

Mr Murat Surucu
M Architecture Planning Ltd
Wellington Way
Brooklands Business Park
Weybridge
Surrey
KT130TT
United Kingdom

Letter Printed 5 January 2023

FOR DECISION DATED
5 January 2023

Dear Sir/Madam

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

Application: 22/2764/FUL
Your ref: 100-102 High Street, Hampton ...
Our ref: DC/TFA/22/2764/FUL
Applicant: Mr Ramazan Cakmak
Agent: Mr Murat Surucu

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

Part B Ground Floor 94 - 102 High Street Hampton Hill Ham

for

Reconfiguration of existing parking area to facilitate the erection of a single storey front extension, new side access gate and installation of a Canopy Extraction Flue to the side flank elevation

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 22/2764/FUL

APPLICANT NAME

Mr Ramazan Cakmak
94-102 Part B Ground Floor
High Street
Richmond Upon Thames
Hampton Hill
TW12 1NY

AGENT NAME

Mr Murat Surucu
Wellington Way
Brooklands Business Park
Weybridge
Surrey
KT130TT
United Kingdom

SITE

Part B Ground Floor 94 - 102 High Street Hampton Hill Ham

PROPOSAL

Reconfiguration of existing parking area to facilitate the erection of a single storey front extension, new side access gate and installation of a Canopy Extraction Flue to the side flank elevation

SUMMARY OF REASONS AND INFORMATIVES

REASONS

U0146836	Heritage, Design and Appearance
U0146838	Transport/Parking
U0146837	Sustainability

INFORMATIVES

U0073079	Decision drawings
U0073078	NPPF REFUSAL- Para. 38-42

DETAILED REASONS AND INFORMATIVES

DETAILED REASONS

U0146836 Heritage, Design and Appearance

The proposed single storey front extension, by reason of its prominent siting, excessive size and scale, its projection forward of the established building line, and potential impact on an adjacent TPO tree, would adversely harm the character and appearance of the area, along with the adjacent Conservation Area. The proposal would cause less than substantial harm to the character and appearance of the Conservation Area, and the benefits would fail to outweigh this harm. The proposal therefore fails to meet the statutory duty of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 199-203 of the NPPF and Local Plan policies LP1, LP3 and LP16.

U0146838 Transport/Parking

In the absence of adequate reprovision of lost cycle and vehicle parking spaces, or provision new cycle and vehicle spaces for the proposed development, the application fails to deliver a sustainable form of development, would impede the free flow of traffic to the detriment of highways safety, other road users and pedestrians, and would not align with the Council's policies promoting the use of active and sustainable travel. As such, the application fails to comply with Policies LP44 and LP45 of the Local Plan (2018) and the Council's Transport SPD (June 2020).

U0146837 Sustainability

In the absence of a sufficient Energy Statement demonstrating that the scheme will achieve a reduction in carbon dioxide emissions of 35% from on-site renewable energy generation beyond building regulations standards, or a BREEAM Pre-Assessment or water usage statement, the scheme fails to demonstrate it can provide a sustainable form of development and therefore fails to comply with the aims and objectives of Policy LP22 of the Local Plan (2018).

DETAILED INFORMATIVES

U0073079 Decision drawings

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

02223_1 Location & Existing Ground Floor Plan_P1; received 12 October 2022
02223_2 Location & Existing Ground Floor Plan_P2; received 12 October 2022
02223_3 Existing Elevation Drawings; received 12 October 2022
02223_4 Proposed Ground Floor Plan_P1; received 12 October 2022
02223_5 Proposed Ground Floor Plan_P2; received 12 October 2022
02223_6 Proposed Elevation Drawings; received 12 October 2022

Fire Safety Strategy, Noise Impact Assessment Report, Odour Risk Assessment; received 12 October 2022

Heritage Statement, Transport Statement; received 11 November 2022

U0073078 NPPF REFUSAL- 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 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, through the Council's formal pre-application service, to advise the applicants of relevant policy and guidance; and where possible assist in the preparation of a new planning permission. More information on the pre-application service and relevant fees can be found online at www.richmond.gov.uk/pre-application_for_developers.

END OF SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION
22/2764/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