

Mrs Jessica Inwood
Shape London Architects
Holbrooke House
34-38 Hill Rise
RICHMOND
TW10 6UA

Letter Printed 8 January 2020

FOR DECISION DATED
6 January 2020

Dear Sir/Madam

**Planning (Listed Buildings and Conservation Areas) Act 1990
Decision Notice**

Application: 19/3349/LBC
Your ref: LRO FITZHERBERT HOUSE 29A MON...
Our ref: DC/SGR/19/3349/LBC
Applicant: Mrs J Williams
Agent: Mrs Jessica Inwood

WHEREAS in accordance with the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 and any orders and Regulations made thereunder, you have made an application received on **4 November 2019** and illustrated by plans for Listed Building Consent for works at:

Land To The Rear Of Fitzherbert House 29A Montpelier Row Twickenham

for

Erection of a two and a half storey 3 bedrooed dwellinghouse including accommodation in the roof plus a basement and associated hard and soft landscaping, cycle and refuse stores. Alterations to boundary wall along Orleans Road.

NOW THEREFORE WE THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF RICHMOND UPON THAMES acting by the Council of the said Borough, the Local Planning Authority HEREBY GIVE YOU NOTICE pursuant to the said Act and any Orders and regulations made thereunder that consent is hereby **REFUSED** for the reason(s) summarised and listed on the attached schedule.

Yours faithfully

A handwritten signature in black ink, appearing to read 'R. Angus', with a long horizontal flourish extending to the right.

Robert Angus
Head of Development Management

SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION 19/3349/LBC

APPLICANT NAME

Mrs J Williams
Fitzherbert House
29A Montpelier Row
Twickenham
TW1 2NQ

AGENT NAME

Mrs Jessica Inwood
Holbrooke House
34-38 Hill Rise
RICHMOND
TW10 6UA

SITE

Land To The Rear Of Fitzherbert House 29A Montpelier Row Twickenham

PROPOSAL

Erection of a two and a half storey 3 bedroomed dwellinghouse including accommodation in the roof plus a basement and associated hard and soft landscaping, cycle and refuse stores. Alterations to boundary wall along Orleans Road.

SUMMARY OF REASONS AND INFORMATIVES

REASONS

U0075325	Siting/Design
U0075326	Refusal - Heritage

INFORMATIVES

U0040042	Decision Documents
U0040083	NPPF REFUSAL- Para. 38-42

DETAILED REASONS AND INFORMATIVES

DETAILED REASONS

U0075325 Siting/Design

The proposed development, by reason of combined siting, width and depth of basement level below garden area, excessive use of hard surfacing and rooflights in garden area and the incorporation of lower courtyard would introduce incongruous and unsympathetic garden features that fail to harmonise with the character of garden land in the locality to the detriment of the setting, character and appearance of the conservaton area and nearby listed buildings. The proposal is contrary to in particular, Policies LP1, LP3 and LP39 of the Local Plan (2018).

U0075326 Refusal - Heritage

The development hereby proposed, by reason of its siting, design and likely loss of original curtilage listed boundary wall would adversely impact on the historic integrity and fabric of the nearby heritage assets thereby fails to preserve or enhance the setting, character and appearance of the wider Conservation Area. As such, the proposal would be in conflict with the Richmond Local Plan (2018), in particular policies LP1, LP3 and LP39.

DETAILED INFORMATIVES

U0040042 Decision Documents

For the avoid of doubt, the documents taken into account in the assessment of this application are:

Drawing showing Tree Location Plan by Clive Fowler Associates dated Sept 2019 received 04.11.2019

Drawing showing Tree Protection Plan by Clive Flower Associated dated Sept 2019 received 04.11.2018

Drawing: 0101 showing Existing Ground Floor and Site Location Plan received 04.11.2019

Drawing: 0201A showing Proposed Ground Floor and Lower Ground Floor Plan dated 02.10.2019 received 04.11.2019

Drawing: 0202C showing Proposed First and Second Floor Plans dated 02.10.2019 received 04.11.2019

Drawing: 0203B showing Proposed Roof Plan dated 02.10.2019 received 04.11.2019

Drawing: 0204B showing Existing Vs Proposed Site Block Plans dated 02.10.2019 received 04.11.2019

Drawing: 0210 showing Existing Vs Proposed Front Elevations received 04.11.2019

Drawing: 0211D showing Proposed Rear and Side Elevations dated 07.10.2019 received 04.11.2019

Drawing: 0220C showing Proposed Section AA (Site Section) dated 07.10.2019 received 04.11.2019

Drawing: 19388/01 showing Basement Plan Showing Underpinning Layout dated 31.10.2019 received 04.11.2019

Drawing: 19388/02 showing Temporary Works dated 31.10.2019 received 04.11.2019
Archaeological Desk Based Assessment by Archaeology Collective dated September 2019 received 04.11.2019

Daylight, Sunlight and Overshadowing Report by Shape London Architects dated 29.10.2019 received 04.11.2019

Design and Access Statement dated October 2019 received 04.11.2019

Preliminary Ecological Appraisal report by GEO Geosphere Environmental dated 31.10.2019 received 04.11.2019

Flood Risk Assessment by Water Environment dated October 2019 received 04.11.2019

Heritage Assessment by Peter Stewart Consultancy dated October 2019 received 04.11.2019

Outline Energy Statement dated 28.10.2019 received 04.11.2019
Structural Impact Assessment dated 10.10.2019 received 04.11.2019
Transport Note by Caneparo Associates dated November 2019 received 04.11.2019
Tree Survey and Arboricultural Impact Assessment received 04.11.2019

U0040083 NPPF REFUSAL- Para. 38-42

In accordance with paragraphs 38-42 of the National Planning Policy Framework, Richmond upon Thames Borough Council takes a positive and proactive approach to the delivery of sustainable development, by:

- o Providing a formal pre-application service
- o Providing written policies and guidance, all of which is available to view on the Council's website
- o Where appropriate, negotiating amendments to secure a positive decision
- o Determining applications in a timely manner.

In this instance:

- o The applicants sought formal pre-application advice, however, this was not followed and the scheme remained contrary to policy and guidance, and therefore refused without delay.

END OF SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION
19/3349/LBC

LBC Applications

Making an Appeal – Summary Guidance

Whether to appeal

If the Local Planning Authority (LPA) turn down your application, you should look carefully at the reasons why they turned it down before you make an appeal. You should speak to the LPA to see if you can sort out the problem - perhaps by changing your proposal. An appeal should only ever be a last resort.

Type of appeal:

Listed Building Consent Application

Appeal time:

Within six months of the date of the council's decision letter.

Who can appeal?

The applicant or their agent may lodge an appeal.

The right of appeal:

You can appeal against the council's decision:

- If you applied to the Local Planning Authority and they:
 - Refused permission;
 - Gave permission but with conditions you think are inappropriate;
 - Haven't approved the details of a scheme which they or the Secretary of State have already given outline planning permission for or;
 - Have approved the details of a scheme but with conditions you think are inappropriate or unreasonable.

- If the LPA rejected a proposal arising from a condition or limitation on a planning permission.
- If the LPA don't decide your application within the time allowed. Normally the time allowed is eight weeks from when they accept your application.
- If the LPA told you they needed more information before they could decide your outline planning application, but you do not want to supply this.

You will make your appeal to the Department for Communities and Local Government of which the Planning Inspectorate is a part. Most are decided by specialist officers in the Planning Inspectorate. Only the person or business applying for consent to display an advertisement may appeal. If the council issues a discontinuance notice, only those on whom the notice is served may appeal.

The appeal process:

Appeals must be made

- Online at www.planninginspectorate.gov.uk, or
- Initial Appeals, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

It will be expected that all appeal documentation will be submitted electronically.

The process is fully documented on the website of the Planning Inspectorate www.planninginspectorate.gov.uk, however in summary there are three main types of appeal:

Written procedure:

Written evidence is considered from the applicant/agent/business and the council. The council will send copies of any letters of objection or support they received when considering your application. Within six weeks of the Inspectorate receiving your appeal forms the council will send a copy of their statement to the Inspectorate. You must make any comment on these within three weeks.

Hearing procedure:

Hearings allow you and the council to exchange views and discuss your appeal. Before the hearing the council will send a copy of their statement to you and the Inspectorate. You can comment on their statement in writing otherwise the Inspectorate will treat the reasons given in your appeal form as the basis of your case for discussion.

Hearings are usually held in council offices. The Inspector leads the discussion and invites the people involved to put their points across. The Inspector will visit the site unaccompanied before the hearing and will make a further accompanied visit as part of the hearing.

Inquiry procedure:

Inquiries are normally for large-scale applications. A public inquiry is a formal procedure in which both parties have legal representation.

Making your views known on someone else's appeal:

The LPA will notify anyone who took part in the consultations when you first applied for permission that you are appealing. For appeals decided by hearing or inquiry the LPA will tell interested people when and where this will be and let them know that they can attend. The Inspectorate will also take account of the views of certain groups who have a right to comment, for example, owners of a site, local amenity groups and so on.

Costs:

Normally you and the council will pay for your own expenses in an appeal. You can only claim costs when you can show that the council have behaved in an unreasonable way causing unnecessary expense.

Who to contact?

The Planning Inspectorate

Website www.planninginspectorate.gov.uk

Email enquiries@pins.gsi.gov.uk

Telephone 0303 444 5000

Write to Initial Appeals, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN

London Borough of Richmond upon Thames

Website www.richmond.gov.uk/planning

Email planningappeals@richmond.gov.uk

Telephone 020 8891 1411 for advice

Write to The Appeals Officer, Development Control, Civic Centre, 44 York Street, Twickenham TW1 3BZ