, the on-going use of that balcony will continue to be restricted in this way.

6. The appellant said the 2 roof terraces on the floor above though are key to the workspace the premises offer, providing outside seating for use by the workers, whether as informal meeting spaces or for relaxation. The front terrace is small, accommodating 6 people, and overlooks Berkeley Square. The rear one though is larger, and, according to the Management Plan, could be used by up to 40 people at any one time. The arrangements of the buildings and the variations in topography mean this rear terrace is above the top floor of flats in the row of properties behind that faces Charlotte Street, and it offers panoramic views of the city over the roofs of that row.
7. The vertical relationship of the rear elevation of the appeal building to the flats is staggered. The 3<sup>rd</sup> floor office accommodation is stepped back from the rear elevations of the floors below behind the balcony subject of Condition 12, while the rear terrace itself, on the floor above, is enclosed by a glazed screen (the screen), roughly 1.4m high, that is itself set in from the rear of the 3<sup>rd</sup> floor element. The separation from this rear terrace to the windows of the flats was agreed to be around 15m. Furthermore, to offer additional protection to the living conditions of neighbours, the screen is formed of obscured glass panels, while placing seating immediately next to this screen is intended to discourage people standing by it.
8. Mindful of the living conditions of those nearby, the disputed condition was imposed on the use of the 2 terraces on the top floor, so as to limit outside activity to what is generally perceived to be the standard working day in the standard working week. These terraces were also subject to a further condition (Condition 9) that reads

*Prior to occupation of the roof extension, a Management Plan setting out how the roof terraces hereby approved would be managed in terms of noise and capacity, shall be submitted and approved in writing by the LPA. The development shall thereafter be operated in accordance with the approved management plan.*

This was intended to ensure agreement and control over the precise operation of the terraces.

9. Through this appeal, the appellant is seeking to allow the development to proceed in non-compliance with the hours given in the disputed condition, but subject to new hours of operation. As the application was considered, it was intended to allow the 2 terraces to be used from 0900h to 2200h on Mondays to Fridays (excluding Bank Holidays), and between 0900h and 1800h on Saturdays, Sundays and Bank Holidays. However, at the Hearing the appellant confirmed the intended hours were now to be reduced to 0900h to 1900h on Mondays to Fridays (excluding Bank Holidays) except on 2 days per calendar month between April and September, and one day each month between October and March, when their use would be allowed until 2200h. The appellant still sought to allow the usage of these terraces between 0900h and 1800h on Saturdays, Sundays and Bank Holidays. It is on that basis that I have assessed the appeal, considering no party has been prejudiced as a result.
10. The appellant said networking and meetings are crucial to the success of the enterprises based in the building. Therefore, extending the hours when the terraces can be used will benefit those businesses by offering greater availability to the building's occupiers for incidental activities and corporate events. The appellant considered that using the terraces for this purpose will be fundamentally different to an entertainment type activity, and, as no change of use is involved, these activities would be ancillary to what is lawful at the building. At these gatherings, while there would be food and drink there would be no music or entertainment involved. One of the appellant's noise consultants referred to a licenced roof top bar at the premises, but I understand that one has never been present and is not intended. The submitted Management Plan (Document APP1) would demonstrate how this arrangement would be operated and restricted, and how neighbours would be notified of the evenings when activity was to be later, and compliance would be enforceable through the approval of the Plan under Condition 9.

#### Noise

11. It was said, on behalf of neighbouring residents, that the disputed condition must have been deemed reasonable when imposed by the Local Planning Authority in 2018, and the absence of a challenge to that condition by the developer at that time shows it accepted that reasonableness. I consider it does not follow though that it must be unreasonable to change the condition in the manner now proposed, as in situations such as this it could in theory be possible to demonstrate that longer hours of usage would not in fact cause undue harm to the living conditions of those around. The appellant also noted there had been no complaints about noise on either roof terrace, but if they had been used in line with the conditions imposed on the planning permission I consider that to be understandable.
12. I fully recognise that different people experience and respond to noise in different ways, based on lifestyle, employment patterns, age, medical issues and so on, while the response of any one person can also change over time. Given this, I have taken the approach that it is reasonable to assume a greater tolerance to noise is experienced during the working day, as opposed to weekends, Bank Holidays and evenings, while the effect on night-time noise (namely between 2300h and 0700h) is not an issue in this case given the hours proposed. Finally, I accept that I was on and

around the site for a limited time only. However I have also taken into account the submissions, and nothing before me implies my appreciation of the situation was not broadly reflective of the noise environment.

13. In assessing the impact of this proposal, I was told at the Hearing by the various noise consultants that there was no specific guidance against which this could be directly measured. Although some assistance can be gained from documents such as BS8233:2014, and guidelines from the Institute of Environmental Management and Assessment and the World Health Organisation, there is also some aspect of a qualitative judgement involved.
14. The site is in the middle of a busy city, and so, when I stood on the rear roof terrace at about 1700h on my first visit and at 1830h on my second, I was aware of noise from traffic and fixed plant in the vicinity. This though took the form of a more or less constant background rumble, punctured only occasionally by louder vehicles or emergency sirens. I perceived it as being quieter when in the car park between the appeal site and the flats, due probably to the way that area was substantially enclosed by tall, closely-spaced buildings, while it was quieter again when actually in the rear rooms of those flats. When in the car park, and when in the flats, especially with the windows open, the noise of the city was nonetheless apparent. As such, the residents experience a degree of background noise, but this is relatively steady and anonymous in nature. Overall, I find the ambient sound level at the rear of the appeal premises and the flats is relatively low for a location in the centre of a large city.
15. The concern about noise seems to be from 2 particular sources, namely from groups of people being present on the one hand, and conversations on the telephone or between 2 people on the other.
16. Some residents in the flats contend they are currently experiencing noise disturbance from the rear terrace, whether it is due to people talking or someone having a telephone conversation. The use of these terraces for the hours in the disputed condition was allowed by previous permissions, and is not something for me to revisit. As a result, if this appeal is dismissed this existing situation would remain unaffected and events that are similar to those envisaged by this current proposal could be undertaken within the hours in the disputed condition. It is also not for me to form a view on any allegations that breaches of this condition have occurred in the past. However, the hours it stipulates mean any noise that may result from adherence to the condition is during what is considered to be the working day, when the residents' sensitivity to noise can be expected to be at its lowest.
17. If the use of the rear terrace were to extend into the evenings, Bank Holidays or weekends as is now proposed, it is fair to assume there would be increased noise at times when residents could be more sensitive to its impacts. Based on the appellant's assurances about the operation and management of the terrace, the evidence submitted with the appeal stated that the maximum increase in noise levels at any receptor from the extended hours would be in the region of some 2-2.5dB, which, it is concluded, would be minimal and barely perceptible. These calculations seemed to be average levels over time periods.
18. To my mind though, near to 40 people on a terrace of this size cannot be deemed a '*small gathering*' as described by the appellant, but rather would form quite a tightly packed group in relatively close proximity to these windows. Furthermore, while in the appellant's submissions it was said that in the evening there would be short, structured business-focussed events, this description of what was to occur did not sit comfortably with me otherwise being told there would be events on Bonfire Night and during the Balloon Fiesta. Even if there was no music or entertainment such activities

could involve some socialising, with noise from raised and exuberant voices, and, despite acknowledging the intentions of the Management Plan, this would be difficult to restrict or control. In my opinion the use of the terrace for the intended purposes is therefore likely to give rise to appreciable intermittent noise that can result from conversation and speech.

19. I consider that speech and conversation associated with these functions would not have a uniform character. Instead, it would have irregular and random spikes requiring what the noise consultant representing the flats' Directors called a judgement of annoyance, which would not be so apparent if noise was assessed over longer time periods. Therefore, while I note the stated increase in noise given by the appellant, it has not been shown that the experience of that noise is likely to be reflected in those figures. Rather, given the likely nature of events, the limited control that can be secured under the planning system, and the proximity to Berkeley House, on the evidence before me I consider the proposal is likely to have a significant adverse effect, as the living conditions of residents would be unduly harmed by the louder bursts of talking, laughing or similar noise that would arise, randomly, from time-to-time in the evenings, weekends and on Bank Holidays. This could well result in an unreasonable diminution in their quality of life, and mean that actions such as having windows open for ventilation or cooling were no longer attractive or realistic. I recognise this harm is not likely to be an issue on all the flats that face the appeal site, but I consider it would be unacceptable in the flats in the topmost floor in the vicinity of the terrace.
20. Despite the seating arrangement, the panoramic views over the city mean that I understand why people may be drawn near to the screen when making telephone calls or having conversations, kneeling on or standing right next to the benches. Although it was said that group conversations would be unlikely at the gatherings intended, it is not unreasonable, at one of these, to expect small clusters of people to be standing together talking by the screen whilst looking at the view. I accept that in such a scenario the benches mean they would be a little further back on the terrace, but this would not be sufficient to have any material effect on reducing the noise from their conversations.
21. In considering the acoustic environment, I have no substantive evidence to show the screen was created with specific sound proofing qualities in mind. In any event it would not impede noise from those standing near to the edge of the terrace. As such, the weight I afford this is limited. It is appreciated that at the moment the noise environment includes occasional louder sirens and similar, but that is not a reason to exacerbate the effects in the manner proposed.
22. It is probable that the use of the terrace would be greater in the summer months due to the better weather and lighter evenings, and during this time of the year there is also a greater probability that residents in the flats would want to open their windows. They would of course have the option of closing them if there was noise from the terrace. However, those windows could well be open, quite reasonably, to improve the living conditions within the flats, such as to allow for ventilation or cooling. I see no grounds for expecting the residents to forego such benefits to facilitate this development.
23. Furthermore, on my second site visit, one of the neighbouring residents and a member of staff at the appeal site spoke from the rear terrace whilst I looked and listened from windows in the flats. While this exercise was of some value the weight it has been afforded in my assessment is extremely limited, as I was unable to ask the

parties questions about it or assess how representative it was of the various different gatherings, the changes in weather and so on.

24. Therefore, I consider 40 people or so on the rear communal roof terrace would not constitute a small gathering and it has not been shown that the noise they would generate through conversation at the events described could be readily controlled under a Management Plan, whether in line with the one submitted or another version. Given my findings about the value of the screen as an acoustic barrier, I consider using the rear terrace for the revised hours now proposed, would have a more pronounced effect on the flats. This would result in a noticeable and significant adverse impact on the living conditions they offered and could force a material change in the quality of life and behaviour of residents as they, for example, found it necessary to keep windows shut.
25. In coming to this view I have taken into account Government advice about promoting business interests and supporting economic growth. However, the Government also considers that development should avoid noise that gives rise to significant adverse impacts on the quality of life. Clearly audibility alone is not sufficient to constitute such an effect. However, having regard to the submissions before me, it has not been shown that any benefits to economic growth arising from the use of the terrace at extended times, are sufficient to outweigh the harm identified. I also note there is a park immediately to the south, but the use of that by the residents would not offset the disturbance experienced within their flats.
26. Turning now to the front terrace, this is much, much smaller and so would contain appreciably fewer people at any one time. It is also on a more active elevation fronting the street. Furthermore, it has a different relationship to any living accommodation adjacent, while the appeal premises themselves would screen from the flats on Charlotte Street whatever limited noise the few users of this terrace made. As a result, I have no concerns about the application of the intended hours of operation to that area. I recognise that allowing the extended use of this area only would not result in the economic benefits the appellant considers would flow from allowing the rear terrace to be available for longer. That though is not a basis to inhibit the use of the front terrace in the face of no harm, or to allow the use of the rear terrace given the concerns that have been raised.

#### *Overlooking*

27. The ability to look into the topmost flats opposite would be restricted to a great extent from much of the rear terrace by the obscured glazing in the screen that would impede views when just a few strides back. Furthermore, views into other flats further along the row or on a lower floor would be limited due to their acute angle. In any event there is a more direct relationship between the flats and the large windows to the offices in the lower floors of the appeal premises, and I understand that those offices can be used outside of the timings in the disputed condition. Given these circumstances, I consider any additional overlooking that would be caused by the extended hours of usage for the rear roof terrace would not be unacceptable.
28. Mindful of its size and the opportunities provided by the building's existing windows I similarly find that the front terrace would not cause undue overlooking of neighbouring homes or flats.

#### *Conclusions on this issue*

29. Although I find that extending the hours of usage for the rear terrace would not cause unacceptable overlooking, I conclude it would have a significant adverse effect on the

living conditions of residents in some of the flats by reason of the unacceptable increase in noise, and so would conflict with Policy BCS23 in the *Bristol Core Strategy* and Policies DM33 and DM35 in the *Site Allocations and Development Management Policies Local Plan*, which together seek development that avoids harm through the adverse effects of noise pollution on the environment.

30. However, I also find that the use of the front roof terrace for the hours now proposed would not harm the living conditions of nearby residents.

### **Other matters**

31. The site is in the Park Street and Brandon Hill Conservation Area, the significance of which is due, in part, to it being an area of classical Georgian and Victorian terraces that still maintain their architectural integrity. The nature of the proposal means it would not fail to preserve the area's character or appearance, and would not cause harm to its significance as a designated heritage asset.
32. The original permission was accompanied by a legal agreement but I understand that its terms and requirements have since been addressed and a similar one is not now required on this development.

### **Conditions**

33. In reaching my decision I am issuing a new permission, with the disputed condition omitted, and a new condition imposed in its place that allows the front terrace to operate for the hours proposed, but maintains the hours in the disputed condition for the rear terrace. A fresh Management Plan would need to be agreed to ensure the appropriate management of the front terrace and the continued management of the rear one. Of the other conditions on permission 17/06959/X, many related to how the building was to be built and are no longer relevant. For this reason Conditions 2, 3, 4, 5 and 6 are not now necessary, while conditions 7 and 8 should just concern the retention of refuse/recycling storage and cycle provision and not involve their specific provision. All the other undisputed conditions should be re-imposed for the various reasons stated on that permission.

### **Conclusion**

34. Accordingly I conclude the appeal is allowed insofar as the development can operate in non-compliance with the disputed condition, but subject to a fresh condition allowing the front terrace only to be able to be used for the longer hours now proposed.

*JP Sargent*

INSPECTOR

## CONDITIONS SCHEDULE

- 1) The development hereby permitted shall begin before the expiration of 3 years from the date of this decision.
- 2) *Condition deleted as no longer applies*
- 3) *Condition deleted as no longer applies*
- 4) *Condition deleted as no longer applies*
- 5) *Condition deleted as no longer applies*
- 6) *Condition deleted as no longer applies*
- 7) All refuse and recyclable materials associated with the development shall either be stored within the dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection.
- 8) The cycle parking provision shown on the approved plans shall, at all times, be kept free of obstruction and available for the parking of cycles only.
- 9) Prior to their first use for the hours now approved, a Management Plan setting out how the front and rear roof terraces would be managed in terms of noise and capacity, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be operated in accordance with the approved Management Plan.
- 10) The use of the rear roof terrace shall not be carried out outside the hours of
  - 0900h to 1800h on Mondays to Fridays (excluding Bank Holidays), and
  - it shall not be used on Saturdays, Sundays or Bank Holidays.The use of the front roof terrace shall not be carried out outside the hours of
  - 0900 to 1900h on Mondays to Fridays (excluding Bank Holidays), except on 2 such days in each month between April and September (inclusive) and one such day in each month between October and March (inclusive) when it cannot operate outside the hours of 0900h and 2200h, and
  - 0900h to 1800h on Saturdays, Sundays and Bank Holidays.
- 11) The development hereby permitted shall incorporate the energy efficiency measures, renewable energy, sustainable design principles and climate change adaptation measures into the design and construction of the development in full accordance with the submitted energy statement (entitled *Energy Statement Addendum*, and dated 12 December 2017) prior to first occupation. A total 24.4% reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy shall be achieved, and at least a 20% reduction in carbon dioxide emissions below residual emissions through renewable technologies shall be achieved.

- 12) The balcony area at the rear of the 3<sup>rd</sup> floor shall only be used for maintenance purposes or for emergency escape access, and not for amenity or sitting out.
- 13) The rating level of any noise generated by plant & equipment as part of the development shall be at least 5 dB below the background level as determined by BS4142: 2014 *Methods for rating and assessing industrial and commercial sound*.
- 14) The development shall be in accordance with the plans and details shown in the plans as listed below, unless variations are agreed in writing by the Local Planning Authority in order to discharge other conditions attached to this decision:
- LP.01 Location Plan, received 23 September 2016
  - PA.01 Proposed Lower ground floor plan, received 23 September 2016
  - PA.02 Proposed Ground Floor, received 23 September 2016
  - PA.03 Proposed First Floor, received 23 September 2016
  - PA.04 Proposed Second Floor, received 23 September 2016
  - PA.05 Proposed Third Floor, received 23 September 2016
  - PA.06 Proposed Fourth Floor, received 23 September 2016
  - PA.07 Proposed Roof Plan, received 23 September 2016
  - PA.08 Proposed Front Elevation, received 23 September 2016
  - PA.09 Proposed Section AA, received 23 September 2016
  - PA.10 Proposed Rear Elevation, received 23 September 2016
  - PA.11 Proposed Section BB, received 23 September 2016
  - PA.12 Proposed Side Elevation, received 23 September 2016
  - Phasing plan, received 2 August 2018
  - P40-AHR-ZZ-00-S73-A-20-001-P1-P01 Ground floor plan, received 15 June 2018
  - P40-AHR-ZZ-01-S73-A-20-001-P1-P01 First floor plan, received 15 June 2018
  - P40-AHR-ZZ-02-S73-A-20-001-P1-P01 Second floor plan, received 15 June 2018
  - P40-AHR-ZZ-03-S73-A-20-001-P1-P01 Third floor plan, received 15 June 2018
  - P40-AHR-ZZ-04-S73-A-20-001-P1-P01 Fourth floor plan, received 15 June 2018
  - P40-AHR-ZZ-05-S73-A-20-001-P1-P01 roof plan, received 15 June 2018
  - P40-AHR-ZZ-B1-S73-A-20-001-P1-P01 Lower ground floor plan, received 15 June 2018
  - P40-AHR-ZZ-ZZ-S73-A-20-100-P1-P01 Proposed north elevation, received 15 June 2018
  - P40-AHR-ZZ-ZZ-S73-A-20-101-P1-P01 Proposed east elevation, received 15 June 2018
  - P40-AHR-ZZ-ZZ-S73-A-20-102-P1-P01 Proposed south elevation, received 15 June 2018
  - P40-AHR-ZZ-ZZ-S73-A-20-103-P1-P01 Proposed west elevation, received 15 June 2018
  - P40-AHR-B1-XX-P73-A-A3-RP02-S1-P02 Optimised Design and access statement, received 15 December 2017
  - P40-AHR-B1-04-DR-A-31-300 rev C2 Level 04 - Terrace Balustrade, received 6 September 2018
  - P40-AHR-ZZ-05-DR-A-27-105 rev C1 PV Array - Annexe Roof Plan, received 6 September 2018
  - P40-AHR-ZZ-ZZ-S73-A-20-201-P1-P01 Section B-B, received 15 June 2018
  - P40-AHR-ZZ-ZZ-S73-A-20-205-P1-P01 THIRD FLOOR ROOF EXTENSION SECTION, received 15 June 2018

P40-AHR-ZZ-ZZ-S73-A-20-300-P1-P01 3S PERSPECTIVES - ROOF  
EXTENSION, received 15 June 2018

P40-AHR-ZZ-ZZ-S73-A-20-301-P1-P01 3D PERSPECTIVES - ROOF  
EXTENSION 2, received 15 June 2018

P40-AHR-B1-XX-P73-A-A3-RP01A-S1-P01 DESIGN AND ACCESS  
STATEMENT (ADDENDUM 1), received 15 June 2018

P40-AHR-B1-XX-P73-A-A3-RP02A-S1-P02 DESIGN AND ACCESS  
STATEMENT (ADDENDUM 2), received 15 June 2018

## **APPEARANCES**

**(\* attended only for the site visit on 25 March)**

FOR THE APPELLANT:

|          |                      |
|----------|----------------------|
| A Best   | Noise consultant     |
| E Jones  | Planning consultant  |
| J McLean | Planning Consultant* |

FOR THE LOCAL PLANNING AUTHORITY:

|             |                              |
|-------------|------------------------------|
| M Curtis    | Environmental Health Officer |
| A Schroeder | Senior Planning Officer      |

ON BEHALF OF THE DIRECTORS OF BERKELEY HOUSE:

|             |                                      |
|-------------|--------------------------------------|
| E Bardshiri | Resident*                            |
| T Leader    | Counsel instructed by Berkeley House |
| I Matthews  | Noise consultant                     |
| R Perry     | Resident*                            |
| J Redshaw   | Resident*                            |

## **DOCUMENTS SUBMITTED AFTER THE HEARING**

### **FROM THE APPELLANT:**

APP1: Email to the Planning Inspectorate with an Updated Roof Terrace Management Plan attached (dated 26 March 2026).

APP2: Email to the Planning Inspectorate relating to events at the site visit (dated 26 March 2026).

APP3: Email to the Planning Inspectorate concerning conditions (dated 26 March 2026)

### **FROM THE LOCAL PLANNING AUTHORITY:**

LPA1: Email to the Planning Inspectorate confirming there was no need for a new Unilateral Undertaking in connection with this appeal (dated 24 March 2026)

LPA2: Email to the Planning Inspectorate concerning conditions (dated 7 April 2026)

LPA3: Second email to the Planning Inspectorate concerning conditions (dated 7 April 2026)

### **FROM THE DIRECTORS OF BERKELEY HOUSE**

DBH1: Email to the Planning Inspectorate confirming site visit details (dated 25 March 2026)

DBH2: Email to the Planning Inspectorate relating to events at the site visit (dated 21 April 2026).