

**Place Division / Development Management**

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Mr Bryan Staff  
JLA  
First Floor  
24 Ormond Road Richmond  
TW10 6TH

Letter Printed 14 October  
2024

**FOR DECISION DATED**  
14 October 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:** 24/1844/GPD26  
**Your ref:**  
**Our ref:** DC/DAV  
**Applicant:** Mr Charles Richards  
**Agent:** Mr Bryan Staff

**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:

**The Puzzle Academy 1 Messom Mews Twickenham TW1 4DP**

for

**Conversion of an office building (Use Class E) to 6 single-family dwellings (C3)**  
**with associated refuse and cycle storage**

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 24/1844/GPD26

## APPLICANT NAME

Mr Charles Richards  
7 Westmoreland Street East  
Grey Lynn  
Auckland  
1021

## AGENT NAME

Mr Bryan Staff  
First Floor  
24 Ormond Road Richmond  
TW10 6TH

## SITE

The Puzzle Academy 1 Messom Mews Twickenham TW1 4DP

## PROPOSAL

Conversion of an office building (Use Class E) to 6 single-family dwellings (C3) with associated refuse and cycle storage

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

## SUMMARY OF CONDITIONS AND INFORMATIVES

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### CONDITIONS

U0190600	Schedule 2, Part 2 Class MA
U0190601	Restriction on Parking Permits
U0190602	Contaminated Land
U0190603	Cycle Parking
U0190604	Refuse Storage
U0190605	Waste Management Plan
U0190606	Vehicular access/egress

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### INFORMATIVES

U0094944	Biodiversity Gain Plan No Pre-Approval
U0094945	Decision drawing numbers ~~
U0094949	NPPF APPROVAL - Para. 38-42
U0094947	Street numbering
U0094948	Composite Informative
U0094946	CIL liable

# DETAILED CONDITIONS AND INFORMATIVES

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## DETAILED CONDITIONS

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### **U0190600      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.

### **U0190601      Restriction on Parking Permits**

Before the development hereby permitted is occupied, a scheme shall be agreed in writing with the local planning authority and be put in place to ensure that, with the exception of disabled persons, no resident/commercial occupier of the development shall obtain a resident/commercial parking permit within any controlled parking zone which may be in force in the area at any time, nor a season ticket/enter into a contract to park in any car park controlled by the Council.

REASON: To ensure that the development does not generate an increased demand for on-street car parking to the detriment of the free flow of traffic, the conditions of general safety along the neighbouring highways, the amenity of the area and to accord with the Councils car parking policy and standards.

### **U0190602      Contaminated Land**

If during the implementation the development hereby approved any contamination is encountered, all works shall cease until an appropriate methodology including mitigation shall been submitted to and agreed in writing by the Local Planning Authority.

Thereafter mitigation works shall be carried out in accordance with the approved details.  
REASON: To protect future users of the site and the environment.

### **U0190603      Cycle Parking**

The dwelling hereby approved shall not be occupied until internal cycle parking facilities have been provided in accordance drawing 2402.002.b; received 20/09/2024 unless otherwise agreed in writing by the Local Planning Authority.

REASON: To accord with this Council's policy to discourage the use of the car wherever possible and to safeguard the appearance of the property and the amenities of the area.

### **U0190604      Refuse Storage**

None of the buildings hereby approved shall be occupied until arrangements for the storage 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.

### **U0190605      Waste Management Plan**

None of the buildings hereby approved shall be occupied until a waste management plan for the disposal of refuse/waste has been 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.

## **U0190606 Vehicular access/egress**

The vehicular access between 47 and 51 Grosvenor Road shall not be used other than for the ingress of vehicles / bicycles and the vehicular access between 35 and 37 Grosvenor Road shall not be used other than for the egress of vehicles / bicycles. Traffic signs to convey the ingress/egress arrangements shall be displayed at all times. REASON: In order to comply with the terms upon which this application has been assessed and to safeguard vehicular and pedestrian safety.

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## **DETAILED INFORMATIVES**

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### **U0094944 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.

#### **U0094945      Decision drawing numbers ~~**

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

Site Location Plan; received 18 July 2024;

165.102D, 165.103K, 165.104D, 165.105D; received on 19 July 2024; and

165.003C, 165.103I, 2402.002.B, 2402.003, 2402.100, 2402.101, 2402.104, 2402.105, 2402.200.B, 2402.201.A; received 20 September 2024..

#### **U0094949      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.

#### **U0094947      Street numbering**

If you wish to name or number a new development, sub-divide an existing property, or change the name or number(s) of an existing property or development, you will need to apply to the London Borough of Richmond Upon Thames. Further details of this process, fees, and the necessary information and forms that need to be submitted can be found on the Council's website

[http://www.richmond.gov.uk/street\\_numbering\\_and\\_naming](http://www.richmond.gov.uk/street_numbering_and_naming). Alternately you may contact Peter Cridland, Address Management Manager (020 8891 7889 [peter.cridland@richmond.gov.uk](mailto:peter.cridland@richmond.gov.uk)).

#### **U0094948      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.

##### **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.

**U0094946 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.

**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  
24/1844/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.**