

Mrs Fiona Jones
Cameron Jones Planning Ltd
3 Elizabeth Gardens
Ascot
SL5 9BJ

Letter Printed 11 August 2023

FOR DECISION DATED
11 August 2023

Dear Sir/Madam

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

Application: 23/0529/FUL
Your ref: Rear of 35 Twickenham Road
Our ref: DC/EMC/23/0529/FUL
Applicant: Mr J Foster Kenny
Agent: Mrs Fiona Jones

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 **28 February 2023** and illustrated by plans for the permission of the Local Planning Authority to develop land situated at:

Rear Of 35 Twickenham Road Teddington

for

Erection of one detached villa comprising two semi-detached dwelling houses with associated parking and landscaping

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



Robert Angus
Head of Development Management

SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION 23/0529/FUL

APPLICANT NAME

Mr J Foster Kenny
21 Melville Road
London
SW13 9RH

AGENT NAME

Mrs Fiona Jones
3 Elizabeth Gardens
Ascot
SL5 9BJ

SITE

Rear Of 35 Twickenham Road Teddington

PROPOSAL

Erection of one detached villa comprising two semi-detached dwelling houses with associated parking and landscaping

SUMMARY OF REASONS AND INFORMATIVES

REASONS

U0162878	Character and Design/Heritage
U0162879	Neighbour Amenity
U0162880	Highways and Servicing
U0162881	Affordable Housing

INFORMATIVES

U0082136	NPPF Refusal Para 38-42
U0082138	Decision Drawings
U0082137	Access

DETAILED REASONS AND INFORMATIVES

DETAILED REASONS

U0162878 Character and Design/Heritage

The proposed dwellings by reason of their poor design, bulk, height, massing and siting in close proximity to the site boundaries with 35 and 37 Twickenham Road, would result in a congested and intrusive form of overdevelopment which would be incongruous and detrimental to the character and appearance of the site, the street scenes and wider Cambridge Road and Surrounds Village Character Area and detracts from the setting of surrounding Buildings of Townscape Merit, the Teddington Lock Conservation Area and the High Street Teddington Conservation Area. The proposal would therefore be contrary to NPPF paragraph 134, LBRUT Local Plan (2018) Policy LP1, LP3, LP4, LP39, Emerging LBRUT Local Plan (2023) policy 15, 28 and 29 and the Hampton Wick & Teddington Village Planning Guidance SPD and the adopted Supplementary Planning Documents: Design Quality and Small and Medium Housing Sites

U0162879 Neighbour Amenity

The proposed dwelling by reason of its size, siting, and close proximity to the boundary of the site would have a visually overbearing impact on the neighbouring properties, 35 and 37 Twickenham Road. It would result in an unreasonable loss of light to the ground floor flats at 35 Twickenham Road and would therefore be detrimental to the amenities of the occupiers thereof. The proposal would thereby be contrary to LBRUT Local Plan (2018) Policy LP8, LP39, Emerging LBRUT Local Plan (2023) Policy 15 and 46. and the adopted Supplementary Planning Documents: Design Quality and Small and Medium Housing Sites.

U0162880 Highways and Servicing

Inadequate vehicle access has been provided for the 2 proposed car parking spaces. The proposed crossovers would owing to their inappropriate siting, layout and insufficient sightlines be prejudicial to pedestrian and highway safety. Insufficient provision for refuse and recycling storage is also proposed. The proposal would thereby be contrary to LBRUT Local Plan (2018) LP44, LP45, LP39 and LBRUT Emerging Local Plan Policy 15, 47 and 48. and the adopted Supplementary Planning Documents: Refuse and Recycling: Storage and Access Requirements for New Developments and Transport.

U0162881 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, LBRUT Emerging Local Plan Policy 11 and the adopted Supplementary Planning Document: Affordable Housing.

DETAILED INFORMATIVES

U0082136 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 seek formal pre-application advice, however, the Council's recommendations for amendments were not followed, and the scheme was found to be contrary to policy and guidance, and therefore the application was 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.

U0082138 Decision Drawings

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

U0082137 Access

Were this application to be acceptable, a clear red line plan showing both the pedestrian and vehicle access routes to the site must be produced. Evidence needs to be provided that adequate notice has been served on all of the landowners within the red line through a certificate B form. Evidence that the due diligence in this regard has been followed has not been provided.

Please see a link to the national validation requirements:

<https://www.gov.uk/guidance/making-an-application#Validation-requirements-for-planning-permission>

From an access perspective this application is not acceptable.

END OF SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION
23/0529/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