

**Place Division / Development Management**

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Mr Kieran Rafferty  
KR Planning  
183 Seafield Road  
Bournemouth  
BH6 5LJ  
United Kingdom

Letter Printed 2 September 2024

**FOR DECISION DATED**  
2 September 2024

Dear Sir/Madam

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

**Application:** 24/1725/VRC  
**Your ref:** Hamton S73 Energy  
**Our ref:** DC/GAP/24/1725/VRC  
**Applicant:** Mr C Dolan  
**Agent:** Mr Kieran 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 **8 July 2024** for the permission of the Local Planning Authority to vary condition(s) of the Planning Permission for land situated at:

**3 - 4 New Broadway Hampton Hill**

for

**Variation of planning approval 23/1819/FUL dated 18 September 2023 to conditions U0165004 (Approved Drawings and Documents) and DV50A (Energy Reduction). Changes comprise construction of mansard roof and assessment of Carbon dioxide emissions from 35% of 2013 building regulations to 10% of 2021 building regulation requirements' as required by London Plan policy SI2.**

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 24/1725/VRC

## APPLICANT NAME

Mr C Dolan  
3-4 New Broadway  
Hampton Hill  
Richmond Upon Thames  
TW12 1JG

## AGENT NAME

Mr Kieran Rafferty  
183 Seafield Road  
Bournemouth  
BH6 5LJ  
United Kingdom

## SITE

3 - 4 New Broadway Hampton Hill

## PROPOSAL

Variation of planning approval 23/1819/FUL dated 18 September 2023 to conditions U0165004 (Approved Drawings and Documents) and DV50A (Energy Reduction). Changes comprise construction of mansard roof and assessment of Carbon dioxide emissions from 35% of 2013 building regulations to 10% of 2021 building regulation requirements' as required by London Plan policy SI2.

## SUMMARY OF REASONS AND INFORMATIVES

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### REASONS

U0188182	Refuse
U0188185	Cycle Parking
U0188184	Amenity Space
U0188183	Energy Reduction

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### INFORMATIVES

U0093933	NPPF REFUSAL- Para. 38-42
U0093932	Decision Drawings and Documents

## DETAILED REASONS AND INFORMATIVES

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### DETAILED REASONS

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#### **U0188182 Refuse**

The proposal fails to demonstrate that suitable and sufficient arrangements for the storage and disposal of refuse/waste can be provided for the proposed number of residents not allowing to safeguard the appearance of the properties and the amenities of the area and resulting in overdeveloping the application site. The proposal would therefore fail to comply with Policy LP 24 of the Local Plan (2018) and the SPD (2022) on REFUSE AND RECYCLING: STORAGE AND ACCESS REQUIREMENTS FOR NEW DEVELOPMENTS as well as Policy 7 Waste and the Circular Economy of the Emerging Local Plan (Regulation 19).

#### **U0188185 Cycle Parking**

In failing to comply with the London Plan (2021) standards in terms of the number of cycling facility to be allocated to 1-bedroom (2 people) units nos 6 and 7, the proposal is considered contrary to the Council's policy to discourage the use of the car wherever possible aiming to pursue sustainable development. As such, the proposal fails to comply with the outcomes sought by the NPPF (2023), London Plan (2021), the policies within the Local Plan (2018), in particular Policy LP 44, and Policy 47 'Sustainable travel choices' of the emerging draft Local Plan (Regulation 19).

#### **U0188184 Amenity Space**

By virtue of a lack of sufficient, private, usable, functional, safe and easily accessible from living areas outdoor amenity space, the proposal would result in substandard residential accommodation inappropriate for modern day living. As such, the proposal fails to comply with the outcomes sought by the NPPF (2023), London Plan (2021), the policies within the Local Plan (2018), in particular Policy LP 35, and the Residential Development Standards SPD (2010) and Policy 13 of the emerging draft Local Plan (Regulation 19).

#### **U0188183 Energy Reduction**

The proposed amendments to the planning condition DV50A Energy Reduction attached to the approval reference: 23/1819/FUL fail to comply with the requirements of Policy LP 22 of the adopted Local Plan (2018).

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### DETAILED INFORMATIVES

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#### **U0093933 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:

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](http://www.richmond.gov.uk/pre-application_for_developers).

**U0093932 Decision Drawings and Documents**

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

CO2 REDUCTIONS (report) dated 20/06/2024.

COVER LETTER dated 08/07/2024.

2103\_PL.05\_102 REV A

2103\_PL.05\_105 REV A

2103\_PL.05\_110 REV A

2103\_PL.05\_111 REV A

2103\_PL.05\_120 REV A - received 08/07/2024.

END OF SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION  
24/1725/VRC

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# **VRC 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