

**Place Division / Development Management**

Web: [www.richmond.gov.uk/planning](http://www.richmond.gov.uk/planning)  
Email: [envprotection@richmond.gov.uk](mailto:envprotection@richmond.gov.uk)  
Tel: 020 8891 1411  
Textphone: 020 8891 7120



Mr Nigel Husband  
Husband and Partners Architects  
Dovetree Cottage  
Rectory Lane  
Betchworth  
RH37BH

Letter Printed 9 September  
2024

**FOR DECISION DATED**  
9 September 2024

Dear Sir/Madam

**The Town and Country Planning Act 1990, (as amended)**  
**The Town And Country Planning (General Permitted Development) (England)**  
**Order 2015 (as Amended)**  
**The Town and Country Planning (Development Management Procedure)**  
**(England) Order 2015**

**Application:** 24/1843/GPD26  
**Your ref:**  
**Our ref:** DC/AVE  
**Applicant:** Mr Laurence Wheelan  
**Agent:** Mr Nigel Husband

**WHEREAS** in accordance with the provisions of the Town and Country Planning Act 1990 and the relevant Orders made thereunder, you have made an application received on **16 July 2024** for a **PRIOR APPROVAL** relating to:

**Land At Myrtle Road And 1 High Street Hampton Hill Hampton**

for

**CLASS MA Prior Approval Application for change of use from Class E to Class C3**

This written notice confirms that **prior approval is required and is hereby given** for the proposed development, by virtue of The Town And Country Planning (General Permitted Development) (England) Order 2015 (as Amended), subject to conditions outlined overleaf.

The applicants are advised that this written notice **does not constitute a Certificate of Lawfulness**.

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 24/1843/GPD26

## APPLICANT NAME

Mr Laurence Wheelan  
1 High Street  
Hampton Hill  
Hampton  
TW12 1NA

## AGENT NAME

Mr Nigel Husband  
Dovetree Cottage  
Rectory Lane  
Betchworth  
RH37BH

## SITE

Land At Myrtle Road And 1 High Street Hampton Hill Hampton

## PROPOSAL

CLASS MA Prior Approval Application for change of use from Class E to Class C3

The condition(s) and/or informatives(s) applicable to this application are as follows:

## SUMMARY OF CONDITIONS AND INFORMATIVES

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### CONDITIONS

|          |                                |
|----------|--------------------------------|
| DV29F    | Potentially Contaminated Sites |
| DV18A    | Refuse Arrangements            |
| U0188562 | Schedule 2, Part 2 Class MA    |

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### INFORMATIVES

|          |                       |
|----------|-----------------------|
| U0093654 | Composite Informative |
| IL24     | CIL liable            |
| U0093655 | Decision Drawings xx  |

# DETAILED CONDITIONS AND INFORMATIVES

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## DETAILED CONDITIONS

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### DV29F Potentially Contaminated Sites

1. No development shall take place until:

a) a desk study detailing the history of the site, hazardous materials, substances used together with details of a site investigation strategy based on the information revealed in the desk study has been submitted to and approved in writing by the local planning authority

b) an intrusive site investigation has been carried out comprising: sampling of soil, soil vapour, ground gas, surface water and groundwater to the satisfaction of the local planning authority. Such work to be carried out by suitably qualified and accredited geo-environmental consultants in accordance with the current U.K. requirements for sampling and testing.

c) written reports of i) the findings of the above site investigation and ii) a risk assessment for sensitive receptors together with a detailed remediation strategy designed to mitigate the risk posed by the identified contamination to sensitive receptors have been submitted to and approved in writing by the local planning authority

Note: some demolition work, if required, could be allowed beforehand for enabling the above requirement (1b), subject to the agreement of the Local Planning Authority.

2. None of the dwellings/buildings hereby approved shall be occupied until:

a) the remediation works approved as part of the remediation strategy have been carried out in full and in compliance with the approved strategy. If during the remediation or development work new areas of contamination are encountered, which have not been previously identified, then the additional contamination should be fully assessed in accordance with condition [1(b, c)] above and an adequate remediation scheme shall be submitted to and approved in writing by the local planning authority and fully implemented thereafter.

b) a verification report, produced on completion of the remediation work, has been submitted to and approved in writing by the local planning authority. Such report to include i) details of the remediation works carried out and ii) results of verification sampling, testing and monitoring and iii) all waste management documentation showing the classification of waste, its treatment, movement and disposal in order to demonstrate compliance with the approved remediation strategy.

REASON: To protect future users of the site and the environment.

### DV18A Refuse Arrangements

None of the buildings hereby approved shall be occupied until arrangements for the storage and disposal of refuse/waste have been made in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: To safeguard the appearance of the property and the amenities of the area.

### U0188562 Schedule 2, Part 2 Class MA

Development under Schedule 2, Part 2 Class MA is permitted subject to the condition that-

a) The development shall be carried out in accordance with the information submitted to the local planning authority;

b) The development under Class MA must be completed within a period of 3 years starting with the date the prior approval is granted;

c) Any building permitted to be used as a dwellinghouse by virtue of Class MA is to remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.

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## DETAILED INFORMATIVES

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### U0093654 Composite Informative

**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](mailto:NoiseandNuisance@merton.gov.uk).

**IL24 CIL liable**

The applicant is advised that this permission results in a chargeable scheme under the Borough's and the Mayor of London's Community Infrastructure Levy.

## **U0093655      Decision Drawings xx**

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

L01 (LOCATION PLAN) received 9 July 2024  
SLP01 (LOCATION PLAN) received 9 July 2024  
SURV01 (Existing Floor Plans) received 9 July 2024  
SURV02 (Existing Elevations) received 9 July 2024  
SURV03A (Existing Garage Plan & Elevation) received 9 July 2024  
PL(R)01 A (Proposed Layout Plans) received 9 July 2024  
PL(R)02 A (Site Block Plan) received 9 July 2024

### **PLEASE NOTE**

This notice applies only to the extent of the use/operations/matter described and to the land specified. Any use/operations/matter which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

END OF SCHEDULE OF CONDITIONS AND INFORMATIVES FOR APPLICATION  
24/1843/GPD26

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### **NOTES:**

- 1. If you are aggrieved by the decision of the Council to refuse an application for prior approval under Section 192 of the Town and Country Planning Act 1990 (as amended) you may appeal to the Secretary of State under Section 195 of the Act (as amended).**
- 2. Notices of appeal must be submitted online at [www.planninginspectorate.gov.uk](http://www.planninginspectorate.gov.uk) or in writing to Initial Appeals, The Planning Inspectorate, Temple Quay House, 2 The Square, Bristol BS1 6PN or in Wales to the Secretary of State for Wales, Cathays Park, Cardiff CF1 3NQ. Copies of all relevant documents, including the application, the notice of decision and all plans, drawings and correspondence must be supplied to the Secretary of State.**
- 3. You are advised to consult the brief official guide to the applications and appeals, published by the department of the Environment and the Welsh Office from which the appeal forms may also be obtained on request.**