

Place Division / Development Management

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Dr Richard Laundy
82, Cambridge Road
Teddington
TW11 8DN
United Kingdom

Letter Printed 29 August 2024

FOR DECISION DATED
29 August 2024

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

Application: 24/1666/HOT
Your ref: 82, Cambridge Road, TW11 8DN
Our ref: DC/PSH/24/1666/HOT/HOT
Applicant: Dr Richard Laundy
Agent:

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

82 Cambridge Road Teddington TW11 8DN

for

Proposed replacement of the windows in the property with traditional sash and casement windows in white timber and replacement of the uPVC doors in the rear extension with wooden doors.

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 24/1666/HOT

APPLICANT NAME

Dr Richard Laundry
82, Cambridge Road
Teddington
TW11 8DN
United Kingdom

AGENT NAME

SITE

82 Cambridge Road Teddington TW11 8DN

PROPOSAL

Proposed replacement of the windows in the property with traditional sash and casement windows in white timber and replacement of the uPVC doors in the rear extension with wooden doors.

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS

U0187922	Development in accordance with plans
U0187923	Materials
AT01	Development begun within 3 years

INFORMATIVES

IL25D	NPPF APPROVAL - Para. 38-42
BNG02	Biodiversity Gain Plan No Pre-Approval

DETAILED CONDITIONS AND INFORMATIVES

DETAILED CONDITIONS

U0187922 Development in accordance with plans

The development hereby permitted shall not be carried out other than wholly in accordance with Drawing Nos.

D1 G FLR REAR ELEV, Drawing No. I1018_14 dated 28/06/2024
D2 G FLR REAR ELEV, Drawing No. I1018_15 dated 28/06/2024
W1 1ST FLR REAR ELEV, Drawing No. I1018_1 dated 28/06/2024
W10 G FLR SIDE ELEV, Drawing No. I1018_10 dated 28/06/2024
W11 G FLR SIDE ELEV, Drawing No. I1018_11 dated 28/06/2024
W12 G FLR FRONT ELEV, Drawing No. I1018_12 dated 28/06/2024
W13 G FLR REAR ELEV, Drawing No. I1018_13 dated 28/06/2024
W2 1ST FLR FRONT ELEV, Drawing No. I1018_2 dated 28/06/2024
W3 1ST FLR FRONT ELEV, Drawing No. I1018_3 dated 28/06/2024
W4 1ST FLR REAR ELEV, Drawing No. I1018_4 dated 28/06/2024
W5 1ST FLR REAR ELEV, Drawing No. I1018_5 dated 28/06/2024
W6 1ST FLR FRONT ELEV, Drawing No. I1018_6 dated 28/06/2024
W7 1ST FLR FRONT ELEV, Drawing No. I1018_7 dated 28/06/2024
W8 G FLR FRONT ELEV, Drawing No. I1018_8 dated 28/06/2024
W9 G FLR FRONT ELEV, Drawing No. I1018_9 dated 28/06/2024

REASON: To ensure a satisfactory development as indicated on the drawings.

U0187923 Materials

No new external finishes (including fenestration), including works of making good, shall be carried out other than in materials as hereby approved.

REASON: To ensure that the proposed development is in keeping with the existing building(s) and does not prejudice the appearance of the locality.

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.

DETAILED INFORMATIVES

IL25D 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 acceptable as submitted, and approved without delay.

- 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.
- o The application was recommended for approval and referred to the first available Planning Committee, where the agents / applicants had an opportunity to present the case.

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
24/1666/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