

Miss. Gabriella Dyche
MZA Planning
14 Devonshire Mews
Chiswick
London
W4 2HA
United Kingdom

Letter Printed 12 November 2020

FOR DECISION DATED
12 November 2020

Dear Sir/Madam

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

Application: 20/2506/HOT
Your ref: 39 Halford Road
Our ref: DC/DAV/20/2506/HOT
Applicant: Mr. Dom Risso-Gill
Agent: Miss. Gabriella Dyche

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

39 Halford Road Richmond TW10 6AW

for

Installation of x2 air-conditioning unit(s)

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 20/2506/HOT

APPLICANT NAME

Mr. Dom Risso-Gill
C/O Agent MZA Planning
14 Devonshire Mews
Chiswick
W4 2HA
London

AGENT NAME

Miss. Gabriella Dyche
14 Devonshire Mews
Chiswick
London
W4 2HA
United Kingdom

SITE

39 Halford Road Richmond TW10 6AW

PROPOSAL

Installation of x2 air-conditioning unit(s)

SUMMARY OF REASONS AND INFORMATIVES

REASONS

U0090129	Reason for Refusal - Design
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INFORMATIVES

U0046914	NPPF REFUSAL- Para. 38-42
U0046913	Composite Informative

DETAILED REASONS AND INFORMATIVES

DETAILED REASONS

U0090129 Reason for Refusal - Design

The proposed air conditioning units would be highly visible and by reason of their inappropriate utilitarian appearance and prominent siting would appear as an incongruous addition to a sensitive locality, adversely causing less than substantial harm to the host Building of Townscape Merit, and in turn the surrounding Richmond Hill Conservation Area. The scheme would thereby be contrary to Local Plan (2018) Policies LP1, LP3 and LP4; as well as the Supplementary Planning Document 'House Extensions and External Alterations'.

DETAILED INFORMATIVES

U0046914 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. The Council's recommendations for amendments were not followed, and therefore the application was 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.

U0046913 Composite Informative

Reason for granting:

The proposal has been considered in the light of the Development Plan, comments from statutory consultees and third parties (where relevant) and compliance with Supplementary Planning Guidance as appropriate. It has been concluded that there is not a demonstrable harm to interests of acknowledged importance caused by the development that justifies withholding planning permission.

Principal Policies:

Where relevant, the following have been taken into account in the consideration of this proposal:-

Local Plan:

- o LP 1 Local Character and Design Quality
- o LP 3 Designated Heritage Assets
- o LP 4 Non-Designated Heritage Assets
- o LP 8 Residential Amenity and Living Conditions
- o LP 10 Local Environmental impacts, Pollution and Land Contamination

Supplementary Planning Documents / Guidance:

- o House Extensions and External Alterations (2015)
- o Buildings of Townscape Merit
- o Conservation Areas
- o Richmond and Richmond Hill Village Planning Guidance
- o Development Control for Noise Generating and Noise Sensitive Development

Building Regulations:

The applicant is advised that the erection of new buildings or alterations to existing buildings should comply with the Building Regulations. This permission is NOT a consent under the Building Regulations for which a separate application should be made. For application forms and advice please contact the Building Control department, 2nd floor, Civic Centre, 44 York Street, Twickenham, TW1 3BZ. (Tel: 020 8891 1411). If you alter your proposals in any way, including to comply with the Building Regulations, a further planning application may be required. If you wish to deviate in any way from the proposals shown on the approved drawings you should contact the Development Management department, 2nd floor, Civic Centre, 44 York Street, Twickenham, TW1 3BZ. (Tel: 020 8891 1411).

Damage to the public highway:

Care should be taken to ensure that no damage is caused to the public highway adjacent to the site during demolition and (or) construction. The Council will seek to recover any expenses incurred in repairing or making good such damage from the owner of the land in question or the person causing or responsible for the damage.

BEFORE ANY WORK COMMENCES you MUST contact the London Borough of Richmond upon Thames, 44 York Street, Twickenham TW1 3BZ, Telephone 020 8891 1411 to arrange a pre-commencement photographic survey of the public highways adjacent to and within the vicinity of the site. The precondition survey will ensure you are not charged for any damage which existed prior to commencement of your works.

If you fail to contact us to arrange a pre commencement survey then it will be assumed that any damage to the highway was caused by your activities and you will be charged the full cost of repair.

Once the site works are completed you need to contact us again to arrange for a post construction inspection to be carried out. If there is no further damage then the case will be closed. If damage or further damage is found to have occurred then you will be asked to pay for repairs to be carried out.

Noise control - Building sites:

The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise and vibration on construction and demolition sites. Application, under section 61 of the Act for prior consent to the works, can be made to the Environmental Health department.

Under the Act the Council has certain powers to control noise from construction sites. Typically the council will limit the times during which sites are permitted to make noise that their neighbours can hear.

For general construction works the Council usually imposes (when necessary) the following limits on noisy works:-

Monday to Friday 8am to 6pm

Saturdays 8am to 1pm

Sundays and Public Holidays - No noisy activities allowed

Applicants should also be aware of the guidance contained in British Standard 5228:2009 - Noise and vibration control on construction and open sites.

Any enquiries for further information should be made to the Commercial Environmental Health Team, 2nd Floor Civic Centre, 44 York Street, Twickenham TW1 3AB.

END OF SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION
20/2506/HOT

HOT 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

Refusal of permission for HOT applications – this type of appeal is appropriate for domestic alterations and extensions and any ancillary development in the garden. It is not appropriate for alterations to flats.

Appeal time

Within 12 weeks of the date of this notice.

Who can appeal

The applicant or their agent may lodge an appeal

The appeals process

Appeals must be made

- Online at www.planninginspectorate.gov.uk, or
- Using a form which you can get from 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 Planning Inspectorate (on behalf of the Secretary of State) will determine the appeal procedure to be followed. Normally this will proceed by way of the Householder Appeal Service which will rely solely on information submitted at application stage. The Council will send copies of any letters of objection or support they received when considering your application. Further submissions or statements will not be accepted by the Planning Inspectorate.

Your householder appeal will be decided by a Planning Inspector. He/she will consider all the application documents and grounds of appeal and also make an unaccompanied visit to the appeal site. You may be required to provide access to the site for the Inspector.

Appeal decision

80% of householder appeal decisions will be issued within 8 weeks from the start date of the appeal.

Further information available from:

The Planning Inspectorate –

Website www.planninginspectorate.gov.uk

Email enquiries@pins.gsi.gov.uk

Telephone 0303 444 5000

London Borough of Richmond Upon Thames -

Website www.richmond.gov.uk/planning

Email planningappeals@richmond.gov.uk

Telephone 020 8891 1411 for advice