

**Place Division / Development Management**

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Mr G Hoeg  
Hoeg Architects Ltd  
87 Notting Hill Gate  
London  
London  
W11 3JZ  
United Kingdom

Letter Printed 13 November 2024

**FOR DECISION DATED**  
13 November 2024

Dear Sir/Madam

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

**Application:** 24/2298/VRC  
**Your ref:** 19 Church Road, SW13 9HE  
**Our ref:** DC/RHE/24/2298/VRC/VRC  
**Applicant:** Horsfield  
**Agent:** Mr G Hoeg

**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 **12 September 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:

**19 Church Road Barnes London SW13 9HE**

for

**Variation of Condition U0187964 (Approved Drawings) of permission 24/1225/HOT to facilitate proposed design amendments to ground floor rear and side extension and fenestration amendments.**

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 24/2298/VRC

## APPLICANT NAME

Horsfield  
19 Church Road  
Barnes  
London  
Richmond Upon Thames  
SW13 9HE

## AGENT NAME

Mr G Hoeg  
87 Notting Hill Gate  
London  
London  
W11 3JZ  
United Kingdom

## SITE

19 Church Road Barnes London SW13 9HE

## PROPOSAL

Variation of Condition U0187964 (Approved Drawings) of permission 24/1225/HOT to facilitate proposed design amendments to ground floor rear and side extension and fenestration amendments.

## SUMMARY OF CONDITIONS AND INFORMATIVES

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### CONDITIONS

U0192752	Development Timings
U0192753	Approved plans
U0192754	Fire Safety
U0192755	Materials
U0192756	Windows obscure/non opening
U0192757	NRMM
GD01A	Restriction on use of roof
U0192758	Tree protection and planting

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### INFORMATIVES

U0095643	NPPF APPROVAL - Para. 38-42
U0095642	Composite Informative

# DETAILED CONDITIONS AND INFORMATIVES

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## DETAILED CONDITIONS

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### **U0192752      Development Timings**

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of planning permission 22/1225/HOT.

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.

### **U0192753      Approved plans**

The development hereby permitted shall be carried out in accordance with the following approved plans and documents, where applicable.

HA-1016-001-PP-B, HA-1016-002-PP-GF, HA-1016-003-PP-GF-G, HA-1016-004-PP-1F, HA-1016-005-PP-2F, HA-1016-006-PP-3F, HA-1016-007-PP-RF, HA-1016-010-PE-FR, HA-1016-011-PE-RE, HA-1016-012-EE-SI, HA-1016-013-PE-SI, HA-1016-020-ES-AA, HA-1016-021-PS-AA, HA-1016-022-PS-BB, HA-1016-023-ES-CC, HA-1016-024-PS-CC received 12th September 2024

REASON: To accord with the terms of the application, for the avoidance of doubt and in the interests of proper planning.

### **U0192754      Fire Safety**

The development must be carried out in accordance with the provisions of the Fire Safety - Statement of Compliance received 13/05/2024

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

### **U0192755      Materials**

No new external finishes (including fenestration), including works of making good, shall be carried out other than in materials to match the existing, except where indicated otherwise on the submitted application form and drawings.

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

### **U0192756      Windows obscure/non opening**

The proposed replacement first floor window(s) in the side elevation(s) of the building(s) hereby approved, where replacing existing windows that are obscure glazed, shall at no time be openable or glazed, otherwise than in obscured glass, below a minimum height of 1.7 metres (5'7") above the relevant floor level.

REASON: To ensure that the proposed development does not prejudice the amenities of adjoining occupiers.

### **U0192757      NRMM**

During onsite construction of any phase of development, all non-road transportable industrial equipment or vehicles which are fitted with an internal diesel powered compression ignition engine between 37 and 560KW and not intended for transporting goods or passengers on roads are required to meet Stage IIIB of EU Directive 97/68/E and be NRMM registered. Such vehicles must be run on ultra low sulphur diesel (also known as ULSD 'cleaner diesel' or 'green diesel').

"Ultra low sulphur diesel" means fuel meeting the specification within BS EN 590. Where these standards are succeeded, they should be applied when reasonable. Exemptions to these standards may be granted for specialist equipment or for

equipment with alternative emission reduction equipment or run on alternative fuels. Such exemptions shall be applied for in writing to the local planning authority in advance of the use of such vehicles, detailing the reasons for the exemption being sought and clearly identifying the subject vehicles. Exemptions that are granted will be in writing and such vehicles must not be used until written exemption has been issued by the local planning authority.

No vehicles or plant to which the above emission standards apply shall be on site, at any time, whether in use or not, unless it complies with the above standards, without the prior written consent of the local planning authority.

Reason: To protect the amenity of future occupants and/or neighbours.

#### **GD01A          Restriction on use of roof**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no part(s) of the roof of the building(s) hereby approved shall be used as a balcony or terrace nor shall any access be formed thereto.

REASON: To safeguard the amenities of the occupiers of adjoining property.

#### **U0192758      Tree protection and planting**

A.          The development hereby approved shall not be implemented other than in accordance with the principles and methodology as described within the approved Arboricultural details "BS 5837:2012 Tree Survey, Arboricultural Impact Assessment, Method Statement & Tree Protection Plan for 19 Church Road, dated 10-05-2024", unless otherwise previously agreed in writing with the local planning authority.

B.          Prior to commencement of works, confirmation of the appointment of a retained Arboricultural consultant to conduct and submit an auditable system of site supervision and monitoring shall be submitted to the Arboricultural Officer.

C.          Monitoring reports shall be submitted to the Arboricultural Officer upon completion of works hereby approved.

D.          Written and photographic confirmation of the proposed tree planting, as specified in the approved "BS 5837:2012 Tree Survey, Arboricultural Impact Assessment, Method Statement & Tree Protection Plan for 19 Church Road, dated 10-05-2024", to be submitted to the Arboricultural Officer.

E.          If within a period of 5 years from the date of planting that tree or any tree planted in replacement for it, is removed, uprooted, destroyed or dies (or becomes in the opinion of the local planning authority seriously damaged) then the tree shall be replaced to reflect the specification of the approved planting scheme in the next available planting season or in accordance with a timetable agreed in writing with the local planning authority.

REASON: To ensure that the tree(s) are not damaged or otherwise adversely affected by demolition, building operations, excavations and soil compaction and to safeguard the appearance of the locality.

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### **DETAILED INFORMATIVES**

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#### **U0095643      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.

## **U0095642 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:-

London Plan Policies: D4, D12, HC1

Local Plan Policies: LP1, LP3, LP4, LP8, LP16, LP21

Supplementary Planning Guidance: Buildings of Townscape Merit, House Extension and External Alterations, Conservation Areas, Village Plan - Barnes

### **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).

END OF SCHEDULE OF CONDITIONS AND INFORMATIVES FOR APPLICATION  
24/2298/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