



**FIRST-TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)**

Case reference : **CAM/11UC/HMB/2022/0002**

Property : **The Old Chapel, 35B Church Street,
Great Missenden, Buckinghamshire
HP16 0AZ**

Applicant : **Mr Kenneth Jolivet and Mrs Parvaneh Khosravi**

Representative :

Respondent : **Mrs Brenda Bellis and Mr Rob Bellis**

Representative :

Type of application : **Application for permission to appeal**

Tribunal member(s) : **Judge Dutton
Mr J Francis QPM**

Venue : **Paper determination**

**Date of original
decision** : **30 November 2022**

DECISION REFUSING PERMISSION TO APPEAL

DECISION OF THE TRIBUNAL

1. The tribunal has considered the applicant's request for permission to appeal dated 24 December 2022 and determines that:
 - (a) it will not review its decision; and

- (b) permission be refused.
2. You may make a further application for permission to appeal to the Upper Tribunal (Lands Chamber). Any such application must be made no later than 14 days after the date on which the First-tier Tribunal sent notice of this refusal to the party applying for permission to appeal.
 3. Where possible, you should make your further application for permission to appeal on-line using the Upper Tribunal's on-line document filing system, called CE-File. This will enable the Upper Tribunal to deal with it more efficiently and will enable you to follow the progress of your application and submit any additional documents quickly and easily. Information about how to register to use CE-File can be found by going to this web address:
https://www.judiciary.uk/wp-content/uploads/2021/07/Practice-Note-on-CE-filing-Lands-Chamber-17.6.21_.pdf
 4. Alternatively, you can submit your application for permission to appeal by email to: Lands@justice.gov.uk.
 5. The Upper Tribunal can also be contacted by post or by telephone at: Upper Tribunal (Lands Chamber), 5th Floor, Rolls Building, 7 Rolls Buildings, Fetter Lane, London EC4A 1NL (Tel: 020 7612 9710).

REASONS FOR THE DECISION

6. The test for whether to grant permission to appeal is whether there is a realistic prospect of success.
7. In the present case, the tribunal does not consider that any ground of appeal has a realistic prospect of success.
8. For the benefit of the parties and the Upper Tribunal (Lands Chamber), the tribunal records below its comments on the grounds of appeal and any procedural points raised, adopting where appropriate the paragraph numbering of the original request for permission. References in square brackets are to those paragraphs in the main body of the original tribunal decision.
9. The arrangements for the hearing were dealt with as an administrative matter by the tribunal offices and do not constitute reasons for permission to be granted. The hearing was lengthy and each side able to fully put forward their respective cases as can be seen by the length of decision relating to the hearing and evidential matters.
10. Paragraphs 9 and 10 of the application for permission appear to be an attempt to review the evidence we received and disclose no grounds for permission to appeal to be granted.
11. As to the remainder of the application it is an attempt to rehear the case. We clearly set out the appropriate law and applied it. We made findings based on the evidence put before us.

Name: Judge Dutton

Date: 10 January 2023