

Environment Directorate / Development Management

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Rachel Boothaway
Green Retreats Ltd
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Hangar 4
Westcott Venture Park
Aylesbury
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Letter Printed 20 July 2022

FOR DECISION DATED
20 July 2022

Dear Sir/Madam

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

Application: 21/4398/FUL
Your ref: Phillip Hegarty
Our ref: DC/JMO/21/4398/FUL/FUL
Applicant: Phillip Hegarty
Agent: Rachel Boothaway

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

Flat 1 Saltburn House 69 The Green Twickenham

for

Construction of a contemporary timber clad garden building.

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 21/4398/FUL

APPLICANT NAME

Phillip Hegarty
Flat 1, 69, The Green
Twickenham
TW2 5TU

AGENT NAME

Rachel Boothaway
Green Retreats Ltd
Hangar 4
Westcott Venture Park
Aylesbury
HP18 0XB

SITE

Flat 1 Saltburn House 69 The Green Twickenham

PROPOSAL

Construction of a contemporary timber clad garden building.

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS

U0132909	Development begun within 3 years
U0132910	Tree Protection
U0132911	Drawings
U0132912	Outbuilding Ancillary Use
U0132913	Materials as Submitted
U0132914	Fire Safety
U0132915	Submitted Arboricultural Details
U0132916	Landscaping

INFORMATIVES

U0064564	NPPF APPROVAL - Para. 38-42
U0064565	Composite Informative

DETAILED CONDITIONS AND INFORMATIVES

DETAILED CONDITIONS

U0132909 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.

U0132910 Tree Protection

1. No equipment, machinery or materials are to be brought on the site for the purpose of the development until all the trees to be retained have been protected in accordance with section 6.2 of British Standard 5837:2012 Trees in relation to design, demolition and construction - recommendations throughout the implementation of the scheme.

2. No fire shall be lit within 10m from the outside of the crown spread of the trees to be retained.

3. The ground levels within the protected areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

4. No mixing of cement or use of other materials or substances to take place within a Root Protection Area (RPA), or within close proximity of the RPA whereby seepage or displacement of those materials or substances could enter a RPA.

5. A retained tree is an existing tree which is to be retained in accordance with the approved plans and particular. Points (a) and (b) below will have the effect until the expiration of 3 months from the date of occupation of the development hereby approved:

a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the local planning authority. All tree works shall be carried out in accordance with the current BS 3998:2010 Recommendation for tree work.

b) If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

REASON: To ensure that the tree (s) are not damaged or otherwise adversely affected by building operations and soil compaction and the existing trees represent an important amenity which the local planning authority considers should be preserved.

U0132911 Drawings

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

For the avoidance of doubt the drawing numbers to which this decision refers are as follows:-

[NO DRAWING NUMBER] BLOCK PLAN, RECEIVED 28/06/2022; [NO DRAWING NUMBER] LOCATION PLAN, RECEIVED 28/06/2022; 210800164TG01 PHILLIP HEGARTY, RECEIVED 10/01/2022.

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

U0132912 Outbuilding Ancillary Use

The outbuilding hereby permitted shall not be used other than as accommodation incidental or ancillary to the use of the existing dwelling house at Flat 1, Saltburn House, 69 The Green, Twickenham. It should at no times be occupied separately as a self-contained dwelling unit.

REASON: To safeguard neighbour amenity and highway safety

U0132913 Materials as Submitted

No new external finishes (including fenestration), including works of making good, shall be carried out other than in materials to match the existing, except where indicated otherwise on the submitted application form and/or approved drawings.

REASON: To ensure that the proposed development is in keeping with the existing building and does not prejudice the appearance of the locality.

U0132914 Fire Safety

The development must be carried out in accordance with the provisions of the Fire Safety Document received by the Council dated 10 Jan 2022 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.

U0132915 Submitted Arboricultural Details

The development hereby approved shall not be implemented other than in accordance with the principles and methodology as described within the approved Arboricultural details including tree protection plan dated 20/04/2022 and the Arboricultural report dated 20/04/2022.

REASON: To ensure that the tree(s) are not damaged or otherwise adversely affected by demolition, building operations, excavations and soil compaction. To ensure that the proposed development does not prejudice the appearance of the locality or unduly compromise the health of any tree.

U0132916 Landscaping

(A) No part of the development shall be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the local planning authority. These details shall include proposed finished levels or contours; means of enclosure; pedestrian access and circulation areas; hard surfacing materials; minor artifacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing utility services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant; a program or timetable of the proposed works.

(B) Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); detailing the quantity, density, size, species, position and the proposed time or programme of planting of all shrubs, hedges, grasses etc., together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance. All tree, shrub and hedge planting included within that specification shall be carried out in accordance with BS 3936:1986 (Parts 1, 1992, Nursery Stock, Specification for trees and shrubs, and 4, 1984, Specification for forest trees); BS 4043: 1989, Transplanting root-balled trees; and BS 4428:1989, Code of practice for general landscape operations (excluding hard surfaces).

(C) All hard and soft landscape works shall be carried out in accordance with the approved details and in any event prior to the occupation of any part of the development.

REASON: To ensure that the proposed development does not prejudice the appearance of the locality and to preserve and enhance nature conservation interests.

DETAILED INFORMATIVES

U0064564 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 acceptable as submitted, and approved.

U0064565 Composite Informative

Principal Policies:

Where relevant, the following have been taken into account in the consideration of this proposal:-

London Plan Policies:

D4 Delivering good design

D12 Fire Safety

Local Plan Policies:

Local Character and Design Quality LP1

Impact on Designated Heritage Assets LP3

Impact on Non-Designated Heritage Assets LP4

Impact on Amenity and Living Conditions LP8

Impact on Trees, Woodland and Landscape LP16

Infill, Back land and Back garden Development LP39

Supplementary Planning Guidance:

Buildings of Townscape Merit

House Extension and External Alterations

Village Plan - Strawberry Hill

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 BS 5228-1:2009+A1:2014 - Noise and vibration control on construction and open sites.

Any enquiries for further information should be made to the Noise & Nuisance Team, Regulatory Services Partnership NoiseandNuisance@merton.gov.uk.

END OF SCHEDULE OF CONDITIONS AND INFORMATIVES FOR APPLICATION
21/4398/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