

**Place Division / Development Management**

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Mr Ewan Davies  
Macintosh Davies Ltd  
Suite A  
Quayside House  
Quayside  
Chatham  
ME4 4QZ  
United Kingdom

Letter Printed 12 December 2024

**FOR DECISION DATED**  
12 December 2024

Dear Sir/Madam

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

**Application:** 24/2306/HOT  
**Your ref:** 213 Mortlake Kew  
**Our ref:** DC/BHA/24/2306/HOT  
**Applicant:** Mr Mark Linnard  
**Agent:** Mr Ewan Davies

**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 **13 September 2024** and illustrated by plans for the permission of the Local Planning Authority to develop land situated at:

**213 Mortlake Road Kew Richmond TW9 4EW**

for

**Removal of existing single-storey extension, adjacent outbuildings, single storey garage and lean-to outbuilding. Construction of a single-storey rear extension, and outbuilding. Alterations to fenestration.**

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 24/2306/HOT

## APPLICANT NAME

Mr Mark Linnard  
213 Mortlake Road  
Kew  
Richmond Upon Thames  
TW9 4EW  
United Kingdom

## AGENT NAME

Mr Ewan Davies  
Suite A  
Quayside House  
Quayside  
Chatham  
ME4 4QZ  
United Kingdom

## SITE

213 Mortlake Road Kew Richmond TW9 4EW

## PROPOSAL

Removal of existing single-storey extension, adjacent outbuildings, single storey garage and lean-to outbuilding. Construction of a single-storey rear extension, and outbuilding. Alterations to fenestration.

## SUMMARY OF REASONS AND INFORMATIVES

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### REASONS

U0194708	Reason for Refusal - Amenity
U0194711	Reason for refusal - Design
U0194709	Reason for Refusal - Flood Risk

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### INFORMATIVES

U0096293	NPPF REFUSAL- Para. 38-42
U0096292	Decision drawing numbers ~~

## DETAILED REASONS AND INFORMATIVES

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### DETAILED REASONS

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#### **U0194708 Reason for Refusal - Amenity**

The proposed ground floor extension, by reason of their siting, scale, proportions, appearance and fenestration represent a dominant, overbearing and unsympathetic form of overdevelopment which will negatively impact on the appearance, form and proportion of the host property and harm the character and appearance of the wider area. As such the proposal would be contrary to policy LP1 of the Local Plan (2018) and the London Borough of Richmond upon Thames Local Plan Publication (Regulation 19) Consultation version Local Plan (2023) policy 28. They also fail to accord with the House Extensions and External Alterations supplementary planning document.

#### **U0194711 Reason for refusal - Design**

The proposed ground floor extension and outbuilding would, by reason of its combined height, depth and siting, result in an overbearing sense of enclosure and visually intrusive form of development that will adversely impact on the residential amenity of nearby occupants, in particular, No. 211 Mortlake Road. In addition, the applicant has failed to demonstrate that the daylight and sunlight amenities of No. 211 Mortlake Road would not be harmed by the extension. The proposed development would thereby be contrary to, in particular, policy LP8 of the Local Plan (2018), the Richmond Publication Version Local Plan (Regulation 19 version) in particular policies 46 and the council's 'House Extensions and External Alterations' (2015) Supplementary Planning Document.

#### **U0194709 Reason for Refusal - Flood Risk**

By reason of its siting within an area susceptible to groundwater flooding and absence of a satisfactory Basement Screening Assessment (as per the Basement Assessment User Guide), the application has failed to demonstrate that the proposed subterranean development will not increase or otherwise exacerbate flood risk on the site or beyond. The development is thereby contrary to the Richmond Local Plan (2018) in particular Policies LP11 and LP21, the publication Local Plan (Regulation 19 version) policies 54 and 8, the Strategic Flood Risk Assessment (2021), Basement Assessment User Guide (2021) and the aims and objectives of the NPPF (2023)

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### DETAILED INFORMATIVES

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#### **U0096293 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:

- o 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).

**U0096292 Decision drawing numbers ~~**

For the avoidance of doubt the Drawing(s) No(s) to which this decision refers are as follows:- M142(02)1250; M142(20)001; M142(20)002; M142(20)003; M142(20)004 ; M142(20)005: received on 13/09/2024, and M142(02)004 : received on 08/10/2024.

END OF SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION  
24/2306/HOT

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# **HOT 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**

Refusal of permission for HOT applications – this type of appeal is appropriate for domestic alterations and extensions and any ancillary development in the garden. It is not appropriate for alterations to flats.

### **Appeal time**

Within 12 weeks of the date of this notice.

### **Who can appeal**

The applicant or their agent may lodge an appeal

### **The appeals process**

Appeals must be made

- Online at [www.planninginspectorate.gov.uk](http://www.planninginspectorate.gov.uk), or
- Using a form which you can get from 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 Planning Inspectorate (on behalf of the Secretary of State) will determine the appeal procedure to be followed. Normally this will proceed by way of the Householder Appeal Service which will rely solely on information submitted at application stage. The Council will send copies of any letters of objection or support they received when considering your application. Further submissions or statements will not be accepted by the Planning Inspectorate.

Your householder appeal will be decided by a Planning Inspector. He/she will consider all the application documents and grounds of appeal and also make an unaccompanied visit to the appeal site. You may be required to provide access to the site for the Inspector.

### **Appeal decision**

80% of householder appeal decisions will be issued within 8 weeks from the start date of the appeal.

Further information available from:

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

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