

Mr Saher Chaudhry  
59  
Parsons Road  
Langley  
Slough  
SL3 7GU  
Berkshire

Letter Printed 22 June 2020

**FOR DECISION DATED**  
22 June 2020

Dear Sir/Madam

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

**Application:** 20/1205/FUL  
**Your ref:** 102 - 104 Kew Road, Richmond,...  
**Our ref:** DC/VAA/20/1205/FUL  
**Applicant:** Mr Sammy Mak  
**Agent:** Mr Saher Chaudhry

**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 **1 May 2020** and illustrated by plans for the permission of the Local Planning Authority to develop land situated at:

**102 - 104 Kew Road Richmond TW9 2PQ**

for

**Part change of use of ground floor from A3 to C3 (Residential) and alterations to existing shopfront to create new access door to facilitate the conversion of existing 2 x 3 bed maisonettes into 4 No. self-contained studio and 3 No. 1 bed Flats; Rear Infill between the Outriggers at first and second-floor level; Replacement of Roof with New Flat Red Clay Roof Tiles; Installation of 2 No. Velux Conservation Windows on Front Facing Pitched Roof; 2 No. Velux Conservation Windows and 1 No. AOV Window along with 12 No. Solar PV Panels on Rear Facing Pitched Roof; installation of 8 No. Solar PV Panels on the two Rear Outrigger Flat Roofs; and replacement / repositioning of the existing Extraction Duct at the rear of the Property.**

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 20/1205/FUL

## APPLICANT NAME

Mr Sammy Mak  
102-104, Kew Road  
Richmond  
TW9 2PQ

## AGENT NAME

Mr Saher Chaudhry  
59  
Parsons Road  
Langley  
Slough  
SL3 7GU  
Berkshire

## SITE

102 - 104 Kew Road Richmond TW9 2PQ

## PROPOSAL

Part change of use of ground floor from A3 to C3 (Residential) and alterations to existing shopfront to create new access door to facilitate the conversion of existing 2 x 3 bed maisonettes into 4 No. self-contained studio and 3 No. 1 bed Flats; Rear Infill between the Outriggers at first and second-floor level; Replacement of Roof with New Flat Red Clay Roof Tiles; Installation of 2 No. Velux Conservation Windows on Front Facing Pitched Roof; 2 No. Velux Conservation Windows and 1 No. AOV Window along with 12 No. Solar PV Panels on Rear Facing Pitched Roof; installation of 8 No. Solar PV Panels on the two Rear Outrigger Flat Roofs; and replacement / repositioning of the existing Extraction Duct at the rear of the Property.

## SUMMARY OF REASONS AND INFORMATIVES

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### REASONS

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U0083751	Conservation
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### INFORMATIVES

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U0043889	Decision drawing numbers ~~
U0043888	NPPF REFUSAL- Para. 38-42

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# DETAILED REASONS AND INFORMATIVES

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## DETAILED REASONS

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### **U0083751      Conservation**

The proposed extension to the rear by reason of its excessive bulk would dominate the rear elevation and erode the character of the building and would fail to preserve or maintain the existing character and significance of the host building (102-104 Kew Road), which are Buildings of Townscape Merit and this would be detrimental to the general character and significance of the Kew Foot Road Conservation Area (CA36) of which it forms part, resulting in less than substantial harm contrary to in particular, policies LP1, LP3 and LP4 of the Council's Adopted Local Plan (July 2018) and the threats identified within the Council's Richmond and Richmond Hill Village Planning Guidance (2016).

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## DETAILED INFORMATIVES

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### **U0043889      Decision drawing numbers ~~**

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

Site location plan

102-104KEW/PA1 - existing and proposed ground floor plans

102-104KEW/PA2 - existing first + second floor plans

102-104KEW/PA3C - proposed first + second floor plans

102-104KEW/PA4 - existing and proposed loft plans

102-104KEW/PA5 - existing and proposed front elevations

102-104KEW/PA6 - existing and proposed rear elevations

102-104KEW/PA7 - existing and proposed roof plans (Received 01.05.2020)

### **U0043888      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 did not seek formal pre-application advice, and the scheme was found to be contrary to policy and guidance, and subsequently refused. The Council is ready to enter into discussions to advise the applicants of relevant policy and guidance; and where possible assist in the preparation of a new planning permission.

END OF SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION  
20/1205/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