

Mr David Symonds  
Metropolis Planning & Design  
4 Underwood Row  
London  
N1 7LQ

Letter Printed 3 March 2020

**FOR DECISION DATED**  
3 March 2020

Dear Sir/Madam

**The Town and Country Planning Act 1990, (as amended)**  
**Decision Notice**

**Application:** 19/1647/FUL  
**Your ref:** Churchview Road  
**Our ref:** DC/EMC/19/1647/FUL  
**Applicant:**  
**Agent:** Mr David Symonds

**WHEREAS** in accordance with the provisions of the Town and Country Planning Act 1990 and the orders made thereunder, you have made an application received on **23 May 2019** and illustrated by plans for the permission of the Local Planning Authority to develop land situated at:

**Garages Adjacent 75 Churchview Road Twickenham**

for

**Demolition of the existing garage block and the erection of a mews development, consisting of 2 x 2 bedroom dwellings, together with associated car parking and landscaping improvements.**

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 the Orders made thereunder that permission to develop the said land in accordance with the said application is hereby **REFUSED** subject to the reasons and informatives summarised and listed on the attached schedule.

Yours faithfully



Robert Angus

Head of Development Management

# SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION 19/1647/FUL

## APPLICANT NAME

C/O Agent

## AGENT NAME

Mr David Symonds  
4 Underwood Row  
London  
N1 7LQ

## SITE

Garages Adjacent 75 Churchview Road Twickenham

## PROPOSAL

Demolition of the existing garage block and the erection of a mews development, consisting of 2 x 2 bedroom dwellings, together with associated car parking and landscaping improvements.

## SUMMARY OF REASONS AND INFORMATIVES

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### REASONS

U0078175	Amenity
U0078176	Ecology
U0078180	Affordable Housing
U0078178	Trees
U0078179	MOL, POS and Wildlife Corridor
U0078177	Permit Eligibility

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### INFORMATIVES

U0041041	Inaccurate Drawings
U0041044	Decision Drawings
U0041042	NPPF Para 38-42 Refusal

# DETAILED REASONS AND INFORMATIVES

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## DETAILED REASONS

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### **U0078175     Amenity**

The proposed development, and new surface parking spaces, by reason of their combined siting, design, bulk and mass and would result in a visually intrusive, overbearing form of development that would be an incongruous feature when viewed from the rear gardens of no Nos 16 - 20 Campbell Close to the detriment of the visual amenities of the occupants. Insufficient evidence has been supplied to demonstrate that there would not be a resultant loss of trees which if not retained would allow new views from the flats in Sontan Court which would detract from the amenities of occupants of neighbouring properties, in particular Nos 16 - 20 Campbell Close. The proposal is therefore considered to be contrary to LP1 and LP 8 of the Local Plan (2018) and the Design Quality Supplementary Planning Document.

### **U0078176     Ecology**

The application is not supported by adequate biodiversity evidence such as: up to date site survey information as per best practice (BCT 3rd Edit Good Practice Guidance and BS 42020:2013), a full ecological impact assessment and a lighting assessment/isolux report. In the absence of sufficient biodiversity evidence the application has not demonstrated that the development would not generate harm to local biodiversity, in particular bats species and habitat, and that the proposal would be capable of demonstrating the required biodiversity net gain. The proposal would therefore be contrary to Paragraph 170 of the NPPF and LP15 of the Local Plan (2018).

### **U0078180     Affordable Housing**

In the absence of a binding legal agreement to secure an appropriate contribution towards off-site affordable housing, the scheme fails to address this recognised housing need and will be contrary to, in particular, policy LP 36 of the Local Plan and Supplementary Planning Document: Affordable Housing (2014).

### **U0078178     Trees**

The proposed development has failed to demonstrate that trees, in particular those on adjacent land to the west and T1, T2, T3 and T4, would be adequately protected throughout the course of development, in accordance with British Standard 5837, and is therefore contrary to LP16 of the Local Plan.

### **U0078179     MOL, POS and Wildlife Corridor**

The proposed two dwellings, by reason of their siting, design, height, width, scale and mass would represent an overly dominant structure that conflicts with the open character and appearance of the adjacent Metropolitan Open Land (MOL), Other Site of Nature Importance (OSNI) and Public Open Space (POS) eroding the setting and views into and from this land while the siting of the proposal on the northern boundary and anticipated light emissions, would prejudice tree retention, local biodiversity and protected species utilising this wildlife corridor link to Crane Park. The proposal is therefore contrary to, NPPF Paragraph 141 and Policies LP12, LP13, LP15, LP16 and LP39 of the Local Plan and Supplementary Planning Documents: Design Quality and Small and Medium Housing Sites.

### **U0078177     Permit Eligibility**

In the absence of a binding obligation securing an exemption from future car parking permit eligibility in the event that this area is designated a Community Parking Zone, the development would without mitigation be likely to give rise to additional pressure for kerbside parking prejudicial to local highway conditions, traffic movement and public safety. The proposal is therefore contrary to Policy LP45 of the Local Plan and Supplementary Planning Document: Front Garden and Other Off Street Parking Standards

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## **DETAILED INFORMATIVES**

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### **U0041041 Inaccurate Drawings**

It has been identified that there are inaccuracies/inconsistencies in the drawings. The onus is on the applicant to ensure that accurate drawings are provided. In the event of a future submission please ensure that all submitted drawings are accurate, consistent and reflect existing site situation as well as what is proposed.

### **U0041044 Decision Drawings**

For the avoidance of doubt the Drawing(s) No(s) to which this decision refers are as follows:-

(PL)001 B Location Plan  
(PL)010 A Existing: Site Plan  
(PL)100 Existing Garage Plans & Elevations  
(PL)600 Proposed: Ground & First Floor Plans  
(PL)601 Proposed: Second Floor & Roof Plans  
(PL)700 A Proposed: Front & Rear Elevations  
(PL)701 Proposed: End Elevation  
(PL)702 Proposed Section  
(PL)900 C Proposed: Landscape Plan  
All received on 23 May 2019

(PL)910REVA SITE PLAN WITH PARKING  
(PL)911REVB Proximity Campbell Close  
(PL)912REVA Trees on West Boundary  
(PL)913REVA Head Height and Bedroom Area  
All received on 13 Jan 2020

### **U0041042 NPPF Para 38-42 Refusal**

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  
19/1647/FUL

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# **FUL 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:**

Planning 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](http://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](http://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](http://www.planninginspectorate.gov.uk)

Email [enquiries@pins.gsi.gov.uk](mailto: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](http://www.richmond.gov.uk/planning)

Email [planningappeals@richmond.gov.uk](mailto: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