

Mr Michael de Courcy
de Courcy Town Planning
48 Woodbury Avenue
Petersfield
Hampshire
GU32 2EB

Letter Printed 11 March 2020

FOR DECISION DATED
11 March 2020

Dear Sir/Madam

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

Application: 19/3871/FUL
Your ref: Land adjacent 2 Mount Ararat ...
Our ref: DC/DAV/19/3871/FUL
Applicant: .
Agent: Mr Michael de Courcy

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 December 2019** and illustrated by plans for the permission of the Local Planning Authority to develop land situated at:

Land To Rear Of 1 Spring Terrace, Paradise Road And Adjacent To 2 Mount Ararat Road

for

Partial demolition of and alteration to listed garden walls to facilitate the erection of single storey dwellinghouse with basement level (4 bedroom with a study), new entrance gates associated hard and soft landscaping and parking

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

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 19/3871/FUL

APPLICANT NAME

C/O Agent

AGENT NAME

Mr Michael de Courcy
48 Woodbury Avenue
Petersfield
Hampshire
GU32 2EB

SITE

Land To Rear Of 1 Spring Terrace, Paradise Road And Adjacent To 2 Mount Ararat Road

PROPOSAL

Partial demolition of and alteration to listed garden walls to facilitate the erection of single storey dwellinghouse with basement level (4 bedroom with a study), new entrance gates associated hard and soft landscaping and parking

SUMMARY OF REASONS AND INFORMATIVES

REASONS

U0078515	Reason for Refusal - Impact on Heritage
U0078516	Reason for Refusal - Design
U0078517	Reason for Refusal - Highway Safety
U0078518	Reason for Refusal - Basement
U0078519	Reason for Refusal - Affordable Housing

INFORMATIVES

U0041562	NPPF REFUSAL- Para. 38-42
U0041561	Decision drawing numbers ~~

DETAILED REASONS AND INFORMATIVES

DETAILED REASONS

U0078515 Reason for Refusal - Impact on Heritage

The proposed dwelling, by reason of its backgarden/infill siting, significant excavation of historic garden and layout would result in an unsympathetic and uncharacteristic form of development which would disrupt the historic plot layout of nearby Listed Buildings failing to preserve or enhance the setting, character and appearance of the Conservation Area and nearby Listed Buildings. The proposals are contrary to the NPPF and Local Plan (2018), in particular policies LP1, LP3 and LP39, as well as the Richmond and Richmond Hill Village Planning Guidance and St Matthias Conservation Area Statement and Study.

U0078516 Reason for Refusal - Design

The proposed development, by reason of its combined siting, design, plot width, excessive use of lightwells and use of inappropriate materials would result in an unsympathetic, contrived and incongruous form of development that fail to reflect the character of the locality to the detriment of the setting, character and appearance of the conservation area. The proposal is contrary to the aims and objectives of, in particular, policies LP1, LP3 and LP39 of the Local Plan (2018) and the NPPF.

U0078517 Reason for Refusal - Highway Safety

The scheme by reason of the unacceptable widening of the existing access and failure to align with existing dropped kerb along Mount Ararat Road would result in motor vehicles illegally mounting onto the footpath when accessing and egressing the site and thus would adversely impact on highway and pedestrian safety, contrary to the London Borough of Richmond Upon Thames Local Plan 2018, in particular, Policy LP45 and Supplementary Planning Document 'Front Garden and Other Off-street Parking Standards'.

U0078518 Reason for Refusal - Basement

The proposed basement, by reason of its combined siting, depth, lack of minimum 1m naturally draining permeable soil and lack of 200mm drainage layer above the part of the basement beneath the garden area represents a cramped form of overdevelopment of the site failing to comply with, in particular, policy LP11 of the Local Plan (2018).

U0078519 Reason for Refusal - Affordable Housing

In the absence of a binding agreement to secure an appropriate financial contribution towards affordable housing, the development fails to address the identified housing need and would be prejudicial to meeting the Council's affordable housing objectives and is therefore contrary to the NPPF and Local Plan, in particular Policy LP36 of the Local Plan 2018 and adopted Supplementary Planning Document: Affordable Housing.

DETAILED INFORMATIVES

U0041562 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.

U0041561 Decision drawing numbers ~~

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

Drawing 17018-100, 17018-101, 17018-102, 17018-103, 17018-104, 17018-111, 17018-1111, 17018-112, 17018-114, 17018-200, 17018-210, 17018-211, 17018-212, 17018-213, 17018-214, 17018-215, 17018-216, 17018310, 17018-311, 17018-312, 17018-313, 17018-314, 17018-315, Planning Statement, Townscape Visual Impact Assessment, Heritage Significance and Impact Assessment, Design and Access Statement, Affordable Housing Statement; received on 23 December 2019; and Drawing 17018-113; received on 27 January 2020;

END OF SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION
19/3871/FUL

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, 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