

Mrs Lorena Teixeira
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129 Kew Road
RICHMOND
TW9 2PN
United Kingdom

Letter Printed 15 December 2020

FOR DECISION DATED
15 December 2020

Dear Sir/Madam

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

Application: 20/2526/LBC
Your ref: 2 Old Palace Place
Our ref: DC/SGR/20/2526/LBC
Applicant: Mr & Mrs Vicky & Richard Peirson
Agent: Mrs Lorena Teixeira

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 **10 September 2020** and illustrated by plans for Listed Building Consent for works at:

2 Old Palace Place The Green Richmond TW9 1NQ

for

One new air conditioning unit to replace existing unit. Single storey rear glass extension. Tanking works to the modern basement slab and retaining walls

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



Robert Angus
Head of Development Management

SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION 20/2526/LBC

APPLICANT NAME

Mr & Mrs Vicky & Richard Peirson
129 Kew Road
RICHMOND
TW9 2PN
United Kingdom

AGENT NAME

Mrs Lorena Teixeira
129 Kew Road
RICHMOND
TW9 2PN
United Kingdom

SITE

2 Old Palace Place The Green Richmond TW9 1NQ

PROPOSAL

One new air conditioning unit to replace existing unit. Single storey rear glass extension. Tanking works to the modern basement slab and retaining walls

SUMMARY OF REASONS AND INFORMATIVES

REASONS

U0091782	Reason for Refusal
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INFORMATIVES

U0047609	Decision Documents
U0047608	NPPF Refusal

DETAILED REASONS AND INFORMATIVES

DETAILED REASONS

U0091782 Reason for Refusal

The proposed extension, by reason of its siting and layout would enclose and draw prominence away from the attractive rear door composition which positively contributes to the character of the rear elevation. The proposed extension therefore fails to preserve or enhance the character and appearance of the Listed Building or that of neighbouring properties in the same terrace row, to the detriment of its special historic and architectural interest. While the harm would be less than substantial, there is no public benefit of the scheme to outweigh the harm. Therefore, the proposal is contrary to the Local Plan (2018), in particular policy LP3 and the NPPF, in particular sections 190-196.

DETAILED INFORMATIVES

U0047609 Decision Documents

For the avoidance of doubt, the application has been assessed taking into account the following documents:

- o Drawing: 1256.00.01.Imp.001 showing Location Plan dated August 2020
- o Drawing: 1256.01.01.Exg.001 showing Existing Site Plan dated August 2020
- o Drawing: 1256.01.01.Exg.022 showing Existing Ground Floor Plan dated August 2020
- o Drawing: 1256.01.01.Exg.023 showing Existing First Floor Plan dated August 2020
- o Drawing: 1256.01.01.Exg.061 showing Existing Rear/South Elevation dated August 2020
- o Drawing: 1256.01.01.Exg.062 showing Existing Side/West Elevation dated August 2020
- o Drawing: 1256.02.01.Exg.021 showing Existing Basement Floor Plan dated August 2020
- o Drawing: 1256.03.012.Pln.021 showing Proposed Basement Plan dated August 2020
- o Drawing: 1256.03.01.Pln.022 showing Proposed Ground Floor Plan dated August 2020
- o Drawing: 1256.03.01.Pln.023 showing Proposed First Floor Plan dated August 2020
- o Drawing: 1256.03.01.Pln.061 showing Proposed Rear/South Elevation dated June 2020
- o Drawing: 1256.03.01.Pln.062 showing Proposed Side/West Elevation dated June 2020
- o Design and Access Report (Ref: 1256.03.04) dated August 2020
- o Heritage Statement by HCUK Group dated Sept 2020 (Ref: 5714A)
- o Plant Noise Assessment by 24 Acoustics (Ref: R8685-1 Rev 1) dated 02.09.2020
- o All received: 10.09.2020
- o Drawing: 1256.03.03.Pln.200 showing Proposed Tanking Details for Basement dated August 2020 received

U0047608 NPPF 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:

Although the application did seek pre-application advice, the alterations were not significant enough to overcome the concerns raised and the scheme was found to be contrary to policy and guidance, and subsequently refused.

END OF SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION
20/2526/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