

Place Division / Development Management

Web: www.richmond.gov.uk/planning
Email: envprotection@richmond.gov.uk
Tel: 020 8891 1411
Textphone: 020 8891 7120



Mr Enam Rahman
ER architectural design Ltd
29 OAKHILL ROAD
SUTTON
SUTTON
SM1 3AA
United Kingdom

Letter Printed 4 October 2024

FOR DECISION DATED
4 October 2024

Dear Sir/Madam

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

Application: 24/2063/VRC
Your ref: 2 Montrose
Our ref: DC/GNI/24/2063/VRC/VRC
Applicant: Mr & Mrs Khan
Agent: Mr Enam Rahman

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 **14 August 2024** and illustrated by plans for the permission of the Local Planning Authority to vary condition(s) of the Planning Permission for land situated at:

2 Montrose Avenue Twickenham TW2 6HB

for

Variation of condition U0121660 - Approved Drawings and condition U0121658 Front Elevation Rooflight of planning permission 21/2965/FUL- to allow for lower ground floor plan internal changes, new ensuite window, changes from sliding doors to french doors, additional rooflight to bedroom 2 and change from window to doors to bedroom 1. (amended description)

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 24/2063/VRC

APPLICANT NAME

Mr & Mrs Khan
2 Montrose Avenue
Twickenham
Richmond Upon Thames
TW2 6HB

AGENT NAME

Mr Enam Rahman
29 OAKHILL ROAD
SUTTON
SUTTON
SM1 3AA
United Kingdom

SITE

2 Montrose Avenue Twickenham TW2 6HB

PROPOSAL

Variation of condition U0121660 - Approved Drawings and condition U0121658 Front Elevation Rooflight of planning permission 21/2965/FUL- to allow for lower ground floor plan internal changes, new ensuite window, changes from sliding doors to french doors, additional rooflight to bedroom 2 and change from window to doors to bedroom 1. (amended description)

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS

U0190152	Fire Safety
AT01	Development begun within 3 years
U0190153	Approved Drawings
DV50A	Energy Reduction
DV51A	Water Consumption
DV49	Construction Method Statement
U0190158	Front Elevation Roof light
DV52A	Building Regulation M4(2)
U0190154	Waste and Refuse
U0190155	Biodiverse Roof
U0190156	Restrict~Sedum roof not a roof terrace
U0190157	Rest~ Sedum Roof Access
LT09A	Hard and Soft Landscaping Required

INFORMATIVES

U0094485	Section 106 Agreement
U0094486	Street Numbering
U0094487	NFFP Approval paragraphs 38-42
BNG02	Biodiversity Gain Plan No Pre-Approval
U0094489	CIL Liable
U0094490	Biodiverse Roof
U0094488	Composite Informative

DETAILED CONDITIONS AND INFORMATIVES

DETAILED CONDITIONS

U0190152 Fire Safety

Fire Safety The development must be carried out in accordance with the provisions of the Fire Safety Statement supplied on 06 Sep 2021 and retained as such thereafter.

REASON: To ensure that the development incorporates the necessary fire safety measures in accordance with the Mayor's London Plan Policy D12.

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.

U0190153 Approved Drawings

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

20 Aug 2021	2151.21	existing landscaping
20 Aug 2021	2151.22	proposed landscaping
20 Aug 2021	2151.4	SITE LOCATION PLAN
20 Aug 2021	2151.5	existing floor plans
20 Aug 2021	2151.7	existing elevations

All received 20 August 2021

25 Feb 2022	2151.20 REV A	Existing & Proposed Sections
-------------	---------------	------------------------------

All received 25 February 2022

Aug 2024	PJ228-10-002	Proposed Elevations
Aug 2024	PJ228-10-001	Proposed Ground Floor & Lower

Ground Floor Plan
All received 14 August 2024

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

DV50A Energy Reduction

The dwelling(s) hereby approved shall achieve a 35% reduction in Carbon dioxide emissions beyond Building Regulations requirements (2013).

Reason: In the interests of energy conservation in accordance with the Councils sustainability policies.

DV51A Water Consumption

The dwelling(s) hereby approved shall not be occupied other than in accordance with the water consumption targets of 105 litres or less per person per day, and 5 litres or less per head per day for external water use.

Reason: In the interests of water efficiency in accordance with the Councils sustainability policies.

DV49 Construction Method Statement

No development shall take place, including any works of demolition, until a Construction Management Statement (to include any demolition works) has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The Statement shall provide for:

1. The size, number, routing and manoeuvring tracking of construction vehicles to and from the site, and holding areas for these on/off site;
2. Site layout plan showing manoeuvring tracks for vehicles accessing the site to allow these to turn and exit in forward gear;
3. Details and location of parking for site operatives and visitor vehicles (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
4. Details and location where plant and materials will be loaded and unloaded;
5. Details and location where plant and materials used in constructing the development will be stored, and the location of skips on the highway if required;
6. Details of any necessary suspension of pavement, roadspace, bus stops and/or parking bays;
7. Details where security hoardings (including decorative displays and facilities for public viewing) will be installed, and the maintenance of such;
8. Details of any wheel washing facilities;
9. Details of a scheme for recycling/disposing of waste resulting from demolition and construction works (including excavation, location and emptying of skips);
10. Details of measures that will be applied to control the emission of noise, vibration and dust including working hours. This should follow Best Practice detailed within BS5288:2009 Code of Practice for Noise and Vibration Control on Construction and Open Sites;
11. Details of any highway licenses and traffic orders that may be required (such as for licences for any structures / materials on the highway or pavement; or suspensions to allow the routing of construction vehicles to the site);
12. Details of the phasing programming and timing of works;
13. Where applicable, the Construction Management Statement should be written in conjunction with the Arboricultural Method Statement, and in accordance with British Standard BS5837:2012 'Trees in relation to design, demolition and construction - recommendations', in particular section 5.5, 6.1, 6.2, 6.3 and 7;
14. A construction programme including a 24 hour emergency contact number;
15. See also TfL guidance on Construction Logistics Plans.

REASON: In the interests of highway and pedestrian safety together with the amenity of the area.

U0190158 Front Elevation Roof light

No part of the development shall be occupied until full details of the front lightwell on the front elevation, below the secondary access as indicated on plan PJ228-10-001 - Proposed Ground Floor & Lower Ground Floor Plan have been submitted to and approved in writing by the local planning authority.

Reason: To ensure suitable access and residential amenity standards are safeguarded.

DV52A Building Regulation M4(2)

The development hereby approved shall not be constructed other than in accordance with Building Regulation M4(2).

Reason: In the interest of inclusive access in accordance with Council's policy to ensure homes meet diverse and changing needs.

U0190154 Waste and Refuse

None of the buildings hereby approved shall be occupied until arrangements for the storage, disposal and collection of refuse/waste/recycling serving both the existing dental practice and the residential components on the site have been made in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The details should accord with the Council's Refuse and Recycling Storage Requirements SPD (2015) and Transport SPD (2020).

REASON: To ensure adequate waste servicing and to safeguard the appearance of the property and the amenities of the area.

U0190155 Biodiverse Roof

Prior to commencement of construction, full details of the biodiverse roof - including substrate type, species mix, depth and contouring of substrate, type of membrane, how levels of light, moisture, aeration and nutrients, wildlife features and maintenance plan shall be submitted to and agreed in writing by the Local Planning Authority and thereafter constructed in accordance with these details.

Reason: To ensure the biodiversity benefits of the roof.

U0190156 Restrict~Sedum roof not a roof terrace

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) the rear extension's sedum roof hereby approved shall NOT be used as a balcony or roof terrace.

REASON: To safeguard, protect and enhance biodiversity.

U0190157 Rest~ Sedum Roof Access

Access to the sedum roof shall be for maintenance purposes only.

Reason: To ensure the biodiversity benefits of the roof.

LT09A Hard and Soft Landscaping Required

(A) No part of the development shall be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the local planning authority. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artifacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing utility services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant; a program or timetable of the proposed works.

(B) Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); detailing the quantity, density, size, species, position and the proposed time or programme of planting of all shrubs, hedges, grasses etc., together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance. All tree, shrub and hedge planting included within that specification shall be carried out in accordance with BS 3936:1986 (Parts 1, 1992, Nursery Stock, Specification for trees and shrubs, and 4, 1984, Specification for forest trees); BS 4043: 1989, Transplanting root-balled trees; and BS 4428:1989, Code of practice for general landscape operations (excluding hard surfaces).

(C) All hard and soft landscape works shall be carried out in accordance with the approved details and in any event prior to the occupation of any part of the development.

REASON: To ensure that the proposed development does not prejudice the appearance of the locality and to preserve and enhance nature conservation interests.

DETAILED INFORMATIVES

U0094485 Section 106 Agreement

This consent must be read in conjunction with a signed S106 legal agreement attached is attached to this consent.

U0094486 Street Numbering

The London Borough of Richmond upon Thames is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. We carry out these functions under the London Government Act 1963 and London Building Acts (Amendment) Act 1939. Please contact the Council's Street Naming and Numbering Team by the following link:

https://www.richmond.gov.uk/services/environment/street_numbering_and_naming

Guidelines for street naming and numbering are also available via the below link:
https://www.richmond.gov.uk/services/environment/street_numbering_and_naming/guidelines_for_street_numbering_and_naming

U0094487 NFFP Approval paragraphs 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.

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.

U0094489 CIL Liable

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. The weight to be attached to a local finance consideration remains a matter for the decision maker. The Mayor of London's CIL and Richmond CIL are therefore material considerations.

On initial assessment this development is considered liable for the Mayoral and Richmond CIL however this is subject to confirmation by the CIL Administration Team

This is to notify you that had this development received planning consent it would be liable for a chargeable amount under the Community Infrastructure Levy Regulations 2010 (as amended by the Community Infrastructure Levy Regulations 2012).

U0094490 Biodiverse Roof

The Buglife green roof guide is recommended in terms of the specification for the biodiverse roof.

U0094488 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:-

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2021)

The key chapters applying to the site are:

Section 4: Decision-making
Section 5: Delivering a sufficient supply of homes
Section 6: Building a strong, competitive economy
Section 7: Ensuring the vitality of town centres
Section 9: Promoting sustainable transport
Section 11: Making effective use of land
Section 12: Achieving well-designed places
Section 14: Meeting the challenge of climate change, flooding and coastal change
Section 15: Conserving and enhancing the natural environment
Section 16: Conserving and enhancing the historic environment

These policies can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf

London Plan (2021)

The main policies applying to the site are:

Policy D4 - Delivering good design
Policy D5 - Inclusive design
Policy D6 - Housing quality and standards
Policy D12 - Fire Safety
Policy H1 - Increasing housing supply
Policy H2 - Small sites
Policy H4 - Delivering affordable housing
Policy H7 - Monitoring of affordable housing
Policy H10 - Housing size mix
Policy SI 12 - Flood risk management
Policy SI 13 - Sustainable drainage
Policy T4 - Assessing and mitigating transport impacts
Policy T5 - Cycling & Table 10.2
Policy T6 - Car parking & Table 10.3

These policies can be found at: <https://www.london.gov.uk/what-we-do/planning/london-plan>

Richmond Local Plan (2018)

The main planning considerations applying to the site and the associated Local Plan policies are:

Issue	Local Plan Policy
Local Character and Design Quality	LP1
Amenity and Living Conditions	LP8
Subterranean Developments and Basements	LP11
Biodiversity	LP15
Trees, Woodland and Landscape	LP16
New Housing	LP34
Housing Mix and Standards	LP35
Affordable Housing	LP36
Sustainable Design and Construction	LP22
Flood Risk and Sustainable Drainage	LP21
Sustainable Design and Construction	LP22
Sustainable Travel Choices	LP44
Parking Standards and Servicing	LP45
Parking Standards	Appendix 3

These policies can be found at

https://www.richmond.gov.uk/media/15935/adopted_local_plan_interim.pdf

Supplementary Planning Documents
LBRUT Small and Medium Housing Sites SPD (2006)
Design Quality SPD (2006)
LBRUT Sustainable Construction Checklist SPD (2011)
LBRUT Affordable Housing SPG (2014)
LBRUT Residential Development Standards SPD (2010)
Technical Housing Standards - Nationally Described Space Standard (March 2015)
Whitton and Heathfield Village Planning Guidance (2014)
Refuse and Recycling Storage Requirements SPD (2015)
House Extensions and External Alterations (2015)

These policies can be found at:

https://www.richmond.gov.uk/services/planning/planning_policy/local_plan/supplementary_planning_documents_and_guidance

Other Local Strategies or Publications

Other strategies or publications material to the proposal are:

Community Infrastructure Levy

Basements Article 4 Direction

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.