

K Rafferty  
KR Planning  
183 Seafield Road  
Bournemouth  
Bournemouth  
BH6 5LJ

Letter Printed 18 October 2022

**FOR DECISION DATED**  
18 October 2022

Dear Sir/Madam

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

**Application:** 22/1325/FUL  
**Your ref:** 3 & 4 New Broadway - Ground ...  
**Our ref:** DC/EMC/22/1325/FUL  
**Applicant:** NBI (Holdings) London Ltd  
**Agent:** K Rafferty

**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 **25 April 2022** and illustrated by plans for the permission of the Local Planning Authority to develop land situated at:

**3 - 4 New Broadway Hampton Hill**

for

**Ground floor conversion from commercial to two 1B1P self-contained dwellings. Single storey rear extension to accommodate one new 2B4P self-contained dwelling.**

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 22/1325/FUL

## APPLICANT NAME

NBI (Holdings) London Ltd  
3 & 4 New Broadway  
Hampton Hill  
London  
TW12 1JG

## AGENT NAME

K Rafferty  
183 Seafield Road  
Bournemouth  
Bournemouth  
BH6 5LJ

## SITE

3 - 4 New Broadway Hampton Hill

## PROPOSAL

Ground floor conversion from commercial to two 1B1P self-contained dwellings. Single storey rear extension to accommodate one new 2B4P self-contained dwelling.

## SUMMARY OF REASONS AND INFORMATIVES

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### REASONS

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U0140911	Class E to Class C3 ~
U0140913	Affordable Housing ~
U0140912	Design & Standard of Accommodation ~

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### INFORMATIVES

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U0068990	Decision Drawings
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# DETAILED REASONS AND INFORMATIVES

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## DETAILED REASONS

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### **U0140911 Class E to Class C3 ~**

Insufficient marketing evidence has been supplied to justify that there is no demand for a Class E Commercial Use on the ground floor units at 3 - 4 New Broadway. Given the absence of this information, change of use on the ground floor from Class E to C3 is not considered acceptable against NPPF Paragraph 86, the wider aims and objections of London Plan Policies SD7 and SD8 and LP 25, LP26 and Appendix 5.

### **U0140913 Affordable Housing ~**

In the absence of a binding obligation securing an appropriate financial contribution towards the provision of affordable housing within the borough, the proposal would be prejudicial to meeting the Council's affordable housing objectives contrary to LBRUT Local Plan (2018) Policy LP36 and the adopted Supplementary Planning Document: Affordable Housing.

### **U0140912 Design & Standard of Accommodation ~**

The proposed design of the three residential units would be over-cramped and fail to respect their immediate context along this row of Commercial Units (Class E). The rear unit would fail to provide an acceptable standard of accommodation, owing to the poor levels of outlook. The main outlook of the living spaces of the rear unit would be onto a rear access track which is not considered acceptable. It is considered the units are contrary to LBRUT (2018) Local Plan Policy LP1, LP8 and LP39.

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## DETAILED INFORMATIVES

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### **U0068990 Decision Drawings**

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

	21 Jul 2022	2103 PL 03 111	PROPOSED SIDE ELEVATIONS
	21 Jul 2022	2103 PL03 101 REV C	Proposed Plans
All received on 21 July 2022			
	25 Apr 2022	2103_PL.03_005	EXISTING ELEVATIONS
	25 Apr 2022	2103_PL.03_010	EXISTING SECTION A-A
	25 Apr 2022	2103_PL.03_105	PROPOSED ELEVATIONS
All received on 25 April 2022			
	27 Apr 2022	2103_PL_03_000	EXISTING SITE/LOCATION PLAN
	27 Apr 2022	2103_PL_03_001	EXISTING PLANS
	27 Apr 2022	2103_PL_03_106	PROPOSED ELEVATIONS/
SECTION B-B			
	27 Apr 2022	2103_PL_03_110	PROPOSED SECTION A-A
All received on 27 April 2022			
	19 May 2022		Existing & Proposed ELEVATIONS /PLAN.
Received on 19 May 2022			
	23 May 2022	2103_PL.03_000	Existing Site/Location Plan
	23 May 2022	2103_PL.03_001	Existing Plans
	23 May 2022	2103_PL.03_005	Existing Elevations
	23 May 2022	2103_PL.03_010	Existing Section A-A

	23 May 2022	2103_PL.03_101 REV B	Proposed Plans
	23 May 2022	2103_PL.03_105 REV A	Proposed Elevations
Section B-B	23 May 2022	2103_PL.03_106 REV A	Proposed Elevations /
	23 May 2022	2103_PL.03_110 REV A	Proposed Section A-A

All received 23 May 2022

END OF SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION  
22/1325/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