

Environment Directorate / Development Management

Web: www.richmond.gov.uk/planning
Email: envprotection@richmond.gov.uk
Tel: 020 8891 1411
Textphone: 020 8891 7120



Mr Richard Morison
Pegasus Planning Group Ltd
First Floor, South Wing
Equinox North, Great Park Road
Almondsbury
Bristol
BS32 4QL
United Kingdom

Letter Printed 8 February
2021

FOR DECISION DATED
8 February 2021

Dear Sir/Madam

The Town and Country Planning Act 1990, (as amended)
The Town And Country Planning (General Permitted Development) (England)
Order 2015 (as Amended)
The Town and Country Planning (Development Management Procedure)
(England) Order 2015

Application: 20/3224/TEL
Your ref: P20-3071 RUT007 (RM)
Our ref: DC/DAV/20/3224/TEL
Applicant: n/a
Agent: Mr Richard Morison

Telecommunications Equipment Opposite 249 Petersham Road Ham

for

Installation of 1 x 16m high Monopole supporting 6no. antennas with a wrap around equipment cabinet at the base of the column and 4 x new cabinets and relocation of 1 x cabinet

I refer to your letter and attached drawings.

This Council does consider that it is necessary for it to consider the siting and appearance of the proposed installation and having done so refuses permission. See the attached schedule for the reasons and informatives for this decision.

Yours faithfully

Robert Angus
Head of Development Management

SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION 20/3224/TEL

APPLICANT NAME

n/a
Sixth Floor
Thames Tower
Station Road
Reading
RG1 1LX

AGENT NAME

Mr Richard Morison
First Floor, South Wing
Equinox North, Great Park Road
Almondsbury
Bristol
BS32 4QL
United Kingdom

SITE

Telecommunications Equipment Opposite 249 Petersham Road Ham

PROPOSAL

Installation of 1 x 16m high Monopole supporting 6no. antennas with a wrap around equipment cabinet at the base of the column and 4 x new cabinets and relocation of 1 x cabinet

The reason(s) and/or informatives(s) applicable to this application are as follows:

SUMMARY OF REASONS AND INFORMATIVES

REASONS

U0094924	Reason for Refusal
----------	--------------------

INFORMATIVES

U0048921	Decision drawing numbers ~~
U0048920	NPPF REFUSAL- Para. 38-42

DETAILED REASONS AND INFORMATIVES

DETAILED REASONS

U0094924 Reason for Refusal

Under schedule 2, Part 16 of the General Permitted Development Order 2015 (as amended), the Local Planning authority has determined that prior approval is required and hereby REFUSED as to the siting and appearance of the proposed development for the following reason:

The proposal, by reason of its prominent siting and height would result in an unduly dominant, incongruous and visually intrusive form of development that would adversely affect the character, appearance and the visual amenity of the nearby Petersham Conservation Area, the adjacent Metropolitan Open Land and the streetscene in general. The application fails to demonstrate that existing trees would be protected. The scheme results in harm that would not be outweighed by the public benefits of the scheme. As such, the proposal is considered contrary to the National Planning Policy Framework (in particular paras 113 and 115) and the Local Plan (2018) in particular LP1, LP3, LP13, LP15, LP16 and LP33 and Supplementary Planning Document 'Telecommunications Equipment' (2006) and Ham and Petersham Neighbourhood Plan (2019) and the Petersham Conservation Area Study and Statement.

DETAILED INFORMATIVES

U0048921 Decision drawing numbers ~~

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

Drawing 100 Rev C, 266 Rev C, Supplementary Information, ICNIRP CERTIFICATE, Pre-app Consultation, Covering Letter, Developers Notice; received on 12 November 2020;

Drawing 002 Rev D, 150 Rev D, 215 Rev D, 265 Rev D, H3G Rev D; received on 12 November 2020;

U0048920 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
20/3224/TEL

TEL 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