

Mr Katashi Yamamoto, Lux Construction
SinKot House
211 Station Road
Harrow
HA1 2TP

Letter Printed 28 January 2022

FOR DECISION DATED
28 January 2022

Dear Sir/Madam

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

Application: 21/4141/FUL

Your ref:

Our ref: DC/JSI/21/4141/FUL

Applicant: Mr M Cooper

Agent: Mr Katashi Yamamoto, Lux Construction

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

9 Cheyne Avenue Twickenham TW2 6AN

for

Construction of a two storey, two bedroom, 3 bed space attached dwelling house with associated provision of refuse/parking/cycle storage, and amenity space; host dwelling roof conversion from hip to gable, incorporating proposed rear dormer and 1st floor rear fenestration changes.

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 21/4141/FUL

APPLICANT NAME

Mr M Cooper
C/o Agent

AGENT NAME

Mr Katashi Yamamoto, Lux Construction
Sinckot House
211 Station Road
Harrow
HA1 2TP

SITE

9 Cheyne Avenue Twickenham TW2 6AN

PROPOSAL

Construction of a two storey, two bedroom, 3 bed space attached dwelling house with associated provision of refuse/parking/cycle storage, and amenity space; host dwelling roof conversion from hip to gable, incorporating proposed rear dormer and 1st floor rear fenestration changes.

SUMMARY OF REASONS AND INFORMATIVES

REASONS

U0118588	Refusal - Roof extension
U0118589	Refusal - Design/Siting
U0118590	Refusal - Parking
U0118591	Refusal - Affordable Housing

INFORMATIVES

U0057862	NPPF Refusal paras 38-42
U0057864	Inaccurate drawings
U0057863	Decision Drawings

DETAILED REASONS AND INFORMATIVES

DETAILED REASONS

U0118588 Refusal - Roof extension

The proposed hip-to-gable rear dormer roof extension, by virtue of its combined siting, design, width, depth, bulk and massing, is considered to result in an unduly prominent and unneighbourly form of development, which would significantly harm the character and form of the main roof, to the detriment of the character and appearance of the host dwelling and surrounding area, and would result in an unacceptable degree of overlooking of neighbouring rear gardens, to the detriment of neighbouring amenities. As such, the development is considered to be contrary to, in particular, Policies LP1 and LP8 of the Local Plan (2018), the Design Quality SPD (February 2006), the House Extensions and External Alterations SPD and the Whitton and Heathfield Village Planning Guidance SPD (July 2014).

U0118589 Refusal - Design/Siting

The proposed new dwelling, by virtue of its combined unacceptable siting, width and design, would result in an unduly cramped and incongruous form of development of the site, which introduces an uncharacteristic and visually confusing terraced urban grain with small garden to the area, resulting in an unacceptable form of infill development to the detriment of the visual amenities of the area. As such, the development is considered to be contrary to, in particular, Policies LP1 and LP39 of the Local Plan (2018), the Design Quality SPD (February 2006), the Small and Medium Housing Sites SPD (February 2006) and the Whitton and Heathfield Village Planning Guidance SPD (July 2014).

U0118590 Refusal - Parking

In the absence of a Parking Survey and clear and convincing information otherwise, the application fails to demonstrate that it would provide a policy-compliant level of on-site parking for both properties, and would thus adversely impact on the free flow of traffic in the vicinity, to the detriment of pedestrian and vehicular safety on the surrounding highways network. The scheme is therefore contrary to the aims and objectives of Policies, in particular, LP44, LP45 of the Local Plan (2018) and the Transport SPD (June 2020).

U0118591 Refusal - Affordable Housing

In the absence of a binding legal agreement securing the necessary contribution to the affordable housing fund, the proposed scheme would fail to contribute to the Borough's affordable housing targets. As such, the application fails to comply with the outcomes sought by Policy LP36 of the Local Plan (2018) and the Affordable Housing SPD (March 2014).

DETAILED INFORMATIVES

U0057862 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 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.

U0057864 Inaccurate drawings

The applicant is advised that there are a number of inaccuracies and discrepancies in the set of submitted drawings. Please refer to the officer report online for further details. It is not considered that the inaccuracies have precluded officers from making a recommendation and issuing a decision; however, were the application acceptable in all other respects, accurate drawings would be requested and neighbours re-consulted if necessary.

U0057863 Decision Drawings

For the avoidance of doubt, the drawing nos. to which this decision relates are as follows: 101 v3, 103 v3, 102 v3, 106 v3, 105 v3, 104 v3, 108 v3, 107 v3, 211 v3, 100 v3, 200 v3, 201 v3, 203 v3, 202 v3, 206 v3, 208 v3, 207 v3, 210 v3, 204 v3, 209 v3, 205 v3 received 03/12/2021.

END OF SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION
21/4141/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