

**Environment Directorate / Development Management**

Web: [www.richmond.gov.uk/planning](http://www.richmond.gov.uk/planning)  
Email: [envprotection@richmond.gov.uk](mailto:envprotection@richmond.gov.uk)  
Tel: 020 8891 1411  
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Mr Geoff Megarity  
Bell Cornwell LLP  
The Print Rooms  
Union Street  
London  
SE1 0LH  
United Kingdom

Letter Printed 3 September 2021

**FOR DECISION DATED**  
3 September 2021

Dear Sir/Madam

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

**Application:** 21/2396/HOT  
**Your ref:** 29 Princes Road Richmond- Awn...  
**Our ref:** DC/SGR/21/2396/HOT  
**Applicant:** Mr Oliver Agha  
**Agent:** Mr Geoff Megarity

**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 **2 July 2021** and illustrated by plans for the permission of the Local Planning Authority to develop land situated at:

**29 Princes Road Richmond TW10 6DQ**

for

**Retrospective application for the erection of an awning in the rear garden.**

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 21/2396/HOT

## APPLICANT NAME

Mr Oliver Agha  
29, Princes Road  
Richmond  
TW10 6DQ

## AGENT NAME

Mr Geoff Megarity  
The Print Rooms  
Union Street  
London  
SE1 0LH  
United Kingdom

## SITE

29 Princes Road Richmond TW10 6DQ

## PROPOSAL

Retrospective application for the erection of an awning in the rear garden.

## SUMMARY OF REASONS AND INFORMATIVES

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### REASONS

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U0108517	Reason for Refusal - Design and Heritage
U0108518	Reason for Refusal - Neighbour Amenity

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### INFORMATIVES

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U0053909	Decision Documents
U0053910	NPPF Refusal

## DETAILED REASONS AND INFORMATIVES

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### DETAILED REASONS

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#### **U0108517 Reason for Refusal - Design and Heritage**

The awning, by reason of its combined siting, height, depth and width results in an excessive and dominant form of development which erodes the characteristic open garden space to the rear of both the host dwelling and the wider visually similar group of Buildings of Townscape Merit (BTMs). The scheme therefore fails to preserve the character and appearance of the host BTM, the setting of neighbouring BTMs and the character and appearance of the wider St Matthias Conservation Area. There are no public benefits of the proposal to outweigh this identified harm. The proposal is thereby contrary to the Richmond Local Plan (2018), in particular policies LP1, LP3 and LP4, the SPD on House Extensions and External Alterations and the NPPF.

#### **U0108518 Reason for Refusal - Neighbour Amenity**

The awning by reason of its height, depth, width and siting is considered to result in a visually intrusive and overbearing development which, when opened, creates a sense of enclosure to neighbouring external amenity spaces to the detriment of neighbouring occupiers amenity and living conditions. The scheme is thereby contrary to the Richmond Local Plan (2018) in particular policy LP8 and the SPD on House Extensions and External Alterations.

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### DETAILED INFORMATIVES

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#### **U0053909 Decision Documents**

For the avoidance of doubt, the following documents were taken into account in the assessment of this application:

- o Drawing: N2113/02/1 showing General Arrangement of Awning in Back Garden As Installed dated 25.06.2021 received 02.06.2021
  - o Drawing: N2113/02/2 showing Partial Plans, Sections and Elevations showing Awning as Installed dated 25.06.2021 received 02.06.2021
  - o Planning, Heritage and Design and Access Statement dated July 2021 received 02.06.2021
  - o Fire Safety Statement received 06.06.2021
- Response to Representations Letter received 01.09.2021

#### **U0053910 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:

The applicant did not seek pre-application advice and the scheme was found to be contrary to policy and guidance, and subsequently refused without delay.

END OF SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION  
21/2396/HOT

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# **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](http://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](http://www.planninginspectorate.gov.uk)

Email [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk)

Telephone 0303 444 5000

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