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TOWN AND COUNTRY PLANNING ACT 1990: DECISION NOTICE

Mr Patrick Hogan
Ladbrokes Betting & Gaming Ltd
Imperial House, Imperial Drive
Rayners Lane
Harrow
Middx
HA2 7JW

Please contact: Planning Support

Please telephone: 0845 612 2660

Your ref: Barnes Church

Our ref: DC/BJIS/13/2251/FUL/FUL

Letter Printed: 6 November 2013

FOR DECISION DATED
06.11.2013

Dear Sir

Applicant: Mr Patrick Hogan

Agent:

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 **24 June 2013** and illustrated by plans for the permission of the Local Planning Authority to develop land situated at:

102 Church Road, Barnes, London, SW13 0DH.

for

Replacement entrance door, air conditioning condensers, and fascia and projecting signs.

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



Robert Angus
Development Control Manager

APPLICANT NAME Mr Patrick Hogan Imperial House, Imperial Drive Rayners Lane Harrow Middx HA2 7JW	AGENT NAME
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SITE:
 102 Church Road, Barnes, London, SW13 0DH.

PROPOSAL:
 Replacement entrance door, air conditioning condensers, and fascia and projecting signs.

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS:

AT01 Development begun within 3 years U62779 Approved Drawings U62985 Materials	U64854 Air conditioning plant
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INFORMATIVES:

U70802 National Planning Policy Framework	U70801 Composite Informative
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DETAILED CONDITIONS

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.

U62779 Approved Drawings

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

BCR/01 and BCR/04 received 24 June 2013.

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

U62985 Materials

The proposed door shall not be constructed other than in timber with a paint finish as specified in the approved drawings unless otherwise agreed in writing with the Local Planning Authority.

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

U64854 Air conditioning plant

Before the air conditioning plant the subject of this application is used at the premises, a scheme shall be submitted to and approved in writing by the local planning authority which demonstrates that the following noise design requirements can be complied with and shall thereafter be retained as approved

a. The cumulative measured or calculated rating level of noise emitted from the air conditioning plant to which the application refers, shall be 5dB(A) below the existing background noise level of or 10dB(A) below if there is a particular tonal or discrete component to the noise, at all times that the mechanical system etc operates. The measured or calculated noise levels shall be determined at the boundary of the nearest ground floor noise sensitive premises or 1 meter from the facade of the nearest first floor (or higher) noise sensitive premises, and in accordance to the latest British Standard 4142; An alternative position for assessment /measurement may be used to allow ease of access, this must be shown on a map and noise propagation calculations detailed to show how the design criteria is achieved.

b. In addition the noise from the air conditioning, refrigeration and air handling plant system must achieve the "good standard" (windows partially open) for internal noise levels detailed in Table 5 of BS 8233 'Sound Insulation and Noise Reduction for Buildings CofP'.- Summary of Recommended Guidance from BS8233 for bedrooms and living rooms

Criterion	Typical Situations	Design Criteria	
		Good LAeq,T	Reasonable LAeq,T
Reasonable sleeping conditions	Bedroom	30	35
Reasonable resting conditions	Living Room	30	40
Reasonable living conditions	Utility rooms	NA	45

c. The plant shall be supported on adequate proprietary anti-vibration mounts to prevent the structural transmission of vibration and regenerated noise within adjacent or adjoining premises, and these shall be so maintained thereafter

DETAILED INFORMATIVES

U70802 National Planning Policy Framework

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Richmond upon Thames Borough Council takes a positive and proactive approach to the delivery of sustainable development, by:

SCHEDULE OF REASONS FOR APPLICATION 13/2251/FUL

- o Providing a pre-application and duty officer 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: (delete where applicable)

- o The application was acceptable as submitted, and approved without delay

U70801 Composite Informative

Reason for granting:

The proposal has been considered in the light of the Development Plan, comments from statutory consultees and third parties 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:

The following have been taken into account in the consideration of this proposal:-

Core Strategy Policies: CP7

Development Management Plan Policies: DM DC 1, DM DC 5, DM DC 7, DM DC 8, DM HD 1, DM HD 3.

Supplementary Planning Document: 'Shopfronts'.

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 Section of the Street Scene 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 Control Department, 2nd floor, Civic Centre, 44 York Street, Twickenham, TW1 3BZ. (Tel: 020 8891 7300).

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.

You are recommended to prepare a survey, including photographs, of the condition of the adjacent public highway, including pavement, which should be agreed with the Local Highway Authority prior to the commencement of work to ensure that damage to the highway is prevented or repaired. Otherwise you and/or your contractor, may be held responsible for any damage found on completion of the works.

If the pavement is already broken or damaged you should contact Traffic and Transport, London Borough of Richmond upon Thames, 44 York Street, Twickenham TW1 3BZ (Telephone 0845 612 2660 and email streetcare@richmond.gov.uk) to arrange a joint inspection of the footway before work commences.

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 5228:2009- Noise and vibration control on construction and open sites.

SCHEDULE OF REASONS FOR APPLICATION 13/2251/FUL

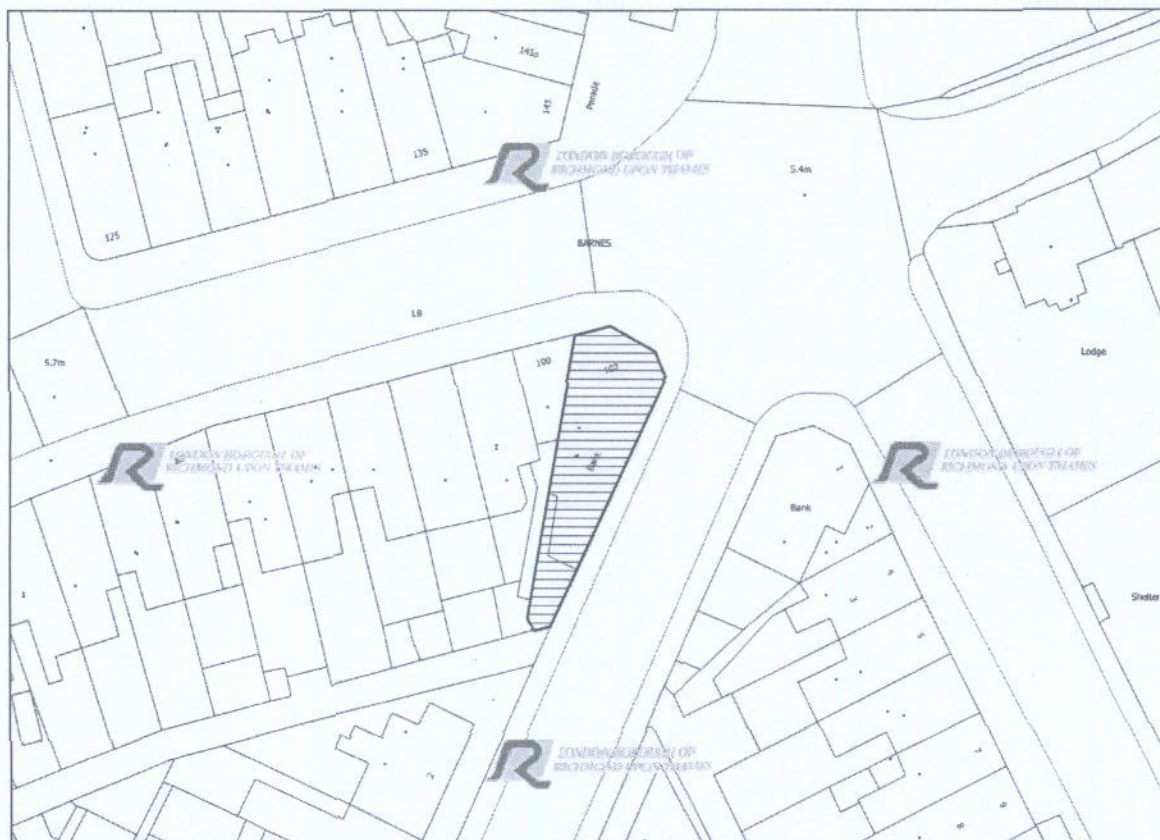
Any enquiries for further information should be made to the Commercial Environmental Health Team, 2nd Floor Civic Centre, 44 York Street, Twickenham TW1 3AB.

END OF SCHEDULE OF CONDITIONS AND INFORMATIVES FOR APPLICATION 13/2251/FUL

13/2251/FUL
13/2252/ADV
102 CHURCH ROAD
BARNES

BARNES COMMON WARD
Contact Officer:
J Prendiville

<http://www2.richmond.gov.uk/PlanData2/ShowCaseFile.aspx?appNumber=13/2251/FUL>
<http://www2.richmond.gov.uk/PlanData2/ShowCaseFile.aspx?appNumber=13/2252/ADV>



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Proposal:

- 1) Replacement entrance door, two replacement air conditioning condensers, and replacement business signs - **13/2251/FUL**.
- 2) Externally lit halo fascia signs to Elm Grove Road and Church Road frontages and new externally lit projecting sign to Church Road frontage - **13/2252/ADV**

Applicant: Mr Patrick Hogan (Ladbrokes Betting & Gaming Ltd).

Applications validated: 24th June 2013

Main Development plan policies:

LDF Core Strategy: CP7
LDF DMP: DM DC1, DM DC 5, DM DC7, DM DC8, DM HD 1, DM HD 3
SPD: 'Shop Fronts'
National Planning Policy Framework (2012)
BTM; CA

Present use: Ground floor- Vacant bank (HSBC), Upper floors- Residential

SUMMARY OF APPLICATIONS:

The replacement entrance door, air conditioning condensers and business signage, by reason of their appropriate siting, scale, design, materials, and means of illumination, represent a satisfactory standard of design in the context of the host building designated a building of townscape merit, and the character and appearance of the conservation area. Furthermore the proposal would not result in any unacceptable public safety or residential amenity issues.

Recommendation:

- 1) PERMISSION 13/2251/FUL subject to conditions and informatives.
- 2) PERMISSION 13/2252/ADV subject to conditions and informatives.

Site description:

1. No. 102 is an end of terrace property located on Church Road and occupies a prominent position on the circus fronting Castelnau/Rocks Lane, together with the Red Lion public house and the Carphone Warehouse.
2. No. 102 is currently vacant on the ground floor, but previously contained a bank. On the upper floors there is residential accommodation.
3. The building has two air conditioning condensers, one located towards the rear of the site and another by the gated side entrance to the upper floor flat.
4. No. 102 falls within the Barnes Green Conservation Area (CA1), an area of Mixed Use, Key Shopping Frontage (54-102 Church Road), and is a designated Building of Townscape Merit (15/09/83).

Planning history:

5. There have been numerous planning applications on the site, the majority of which relate to signage. In addition there have been two applications for a new door and an automatic teller machine.
6. A list of relevant planning applications and decisions may be found below-
 - 03/2990/ADV Permission granted for the 'Erection Of A Non-illuminated Projecting Sign'. Date 17-Nov-2003
 - 01/2518 Decided as no further action for the 'Installation of New Power Assisted Door (entrance) Complete with Frame.' Date 16-Nov-2001
 - 00/2886 Permission granted for the 'Installation of Automatic Teller Machine.' Date 22-Nov-2000
 - 97/2143 Permission granted for the 'Erection of Externally Illuminated Fascia Signs and Internally Illuminated Projecting Sign'. Date 10-Nov-1997
 - 95/2113/ADV Split - Part consent/part refusal for the 'Erection of Internally Illuminated Fascia Sign and One Internally Illuminated Projecting Sign'. The reason for refusal was on the grounds that the illumination of the projecting sign would detract from the Building

of Townscape Merit and be detrimental to the visual amenities of this part of the Barnes Green Conservation Area.

- 93/0809/ADV Consent refused for the 'Provision of an Illuminated Fascia Sign and Illuminated Projecting Sign'. The grounds for refusal were the proposed signs by reason of their size, design and type of illumination would detract from the appearance of this Building of Townscape Merit and be detrimental to the visual amenities of this part of the Barnes Green Conservation Area.

Proposal:

Clarification:

7. For clarification purposes, the application (Ref 13/2251/FUL) does not seek planning permission for a change of use. Planning permission is *not required* to change the use of the site from a bank into a betting office, both of which fall under Class A2 of The Town and Country Planning (Use Classes) Order 1987 (as amended).
8. It is proposed to replace the existing entrance door, air conditioning condensers and signage (a more detailed description is given below) under professional comments).

Public and other representations:

9. Twenty eight letters of objection have been received regarding planning application Ref. 13/2251/FUL, and three letters of objection regarding the advert application Ref. 13/2252/ADV (some of them duplicates), on the following grounds-
- There is already a betting office on Church Road.
 - A betting office does not sit well with this prominent building.
 - Betting offices do not revitalise town centres.
 - A betting office would bring congestion to the area, thus making it more difficult to park as the spaces would be taken up by the betting office customers.
 - The proposed alterations to facilitate a betting office would discourage footfall from the high street.
 - The betting office signage would detract from the London Wetland Centre and would have a negative effect on the migrating birds.
 - Very few of the shops in this parade have illuminated signage.
 - The advertisements may distract drivers.
 - Non planning matters raised:-
 - Elm Road is a residential family area; a betting office is not appropriate for the area.
 - One of the most visible sites in Barnes Village
 - There are ethical issues surrounding betting offices.
 - Betting offices attract anti-social behaviour.

- The advertisements would have a negative effect on the migrating birds to the Wetland Centre.

10. **Environmental Health** – No objection subject a noise and vibration condition.

Professional comments:

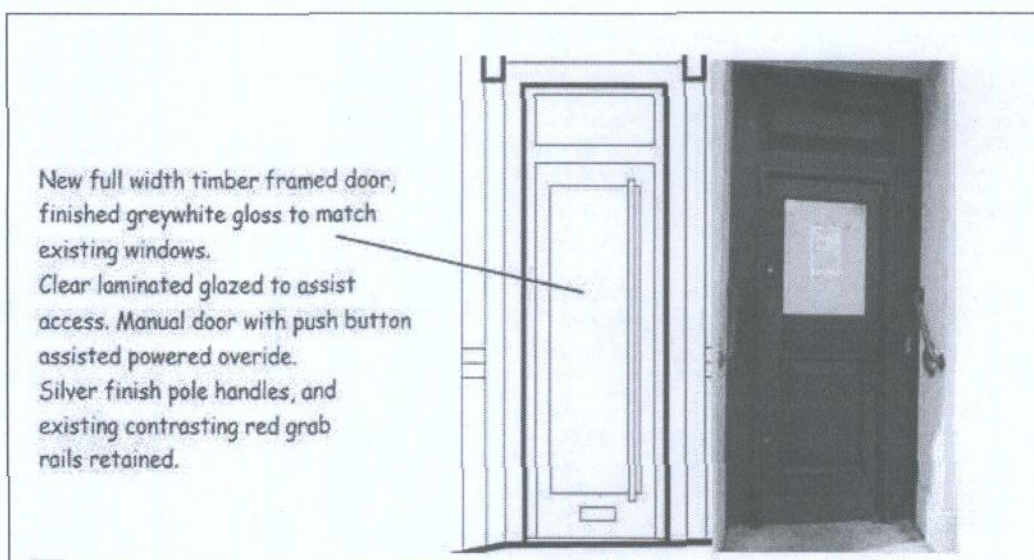
11. In order to assess this application the proposal has been subdivided into three sections. The first section deals with the replacement entrance door, the second section with the replacement air conditioning condensers and the third section with the replacement business signs. The planning matters raised therefore include design, amenity, and public safety for the signage.

Relevant planning policy:

12. The National Planning Policy Framework states that Local Planning Authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
13. The London Plan (2011) which was adopted in July 2011 and contains strategic policies on all aspects of planning in London says good quality design is essential and must respond sensitively to local context.
14. Policy CP7 of the Core Strategy and DM DC 1 of the DMP seek to ensure that new development demonstrates a high standard of design and makes a positive contribution to the character and visual amenities of the local area.
15. Policy DM DC 5 of the DMP seeks to ensure that new development does not unduly prejudice the amenities of the occupiers of neighbouring residential properties.
16. Policy DM DC7 states that signage and illumination to shop fronts must demonstrate high quality of design, which complements the character and materials of the shop front and surrounding streetscene, and does not compromise public safety.
17. Policy DM DC8 states the Council will exercise strict control over the design and siting of advertisement hoarding and other advertisements to ensure that the character of individual buildings and streets is not demonstrable harmed, having regard to the interests of amenity and public safety and highway safety.
18. Policy DM HD 1 says the Council will seek to ensure that new development (or redevelopment) or other proposals should conserve and enhance the character and appearance of the Conservation Area.
19. Policy DM HD 3 will seek to ensure and encourage the preservation and enhancement of Buildings of Townscape Merit and will use its powers where possible to protect their significance, character and setting.
20. In support of the above policies, the Council has also adopted a number of supplementary planning guidance documents. The most relevant of these for the purposes of this application is the adopted SPD for shopfronts (2010).
21. SPD: 'Shop Fronts', advises that proposals affecting shopfronts should demonstrate a high quality of design and detailing. It further advises that the effect of proportions, materials and detailing should relate to and complement surrounding shops and buildings, and poorly sited, over-sized or inappropriately designed and illuminated fascia signs can have a significant detrimental impact on the appearance of an area.

Replacement entrance door:

22. The application seeks to replace the existing narrow solid timber door and side panels with a full width clear glazed timber framed door to improve access on entry. It will be manual opening with a push button assisted powered override.
23. The door glazing as well as allowing views in and out thereby assisting entry, will be laminated safety glass and have safety manifestations at 900mm and 1500mm heights.
24. With regards to colouring, the new door and existing ground floor sash windows will be decorated neutral grey white.
25. The present door is comparatively new and not original. This is supported by planning application Ref 01/2518. There is therefore no objection in principle to the loss of the existing door.
26. Illustration of proposed new door and photo of existing door-



27. Given the proposed door is of similar proportions to the existing door and the use of traditional materials including timber, this alteration is considered acceptable.

Replacement air conditioning condensers:

28. The shop will be heated and cooled by two energy efficient inverter heat pumps, located on the ground floor. These units will be sited towards the rear of the building away from public view.
29. In terms of size, one will be 1.43 High * 9.4m Wide * .345 deep, and the sound emission level will be 52 dBA. The second pump will be .55m High * .765 Wide * .285m Deep, and the sound emission level will be 46 dBA. By way of comparison the Department of Environment states a typical business office generates a noise level of 54 dBA.
30. In installing these heat pumps, the existing ground floor and upper floor air conditioning condenser units (the latter of which is located just outside the flats door) will be removed. As such the upper floor tenants should be less affected by these new heat pumps than the present air conditioning units, as these will be sited further away from the flats entrance. Consequently this development may be seen as an improvement over and above the current arrangement.

31. Furthermore given the relatively high walls surrounding this site, these new units will not be visible from the public sphere.

Replacement fascia signs and new projecting sign:

32. The proposed signage is reflective of the new business use- Ladbrokes Betting & Gaming Ltd (which does not require planning permission).
33. The existing white metal panel sign fascia, which fits in a defined horizontal signing band, will be replaced with a new fascia with a red finished aluminium panel sign and externally LED halo lit individual letters of stainless steel, together with an externally lit traditional style projecting sign to Church Road.
34. According to the SPD: 'Shop Fronts', externally illuminated fascia signs are generally preferred throughout the Borough to internally illuminated fascia signs.
35. Illustration of proposed new signage



36. With regards to luminance levels, the application form states the signs will have a luminance level that will vary from 150-300 cdm. This illumination will be static as opposed to intermittent.
37. In terms of size, the larger fascia board will be 3.8m high from the ground, project 0.115m from the face of the building, be 0.375m high, 11.4m wide and 0.115m deep.
38. The smaller fascia board will be 3.9m high from the ground, project 0.115m from the face of the building, be 0.375m high, 4.2m wide and 0.115m deep.
39. Overall the design is considered satisfactory and in keeping with the other signage in the area, which contains a mixture of styles and illumination methods.
40. The fascia boards are of a standard size for a retail unit and the red background and white lettering unobtrusive.
41. With regards to materials these are considered adequate given the retail use and existing signage in the immediate local.

42. In addition the external illumination is consistent with the SPD: 'Shop Fronts', which states externally illuminated fascia signs, are generally preferred throughout the Borough.
43. With regards to public safety, the illumination level of 150-300cdm is considered relatively low and would not have a detrimental effect on traffic or pedestrian safety. As before the signage will be located in a vibrant commercial area.
44. Furthermore the fascia boards are not considered excessively large and therefore would not distract drivers displaying due care for themselves and other road users, nor would they obstruct any traffic signals or signs.
45. As for the projecting sign, this is located high enough above the footpath not to present any danger to pedestrians.
46. For these reasons the proposed signage is considered acceptable.

Conclusion:

47. The replacement entrance door, air conditioning condensers and signage, by reason of their appropriate siting, scale, design, materials, and means of illumination, represent a satisfactory standard of design in the context of the host building designated a building of townscape merit, and the character and appearance of the conservation area. Furthermore the proposal would not result in any unacceptable public safety issues or residential amenity issues.

I therefore recommend the following:-

13/2251/FUL - PERMISSION subject to the following conditions and informatives:

Standard conditions:-

- AT01 - Development begun within 3 years
- DV48 - Approved Drawings- BCR/01 and BCR/04 received 24 June 2013.

Non-standard conditions:-

- NS01 - The proposed door shall not be constructed other than in timber with a paint finish as specified in the approved drawings unless otherwise agreed in writing with the Local Planning Authority.
REASON: To ensure that the proposed development is in keeping with the existing building(s) and does not prejudice the appearance of the locality.
- NS02 - Before the air conditioning plant the subject of this application is used at the premises, a scheme shall be submitted to and approved in writing by the local planning authority which demonstrates that the following noise design requirements can be complied with and shall thereafter be retained as approved
 - a. The cumulative measured or calculated rating level of noise emitted from the air conditioning plant to which the application refers, shall be 5dB(A) below the existing background noise level of or 10dB(A) below if there is a particular tonal or discrete component to the noise, at all times that the mechanical system etc operates. The measured or calculated noise levels shall be determined at the boundary of the nearest ground floor noise sensitive premises or 1 meter from the facade of the nearest first floor (or higher) noise sensitive premises, and in accordance to the latest British Standard 4142; An alternative position for assessment /measurement may be used to allow ease of access, this must be

shown on a map and noise propagation calculations detailed to show how the design criteria is achieved.

- b. In addition the noise from the air conditioning , refrigeration and air handling plant system must achieve the “good standard” (windows partially open) for internal noise levels detailed in *Table 5 of BS 8233 ‘Sound Insulation and Noise Reduction for Buildings CofP’*.– Summary of Recommended Guidance from BS8233 for bedrooms and living rooms

Criterion	Typical Situations	Design Criteria	
		Good L _{Aeq,T}	Reasonable L _{Aeq,T}
Reasonable sleeping conditions	Bedroom	30	35
Reasonable resting conditions	Living Room	30	40
Reasonable living conditions	Utility rooms	NA	45

- c. The plant shall be supported on adequate proprietary anti-vibration mounts to prevent the structural transmission of vibration and regenerated noise within adjacent or adjoining premises, and these shall be so maintained thereafter

13/2252/ADV - PERMISSION - subject to the following conditions and informatives:

Standard conditions:

- AT01 - Development begun within 3 years
- AH07 - Fixed lights
- AH06 - Illumination- Insert 340
- DV48 - Approved Drawings- BCR/01 and BCR/04 received 24 June 2013.

Background Papers:

Application forms and drawings
 Letters of representation
 Previous applications ref.nos.03/2990/ADV, 01/2518/FUL, 00/2886, 97/2143, 95/2113 and 93/0809/ADV.