

Place Division / Development Management

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Miss Agatha Savage
Urban Infill Ltd
33 Newman Street
London
W1T 1PY
United Kingdom

Letter Printed 25 July 2024

FOR DECISION DATED
25 July 2024

Dear Sir/Madam

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

Application: 24/1072/HOT
Your ref: 0556_55 Christchurch Road Gar...
Our ref: DC/SJH/24/1072/HOT/HOT
Applicant: Mr and Mrs Andrew and Angela Davies
Agent: Miss Agatha Savage

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 **26 April 2024** and illustrated by plans for the permission of the Local Planning Authority to develop land situated at:

55 Christchurch Road East Sheen London SW14 7AQ

for

Demolition and replacement of existing garage, alterations to front boundary treatment with associated landscaping works.

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 24/1072/HOT

APPLICANT NAME

Mr and Mrs Andrew and Angela Davies
55 Christchurch Road
East Sheen
London
Richmond Upon Thames
SW14 7AQ

AGENT NAME

Miss Agatha Savage
33 Newman Street
London
W1T 1PY
United Kingdom

SITE

55 Christchurch Road East Sheen London SW14 7AQ

PROPOSAL

Demolition and replacement of existing garage, alterations to front boundary treatment with associated landscaping works.

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS

AT01	Development begun within 3 years
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U0185821	Materials as submitted
U0185822	Garage use
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U0185825	Arboricultural method statement
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IT05	Trees - Size of new stock
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DETAILED CONDITIONS AND INFORMATIVES

DETAILED CONDITIONS

AT01 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.

U0185820 Approved drawings

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

0556-PL-270 Revision A; 0556-PL--261 Revision A; 0556-PL-260 Revision A; 0556-PL-262 Revision A; 0556-PL-280 Revision A; 0556-PL-271 Revision A; 0556-PL-290 Revision 0; 2077_P_001 Revision A; 0556-PL-291 Revision 0 and 0556-PL-252 Revision A received on 27 June 2024.

0556-PL-051-0 ; 0556-PL-052-0 ; 0556-PL-060-0 ; 0556-PL-061-0 and 0556-PL-152-0 received on 26 April 2024

01-2700 REV A ; 0556-PL-070-0 and 0556-PL-071-0 received on 9 May 2024.

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

U0185821 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.

U0185822 Garage use

The garage hereby permitted shall not be used other than as accommodation incidental or ancillary to the use of the existing dwelling house at 55 Christchurch Road.

REASON: To safeguard neighbour amenity and highway safety, and to accord with the terms of the application.

U0185823 Non-road mobile machinery

During onsite construction of any phase of development, all non-road transportable industrial equipment or vehicles which are fitted with an internal diesel powered compression ignition engine between 37 and 560KW and not intended for transporting goods or passengers on roads are required to meet Stage IIIB of EU Directive 97/68/E and be NRMM registered. Such vehicles must be run on ultra low sulphur diesel (also known as ULSD 'cleaner diesel' or 'green diesel').

"Ultra low sulphur diesel" means fuel meeting the specification within BS EN 590. Where these standards are succeeded, they should be applied when reasonable. Exemptions to these standards may be granted for specialist equipment or for equipment with alternative emission reduction equipment or run on alternative fuels. Such exemptions shall be applied for in writing to the local planning authority in advance of the use of such vehicles, detailing the reasons for the exemption being

sought and clearly identifying the subject vehicles. Exemptions that are granted will be in writing and such vehicles must not be used until written exemption has been issued by the local planning authority.

No vehicles or plant to which the above emission standards apply shall be on site, at any time, whether in use or not, unless it complies with the above standards, without the prior written consent of the local planning authority.

Reason: To protect the amenity of future occupants and/or neighbours

U0185824 Gates

The gates hereby approved shall at no time open outwards onto the highway.

Reason: To ensure that the proposed gates do not compromise or alter the safe and efficient functioning of the adjoining public highway.

U0185825 Arboricultural method statement

1. Prior to the commencement of development, an Arboricultural Method Statement (AMS), shall be submitted to and approved in writing by the Local Planning Authority. The AMS must:

- A. Be written in accordance with and address sections 5.5, 6.1, 6.2, 6.3 and 7 of British Standard 5837:2012 Trees in relation to design, demolition and construction - recommendations
- B. Be written in conjunction with the schemes Construction Method Statement (where applicable)
- C. Outline any tree constraints, and explain any impacts for both above and below ground.
- D. Detail all tree protection (including plans)
- E. Detail any special engineering for construction within the Root Protection Area.
- F. Detail any facilitation pruning that may be required. The specification for tying back and/or pruning must be measurable and prepared by a suitably qualified Arboriculturalist or Arboricultural Contractor. All tree work must be undertaken in accordance with BS3998:2010 Tree work - Recommendations unless approved by the Councils Arboricultural Officer
- G. Provide confirmation of the appointment of an Arboricultural Consultant for the duration of the development and a schedule of inspections too achieves an auditable monitoring and supervision programme, and a timetable for submission to the Local Planning Authority.
- H. Provide details of all servicing runs (existing and proposed)

2. The development shall not be implemented other than in accordance with the approved AMS.

3. Monitoring reports shall be submitted to the Arboricultural Officer upon completion of works hereby approved.

REASON: To ensure that the tree(s) are not damaged or otherwise adversely affected by building operations and soil compaction.

U0185826 Tree planting scheme required

1. Prior to the occupation of the development hereby approved, a tree planting scheme shall be submitted to and approved in writing by the local planning authority. This scheme shall be written in accordance with the British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations (sections 5.6) and BS 8545:2014 Trees: from nursery to independence in the landscape - Recommendations, and include:

- A) Details of the quantity, size, species, and position.
- B) Planting methodology
- C) Proposed time of planting (season)
- D) 5-year maintenance and management programme.

2. All tree planting shall be carried out in accordance with the approved details and in any event prior to the occupation of any part of the development unless otherwise in accordance with a timetable agreed in writing with the local planning authority. Written and photographic confirmation of the tree planting as specified in the Tree Planting Scheme shall be submitted to the Arboricultural Team upon completion.

3. If within a period of 5 years from the date of planting that tree or any tree planted in replacement for it, is removed, uprooted, destroyed or dies (or becomes in the opinion of the local planning authority seriously damaged) then the tree shall be replaced to reflect the specification of the approved planting scheme in the next available planting season or in accordance with a timetable agreed in writing with the local planning authority.

REASON: To safeguard the appearance of the locality.

DETAILED INFORMATIVES

U0093266 Tree replacement planting

In seeking to discharge details related to replacement tree planting, the applicant is advised to provide a tree-by-tree "Full" CAVAT valuation (Including the calculation methodology for each tree) for all trees identified for removal. This is to be undertaken by an Arboriculturist with experience using the method.

The applicant should also provide the estimated costs of supply, planting and aftercare of the proposed replacement trees for comparison. It should be noted that proposed planting costs should be commercially sourced. The LPA will not accept any CAVAT valuations for proposed plantings. This is to enable the LPA to quantify that there will be appropriate and adequate replacement planting.

IT05 Trees - Size of new stock

The Local Planning Authority would normally expect all new trees to be planted to be a minimum size of SELECTED STANDARD which shall have a sturdy reasonably straight stem with a clear height from ground level to the lowest branch of 1.8m, an overall height of between 3m and 3.5m and a stem circumference measured at 1m from ground level of 10-12cm. The tree shall, according to the species and intended use, have either a well-balanced branching head or a well defined, straight and upright central leader with the branches growing out from the stem with reasonable symmetry.

U0093192 Arboricultural Conditions

For the avoidance of doubt, where a condition requires the submission and approval of details to the Local Planning Authority a formal application for approval of details reserved by condition should be made. Where a condition requires the submission of details to the Arboriculture Officer, details should be forwarded to: trees@richmondandwandsworth.gov.uk or in writing to: Trees, Civic Centre, 44 York Street, Twickenham, TW1 3BZ

U0093200 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 amended following negotiations with the Council to ensure the scheme complied with adopted policy and guidance, and a decision was made without delay.

U0093201 Composite informative

Reason for granting:

The proposal has been considered in the light of the Development Plan, comments from statutory consultees and third parties (where relevant) and compliance with Supplementary Planning Guidance as appropriate. It has been concluded that there is not a demonstrable harm to interests of acknowledged importance caused by the development that justifies withholding planning permission.

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

D14 Noise

HC1 Heritage conservation and growth

SI 12 Flood Risk Management

SI 13 Sustainable drainage

G6 Biodiversity and access to nature

G7 Trees and woodlands

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 Biodiversity LP15

Impact on Trees, Woodland and Landscape LP16

Impact on Flood Risk and Sustainable Drainage LP21

Sustainable Travel Choices LP44

Parking Standards and Servicing LP45

Other Open Land of Townscape Importance LP14

Supplementary Planning Guidance:

Buildings of Townscape Merit

House Extension and External Alterations

Transport

Village Plan - East Sheen Village

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.

U0093195 Party Wall Act

The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring

property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk

BNG02 Biodiversity Gain Plan No Pre-Approval

Approval of a Biodiversity Gain Plan will not be required before development commences

Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition ('biodiversity gain condition') that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be the London Borough of Richmond upon Thames.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:
 - 4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:
 - (i) the application for planning permission was made before 2 April 2024;
 - (ii) planning permission is granted which has effect before 2 April 2024; or
 - (iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).
 - 4.2 Development below the de minimis threshold, meaning development which:
 - (i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - (ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A 'householder application' means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- (i) consists of no more than 9 dwellings;
- (ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- (iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

* 'original planning permission means the permission to which the section 73 planning permission relates' means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ('the earlier Biodiversity Gain Plan') there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- (i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- (ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements

made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

END OF SCHEDULE OF CONDITIONS AND INFORMATIVES FOR APPLICATION
24/1072/HOT

HOT 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

Refusal of permission for HOT applications – this type of appeal is appropriate for domestic alterations and extensions and any ancillary development in the garden. It is not appropriate for alterations to flats.

Appeal time

Within 12 weeks of the date of this notice.

Who can appeal

The applicant or their agent may lodge an appeal

The appeals process

Appeals must be made

- Online at www.planninginspectorate.gov.uk, or
- Using a form which you can get from 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 Planning Inspectorate (on behalf of the Secretary of State) will determine the appeal procedure to be followed. Normally this will proceed by way of the Householder Appeal Service which will rely solely on information submitted at application stage. The Council will send copies of any letters of objection or support they received when considering your application. Further submissions or statements will not be accepted by the Planning Inspectorate.

Your householder appeal will be decided by a Planning Inspector. He/she will consider all the application documents and grounds of appeal and also make an unaccompanied visit to the appeal site. You may be required to provide access to the site for the Inspector.

Appeal decision

80% of householder appeal decisions will be issued within 8 weeks from the start date of the appeal.

Further information available from:

The Planning Inspectorate –

Website www.planninginspectorate.gov.uk

Email enquiries@pins.gsi.gov.uk

Telephone 0303 444 5000

London Borough of Richmond Upon Thames -

Website www.richmond.gov.uk/planning

Email planningappeals@richmond.gov.uk

Telephone 020 8891 1411 for advice