

Environment Directorate / Development Management

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Ms Louise Braine
RPS
20 Farringdon Street
London
EC4A 4AB

Letter Printed 4 August 2021

FOR DECISION DATED
4 August 2021

Dear Sir/Madam

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

Application: 20/1742/LBC
Your ref:
Our ref: DC/JSI/20/1742/LBC
Applicant: N/a
Agent: Ms Louise Braine

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 **23 June 2020** and illustrated by plans for Listed Building Consent for works at:

**Karslake And Ruston And Ward Buildings At Hampton Water Treatment Works
Upper Sunbury Road Hampton**

for

Conversion and extension of the site including Ruston and Karslake Buildings to provide 37 no. residential units (Use Class C3) and 318.8sqm flexible business space (Use Class E(g)), associated car parking, access and landscaping works.

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

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 20/1742/LBC

APPLICANT NAME

N/a
C/o Agent

AGENT NAME

Ms Louise Braine
20 Farringdon Street
London
EC4A 4AB

SITE

Karslake And Ruston And Ward Buidlings At Hampton Water Treatment Works Upper Sunbury Road Hampton

PROPOSAL

Conversion and extension of the site including Ruston and Karslake Buildings to provide 37 no. residential units (Use Class C3) and 318.8sqm flexible business space (Use Class E(g)), associated car parking, access and landscaping works.

SUMMARY OF REASONS AND INFORMATIVES

REASONS

U0106583	Refusal - Heritage / design / landscape
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INFORMATIVES

U0053381	Decision drawings
U0053383	LBC informative - FUL app
U0053382	NPPF Refusal paras 38-42

DETAILED REASONS AND INFORMATIVES

DETAILED REASONS

U0106583 Refusal - Heritage / design / landscape

The proposed development, by reason of its unacceptable overall bulk, scale, massing and inappropriate design, would cause a high degree of harm to the setting of the site's listed buildings and conservation area. This harm is identified to be less than significant. The application is not considered to deliver public benefits of sufficient weight so as outweigh this harm. Furthermore, the Council is not in receipt of a commitment to any replacement planting in the form of an outline landscape plan. As such, there is no current mitigation proposed for the loss of 6 trees on site. The car park fronting onto Upper Sunbury road and conversion of soft planting space into parking is considered a loss of potential landscaping space and thus detrimental to the conservation area. The application would fail to comply with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Paras. 193-202 of Chapter 13 of the NPPF and policies in particular HC1, D3 and G7 of the London Plan (2021) and LP1, LP3, LP4 and LP16 of the Local Plan (2018) and the Hampton Village Planning Guidance SPD (2017).

DETAILED INFORMATIVES

U0053381 Decision drawings

For the avoidance of doubt, the drawing numbers to which this decision relates are as follows: 1685-A-P040, 1685-A-P023A, 1685-A-P021, 1685-A-P022, 1685-A-P024A, 1685-A-P025, 1685-A-P011A, 1685-A-P012B, 1685-A-P013, 1685-A-P014B, 1685-A-P015A, 1685-A-P036, 1685-A-P037, 1685-A-P026, 1685-A-P027, 1685-A-P020, 1685-A-P001, 1685-A-P010, 1685-A-P305, 1685-A-P205B, 1685-A-P201B, 1685-A-P202B, 1685-A-P203C, 1685-A-P204C, 1685-A-P200B, 1685-A-P304A, 1685-A-P303A, 1685-A-P300A, 1685-A-P301A, 1685-A-P302B, 1685-A-P114B, 1685-A-P115C, 1685-A-P110B, 1685-A-P111C, 1685-A-P112B, 1685-A-P113C, 1685-A-P211B, 1685-A-P212B, 1685-A-P210B, 1685-A-PP100E, Tree Plan received 25/06/2020

U0053383 LBC informative - FUL app

The applicant is advised to read the decision in conjunction with that of the full planning application Ref. 20/1744/FUL.

U0053382 NPPF Refusal paras 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.

END OF SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION
20/1742/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