

**Environment Directorate / Development Management**

Web: [www.richmond.gov.uk/planning](http://www.richmond.gov.uk/planning)  
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Mr Yussuf Mwanza  
MZA Planning  
14 Devonshire Mews  
Chiswick  
London  
W4 2HA  
United Kingdom

Letter Printed 9 November 2021

**FOR DECISION DATED**  
9 November 2021

Dear Sir/Madam

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

**Application:** 21/2602/FUL  
**Your ref:** Castelnau Dentists, 200 Caste...  
**Our ref:** DC/DAV/21/2602/FUL/FUL  
**Applicant:** .  
**Agent:** Mr Yussuf Mwanza

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

**200 Castelnau Barnes London SW13 9DW**

for

**Construction of a single storey rear extension and change of use of existing lower ground floor flat from C3 to E(e) (Medical and Health Services) to enable the enlargement of the existing dental practice to provide a further 3 x surgeries.**

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 **GRANTED** subject to the conditions 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 CONDITIONS AND INFORMATIVES FOR APPLICATION 21/2602/FUL

## APPLICANT NAME

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C/O Agent MZA Planning  
14 Devonshire Mews  
Chiswick  
London  
W4 2HA

## AGENT NAME

Mr Yussuf Mwanza  
14 Devonshire Mews  
Chiswick  
London  
W4 2HA  
United Kingdom

## SITE

200 Castelnau Barnes London SW13 9DW

## PROPOSAL

Construction of a single storey rear extension and change of use of existing lower ground floor flat from C3 to E(e) (Medical and Health Services) to enable the enlargement of the existing dental practice to provide a further 3 x surgeries.

## SUMMARY OF CONDITIONS AND INFORMATIVES

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### CONDITIONS

U0113463	Development begun within 3 years
U0113464	Approved Drawings
U0113465	Customers on premises
DV30	Refuse storage
U0113466	Fire Safety Strategy
U0113467	Drainage
U0113468	Restricted use
U0113469	Non-road mobile machinery
U0113470	Construction Method Statement
U0113471	NS19 Cycle Parking - Commercial
U0113472	Refuse arrangements
DV11	Use of roof restricted

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### INFORMATIVES

U0055978	NPPF APPROVAL - Para. 38-42
U0055977	Composite Informative

# DETAILED CONDITIONS AND INFORMATIVES

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## DETAILED CONDITIONS

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### **U0113463      Development begun within 3 years**

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

### **U0113464      Approved Drawings**

The development hereby permitted shall be carried out in accordance with the following approved plans and documents, where applicable.

Site Location Plan, Cover Letter; recieved on 20 July 2021;  
Suds Statement, Flood Risk Assessment, Heritage Statement, NHS Support Letter; and 334-EXT-01, 334-PROP-02, 334-PROP-03; recieved on 08 November 2021.

REASON: To accord with the terms of the application, for the avoidance of doubt and in the interests of proper planning.

### **U0113465      Customers on premises**

No customers shall be present on the premises hereby approved before 0800 and after 2000 on Monday - Sunday including Bank Holidays.

A notice to this effect shall be displayed at all times on the premises so as to be visible from outside.

REASON: To protect the amenities of nearby residential properties.

### **DV30 Refuse storage**

No refuse or waste material of any description shall be left or stored anywhere on the site other than within a building or refuse enclosure.

REASON: To safeguard the appearance of the property and the amenities of the area.

### **U0113466      Fire Safety Strategy**

The development must be carried out in accordance with the provisions of the Supporting Fire Statement; recieved on 20 July 2021 and the Site Plan; recieved on 08 November 2021; unless otherwise approved in writing by the Local Planning Authority.

REASON: To ensure that the development incorporates the necessary fire safety measures in accordance with the Mayor's London Plan Policy D12.

### **U0113467      Drainage**

The development hereby approved shall not be implemented other than in full accordance with the Recommendations of the Sustainable Drainage Assessment by Geo Smart dated 09 September 2021.

Reason: To prevent the risk of flooding to and from the site in accordance with relevant policy requirements including but not limited to London Plan Policy SI13, the Non-Statutory Technical Standards for Sustainable Drainage Systems and Richmond Council's Local Plan Policy LP 21.

### **U0113468      Restricted use**

The development hereby approved shall not be occupied other than in Class E(e) (medical and health services) and for no other purpose within Use Class E as specified

in the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision revoking or re-enacting that order.

REASON: To accord with terms of the application, safeguard local road and parking conditions and residential amenity of nearby occupants.

#### **U0113469 Non-road mobile machinery**

During onsite construction of any phase of development, all non-road transportable industrial equipment or vehicles which are fitted with an internal diesel powered compression ignition engine between 37 and 560KW and not intended for transporting goods or passengers on roads are required to meet Stage IIIB of EU Directive 97/68/E and be NRMM registered. Such vehicles must be run on ultra low sulphur diesel (also known as ULSD 'cleaner diesel' or 'green diesel').

"Ultra low sulphur diesel" means fuel meeting the specification within BS EN 590. Where these standards are succeeded, they should be applied when reasonable. Exemptions to these standards may be granted for specialist equipment or for equipment with alternative emission reduction equipment or run on alternative fuels. Such exemptions shall be applied for in writing to the local planning authority in advance of the use of such vehicles, detailing the reasons for the exemption being sought and clearly identifying the subject vehicles. Exemptions that are granted will be in writing and such vehicles must not be used until written exemption has been issued by the local planning authority.

No vehicles or plant to which the above emission standards apply shall be on site, at any time, whether in use or not, unless it complies with the above standards, without the prior written consent of the local planning authority.

Reason: To protect the amenity of future occupants and/or neighbours

#### **U0113470 Construction Method Statement**

No development shall take place, including any works of demolition, until a Construction Management Statement (to include any demolition works) has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The Statement shall provide for:

1. The size and routing of construction vehicles to and from the site, and holding areas for these on/off site;
2. Details and location where plant and materials will be loaded and unloaded;
3. Details and location where plant and materials used in constructing the development will be stored;
4. Details of any necessary suspension of pavement, roadspace, bus stops and/or parking bays;
5. Details where security hoardings (including decorative displays and facilities for public viewing) will be installed, and the maintenance of such;
6. Details of any highway licenses and traffic orders that may be required (such as for licences for any structures / materials on the highway or pavement; or suspensions to allow the routing of construction vehicles to the site);
7. A construction programme including a 24 hour emergency contact number.

See also TfL guidance on Construction Logistics Plans.

REASON: In the interests of highway and pedestrian safety together with the amenity of the area.

#### **U0113471 NS19 Cycle Parking - Commercial**

The use hereby approved shall not commence until cycle parking facilities have been provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority, such drawings to show the position, design, materials and finishes thereof. The cycle parking facilities shall be retained thereafter unless otherwise agreed in writing with the Local Planning Authority.

REASON: To accord with this Council's policy to discourage the use of the car wherever possible.

#### **U0113472 Refuse arrangements**

The use hereby approved shall not commence until refuse facilities have been provided in accordance with either; A) Drawing 334-PROP-02 received 04 June 2021; or B) detailed drawings to be submitted to and approved in writing by the Local Planning Authority. The refuse facilities shall be retained thereafter.

REASON: To safeguard the appearance of the property and the amenities of the area.

#### **DV11 Use of roof restricted**

The roof of the building shall not be used for any purpose other than as a means of escape in emergency or for maintenance of the building.

REASON: To safeguard the amenities of the adjoining premises and the area generally.

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### **DETAILED INFORMATIVES**

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#### **U0055978 NPPF APPROVAL - 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 application was amended following negotiations with the Council to ensure the scheme complied with adopted policy and guidance, and a decision was made without delay.

#### **U0055977 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:-

London Plan Policies:

Policy D1 - London's form, character and capacity for growth

Policy D12 - Fire Safety

Policy SI13 - Sustainable Drainage

Policy SI8 - Waste capacity

Policy HC1 - Heritage Conservation and Growth

Policy T4 - Assessing and Mitigating transport impacts

Policy T5 - Cycling

Policy T6 - Car Parking

Policy T7 - Deliveries, servicing and construction

Local Plan Policies:

LP1

LP8  
LP21  
LP24  
LP28  
LP38  
LP45

Supplementary Planning Guidance:  
Design Quality  
Transport  
Refuse and Recycling Storage Requirements  
Barnes Village Planning Guidance  
Conservation Areas

**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 CONDITIONS AND INFORMATIVES FOR APPLICATION  
21/2602/FUL

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

Email [enquiries@pins.gsi.gov.uk](mailto: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](http://www.richmond.gov.uk/planning)

Email [planningappeals@richmond.gov.uk](mailto: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