

Environment Directorate / Development Management

Web: www.richmond.gov.uk/planning
Email: envprotection@richmond.gov.uk
Tel: 020 8891 1411
Textphone: 020 8891 7120



Mr Tom Gallivan
Dot Surveying Ltd
14
Inverleith Place
Edinburgh
EH3 5PZ
undefined

Letter Printed 22 August 2022

FOR DECISION DATED
22 August 2022

Dear Sir/Madam

The Town and Country Planning Act 1990, (as amended)
The Town And Country Planning (General Permitted Development) (England)
Order 2015 (as Amended)
The Town and Country Planning (Development Management Procedure)
(England) Order 2015

Application: 22/2148/TEL
Your ref: WOFFINGTON CLOSE street works
Our ref: DC/EMC/22/2148/TEL
Applicant: Thomas Gallivan
Agent: Mr Tom Gallivan

Telecommunications Apparatus Opposite 23 - 25 Upper Teddington Road
Hampton Wick

for

Proposed 5G telecoms installation: H3G 19m street pole and additional equipment cabinets.

I refer to your letter and attached drawings.

This Council does consider that it is necessary for it to consider the siting and appearance of the proposed installation and having done so refuses permission. See the attached schedule for the reasons and informatives for this decision.

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 22/2148/TEL

APPLICANT NAME

Thomas Gallivan
450 Longwater Avenue
Reading
RG2 6GF
United Kingdom

AGENT NAME

Mr Tom Gallivan
14
Inverleith Place
Edinburgh
EH3 5PZ
undefined

SITE

Telecommunications Apparatus Opposite 23 - 25 Upper Teddington Road Hampton Wick

PROPOSAL

Proposed 5G telecoms installation: H3G 19m street pole and additional equipment cabinets.

The reason(s) and/or informatives(s) applicable to this application are as follows:

SUMMARY OF REASONS AND INFORMATIVES

REASONS

U0135442	Incorrect Notice
U0135443	NPPF Para 115 Unsympathetic Design
U0135445	NPPF 117 (c) Existing Buildings/Masts
U0135446	NPPF 117 (a) Outcome of Consultations
U0135444	NPPF Para 115 Unsympathetic Trees

INFORMATIVES

U0067261	Decision Drawings
----------	-------------------

DETAILED REASONS AND INFORMATIVES

DETAILED REASONS

U0135442 Incorrect Notice

Under schedule 2, Part 16 Class A, A.1(1) of the GPDO, conditions A.2(3) of the General Permitted Development Order 2015 (as amended), the Local Planning authority has determined that the prior approval application is INVALID due to the following reason:

The applicant has failed to evidence that notice was correctly served to all landowners and the incorrect address/location was on the notice letter. As such this application has failed to meet the requirements under Class A, A.3 (1), A.3. (2) (a) (ii) and (iii) and A.3 (5)(c).

U0135443 NPPF Para 115 Unsympathetic Design

Under schedule 2, Part 16 of the General Permitted Development Order 2015 (as amended), the Local Planning authority has determined that prior approval is required and hereby REFUSED as to the siting and appearance of the proposed development for the following reason:

The application is considered to result in an unsympathetic, visually prominent, incongruous and overbearing form of development which would cause harm to the character and appearance of the site at adjacent to Elton Close and the wider Teddington School, Fairways and Glamorgan Road and Sandy Lane and Surrounds Character Areas contrary to NPPF Para 115 and 203 (2021), LP1 and LP33 of the Local Plan (2018) and the Telecommunications Equipment SPD (June 2006).

U0135445 NPPF 117 (c) Existing Buildings/Masts

Under schedule 2, Part 16 of the General Permitted Development Order 2015 (as amended), the Local Planning authority has determined that prior approval is required and hereby REFUSED due to the following reason:

Insufficient evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and so the application fails to comply Para. 117 (c) of the NPPF (2021), and LP 33 and Telecommunications Equipment SPD (June 2006).

U0135446 NPPF 117 (a) Outcome of Consultations

Under schedule 2, Part 16 of the General Permitted Development Order 2015 (as amended), the Local Planning authority has determined that prior approval is required and hereby REFUSED due to the following reason:

The applicant has failed to supply the details of the outcome of consultations with organisations with an interest in the proposed development and as such the application is contrary to Para. 117 (a) of the NPPF (2021) and Telecommunications Equipment SPD (June 2006).

U0135444 NPPF Para 115 Unsympathetic Trees

Under schedule 2, Part 16 of the General Permitted Development Order 2015 (as amended), the Local Planning authority has determined that prior approval is required and hereby REFUSED as to the siting of the proposed development for the following reason:

Insufficient evidence has been supplied to demonstrate that the mast would not have a detrimental impact on amenity value trees creating an unsympathetic development to the surrounding landscape. The application is therefore contrary to NPPF Para 115 (2021), London Plan (2021) Policy G7 and Local Plan (2018) Policy LP16.

DETAILED INFORMATIVES

U0067261 Decision Drawings

For the avoidance of doubt the Drawing(s) No(s) to which this decision refers are as follows:-

08 Jul 2022	DECLARATION OF CONFROMITY	
08 Jul 2022	Planning Statement	
08 Jul 2022	RUT142_86195_KT0753	001 DRAWING REGISTER
08 Jul 2022	RUT142_86195_KT0753	215 PROPOSED SITE PLAN
08 Jul 2022	RUT19845_RUT142_86195_KT0753	002 SITE
LOCATION PLAN		
08 Jul 2022	RUT19845_RUT142_86195_KT0753	265 PROPOSED
SITE ELEVATION		

All received on the 08 July 2022

END OF SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION
22/2148/TEL

TEL 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