

Mr Colin Eades
EHW Ltd
Keynes House
Tilehouse Street
Hitchin
SG5 2DW
United Kingdom

Letter Printed 10 December 2021

FOR DECISION DATED
10 December 2021

Dear Sir/Madam

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

Application: 21/2840/FUL
Your ref: 2020-13 2 Fielding Avenue, Tw...
Our ref: DC/JSI/21/2840/FUL
Applicant: Mr J Joyce
Agent: Mr Colin Eades

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

Rear Of 2 Fielding Avenue Twickenham

for

Change of Use - Summerhouse and garages to studio flat and garage

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



Robert Angus
Head of Development Management

SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION 21/2840/FUL

APPLICANT NAME

Mr J Joyce
2, Fielding Avenue
Twickenham
TW2 5LY

AGENT NAME

Mr Colin Eades
Keynes House
Tilehouse Street
Hitchin
SG5 2DW
United Kingdom

SITE

Rear Of 2 Fielding Avenue Twickenham

PROPOSAL

Change of Use - Summerhouse and garages to studio flat and garage

SUMMARY OF REASONS AND INFORMATIVES

REASONS

U0115786	Refusal - Design/Siting/Backland
U0115787	Refusal - Housing Standards
U0115788	Refusal - Parking/Servicing/Access
U0115789	Refusal - Affordable Housing
U0115790	Refusal - Sustainability

INFORMATIVES

U0056647	NPPF Refusal Paras 38-42
U0056648	Decision Drawings
U0056652	Contaminated land
U0056650	Inaccurate GIA measurements
U0056651	Accessibility
U0056649	No roofplan

DETAILED REASONS AND INFORMATIVES

DETAILED REASONS

U0115786 Refusal - Design/Siting/Backland

By reason of its unacceptable design and siting, the application proposes an inappropriate form of backgarden development, which would result in a cramped and congested form of overdevelopment of the site, that fails to relate to the established pattern of residential development in the locality, and would appear inappropriate to the setting of the site and incongruous to the existing character of the locality and surrounding area. As such, the development fails to accord with, in particular, Policies LP1, LP35 and LP39 of the Local Plan (2018) and the Council's Supplementary Planning Documents 'Design Standards' (February 2006) and 'Small and Medium Housing Sites' (February 2006).

U0115787 Refusal - Housing Standards

By reason of inadequate internal floor space, unacceptable layout and quality of outdoor amenity space, the scheme represents over-intensification and over-development of the site that would result in sub-standard living conditions and environment, to the detriment of the amenities of future occupiers. The development would thereby be contrary to, in particular, Policies LP8 and LP35 of the Local Plan (2018) and the Council's Supplementary Planning Documents 'Design Quality' (February 2006), 'Residential Development Standards' (March 2010) the Technical Housing Standards - Nationally Described Space Standard (October 2015).

U0115788 Refusal - Parking/Servicing/Access

In the absence of sufficient information to justify the loss of parking for the existing dwellinghouse situated at No. 2 Fielding Avenue and absence of a satisfactory parking survey to demonstrate there to be sufficient capacity in the locality to accommodate the loss, together with overall unsatisfactory layout, the scheme fails to demonstrate an acceptable standard of car parking or refuse, recycling and cycle parking, which would increase parking pressure in the surrounding streets to the detriment of the free flow of traffic in the locality and highway and pedestrian safety. The proposal would fail to comply with, in particular, Policies LP44 and LP45 of the Local Plan (2018) and the Council's Supplementary Planning Document 'Transport'.

U0115789 Refusal - Affordable Housing

In the absence of a legal agreement to secure an appropriate contribution towards offsite affordable housing, the scheme fails to address the recognised housing need in the Borough and will be contrary to, in particular, Policy LP36 of the Local Plan (2018) and Supplementary Planning Document 'Affordable Housing' (May 2014).

U0115790 Refusal - Sustainability

In the absence of a groundwater flooding assessment, sufficient Sustainable Drainage Systems information, Sustainable Construction Checklist or Domestic BREAAAM Assessment, the application does not demonstrate that a policy-compliant level of sustainable development would be delivered in the interests of reducing flood risk and tackling the climate crisis. As such, the application would fail to comply with, in particular, Policies LP20, LP21 and LP22 of the Local Plan (2018), the Council's Supplementary Planning Document 'Sustainable Construction Checklist' (January 2016) or Strategic Flood Risk Assessment (Updated March 2021).

DETAILED INFORMATIVES

U0056647 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.

U0056648 Decision Drawings

For the avoidance of doubt, the drawing numbers to which this application relates are as follows: PL006A, PL005A, PL011A, PL012, PL010B received 11/08/2021, PL010 received 27/08/2021, PL003, PL002, PL004, PL001A received 25/10/2021.

U0056652 Contaminated land

It has not been confirmed what level of excavation would be required to facilitate the proposed works. A future application would require further clarification on this point and, depending on the information, an application acceptable in all other respects may be subject to an appropriate land contamination condition

U0056650 Inaccurate GIA measurements

Submitted drawings incorrectly cite a GIA for the proposed flat of 54.1sqm and a 2.5m ceiling height for 45.53sqm. Officer calculations are 45.6sqm and 38.4sqm respectively.

U0056651 Accessibility

The Planning, Design and Access Statement submitted with the applications states that the unit would have level threshold access. However, no details have been provided on plans to demonstrate that the unit would be accessible for wheelchair users or capable of adaption. The applicant states that compliance would be demonstrated at Building Control stage; however, the applicant advised that for a future application this information would be required upfront as part of the planning application stage for the purposes of Local Plan Policy LP35.

U0056649 No roofplan

No roofplan has been provided. This was not considered to impede officers' ability to assess the application overall; however, were the application acceptable in all other respects, drawings would have been requested and neighbours re-consulted if necessary.

END OF SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION
21/2840/FUL

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, 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