

Mr Jake McLeod
Walsingham Planning
Brandon House
King Street
Knutsford
WA16 6DX

Letter Printed 13 November 2019

FOR DECISION DATED
13 November 2019

Dear Sir/Madam

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

Application: 18/4073/FUL
Your ref: Lidl, Fulwell - Full Applicat...
Our ref: DC/VAA/18/4073/FUL/FUL
Applicant: C/O Agent
Agent: Mr Jake McLeod

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 **11 December 2018** and illustrated by plans for the permission of the Local Planning Authority to develop land situated at:

50 South Road Twickenham TW2 5NT

for

An extension to the car park, external alterations to the building, installation of plant equipment and other associated works

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
Head of Development Management

SCHEDULE OF CONDITIONS AND INFORMATIVES FOR APPLICATION 18/4073/FUL

APPLICANT NAME

C/O Agent
C/O Agent

AGENT NAME

Mr Jake McLeod
Brandon House
King Street
Knutsford
WA16 6DX

SITE

50 South Road Twickenham TW2 5NT

PROPOSAL

An extension to the car park, external alterations to the building, installation of plant equipment and other associated works

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS

U0072111	Development begun within 3 years
U0072127	External illumination
U0072113	Refuse storage
U0072114	Approved drawings
U0072115	Grampian Condition
U0072116	Plant
U0072117	Plant noise
U0072118	Delivery vehicles
U0072119	Service and Delivery Management Plan
U0072120	Construction Method Statement (CMS)
U0072121	Electric charging facilities
U0072122	Car Parking allocation
U0072123	Cycle Parking
U0072124	Travel Plan
U0072125	Hard and Soft Landscaping
U0072126	Arboricultural Method Statement (AMS)
U0072112	Protective Fencing (Other)-Small

INFORMATIVES

U0038235	Section 278
U0038225	Composite Informative
U0038229	Service and Deliveries Management Plan
U0038227	Construction Management Statement
U0038228	Advertisements
U0038226	NPPF APPROVAL - Para. 38-42

DETAILED CONDITIONS AND INFORMATIVES

DETAILED CONDITIONS

U0072111 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.

U0072127 External illumination

Any external illumination of the premises shall not be carried out except in accordance with details giving the method and intensity of any such external illumination which shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any part of the buildings.

REASON: To protect/safeguard the amenities of the locality.

U0072113 Refuse storage

No refuse or waste material of any description shall be left or stored anywhere on the site other than within a building or refuse enclosure.

REASON: To safeguard the appearance of the property and the amenities of the area.

U0072114 Approved drawings

The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan (Dwg no. 3900 110); Site Plan as Proposed (Dwg no. 3900 101Z); Landscape Plan dated May 2019; Elevations as Proposed 1 (Dwg no. 3900 103D); Elevations as Proposed 2 (Dwg no. 3900 104E); Store Plan as Proposed (Dwg no. 3900 102M); Substation Details (Dwg no. EDS 07-3102.01C); Proposed Parking Restrictions (Dwg no. 1807029-SK01A); Subdivision Plan (109).

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

U0072115 Grampian Condition

Prior to the first use of the car-park as approved on drawing ref: 3900 101Z, the double yellow lines shown on drawing ref: 1807029-SK01A shall be provided on the site access road and a scheme for monitoring and enforcement of no parking shall be submitted to and approved by the local planning authority. The approved parking measures shall thereafter remain in situ and the parking enforcement scheme adhered to for the duration of the occupation of the food retail area shown in blue of subdivision plan 109.

Reason: In the interest of highway safety.

U0072116 Plant

The building services plant hereby permitted shall be installed in strict accordance with the details provided in the acoustic report submitted by Acoustic Consultants Ltd reference 7334, dated 10/09/2018. The plant shall thereafter be retained as approved.

REASON: To safeguard the amenity of the surrounding area in accordance with policy

U0072117 Plant noise

The cumulative measured or calculated rating level of noise emitted from the mechanical or building services plant including heating, ventilation and air conditioning (HVAC) and kitchen extraction plant, shall be no greater than the existing background noise level, (referenced in acoustic report submitted by Acoustic Consultants Ltd reference 7334, dated 10/09/2018) 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

REASON: To safeguard the amenity of the surrounding area in accordance with policy

U0072118 Delivery vehicles

Noise from delivery vehicles to the site shall be controlled to ensure that emissions do not exceed the limiting criteria detailed in the acoustic report submitted by Acoustic Consultants Ltd reference 7334, dated 10/09/2018.

REASON: To safeguard the amenity of the surrounding area in accordance with policy

U0072119 Service and Delivery Management Plan

Prior to the first use of the car-park as approved on drawing ref: 3900 101Z, a Service & Delivery Management Plan shall be submitted to and approved the LPA and shall thereafter be retained as approved. The plan must demonstrate that deliveries will be made using the relevant procedures outlined Quiet Deliveries Good Practice Guidance produced by the Department of Transport (DfT), or Retiming Deliveries Guidance produced by Transport for London (TFL).

REASON: To safeguard the amenity of the surrounding area

U0072120 Construction Method Statement (CMS)

Prior to the commencement of works to the car-park a Construction Method Statement (CMS) shall be submitted to and approved in writing by the LPA. Details shall include control measures for noise, vibration and dust including working hours. Approved details shall be implemented throughout the project period and include:

- o Details of the route construction vehicles will take to and from the site
- o An estimate of how many construction-related vehicular trips there will be to the site per working day
- o A profile of the construction vehicles to be used (dimensions)
- o Details of the access for construction vehicles
- o A tracking drawing which shows that the largest construction vehicle to be used can enter and exit the site in forward gear
- o Details of any on-street vehicular parking bays that will need to be suspended to allow construction access
- o Details of any licences required to place hoarding or scaffolding on the highway
- o Details of how the applicant will maintain the flow and safety of all road users throughout the construction process
- o Details of how long the demolition and construction processes will last
- o follow the Best Practice detailed within BS 5228:2009+A1:2014 Code of Practice for noise and Vibration Control on construction and open sites and BS 6187:2011 Code of practice for full and partial demolition.

REASON: To safeguard the amenity of the surrounding area and in the interests of highway safety.

U0072121 Electric charging facilities

Prior to first use of the car-park hereby approved, at least 2 vehicle parking spaces shall be allocated for rapid charging, 10 vehicle parking spaces shall include active charging facilities, and at least 12 vehicle parking spaces shall be reserved for (passive) charging facilities as per the approved drawing 3900-101-Z. The rapid and active charging facilities shall be installed within 3 months prior to occupation of any part of the development, in accordance with the manufactures specifications and maintenance schedule and maintained permanently thereafter, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To accord with the terms of the application and to encourage the uptake of electrical vehicles and accord with the requirements of policy 6.13 of the London Plan.

U0072122 Car Parking allocation

Prior to the first use of the car-park as hereby approved, the development shall provide 115 vehicles parking spaces, of which 12 shall be for people with disabilities/blue badge holders and 8 shall be for Parent & Child car parking, in accordance with the details provided on plan 3900-101-Z. Each space shall thereafter be retained for parking purposes in association with its allocation, and for no other purpose, unless otherwise approved in writing by the Local Planning Authority.

REASON: To ensure the development does not prejudice the free flow of traffic and highway and pedestrian safety and to ensure that adequate parking is available to avoid generation of on-street parking.

U0072123 Cycle Parking

Prior to the first use of the car-park as hereby approved the 34 short stay cycle spaces and 16 Long stay cycle spaces shall be provided in accordance with the details on approved plan 3900-101-Z. Each bicycle parking space shall thereafter be retained for bicycle parking purposes as relevant and for no other purpose, unless otherwise approved in writing by the Local Planning Authority.

REASON: To accord with this Council's policy to discourage the use of the car wherever possible.

U0072124 Travel Plan

Notwithstanding the draft travel plan, Staff and customer/visitor travel surveys shall be undertaken in accordance with a survey methodology to be submitted to and approved by the Local Planning Authority prior to it being carried out. Within 6 months of first occupation, a new travel plan based on the results of the survey shall be submitted with clear objectives, targets, actions and timeframes to manage the transport needs of staff and customer / visitors to the development, to minimise car usage and to achieve a shift to alternative transport modes.

Following approval by the Local Planning Authority, the applicant shall then implement these actions to secure the objectives and targets within the approved plan. The travel plan (including surveys) shall be annually revised and a written review of the travel plan submitted and approved by Council by the anniversary of its first approval and yearly thereafter. At the third anniversary, the travel plan (including surveys) shall be re-written, and resubmitted for further approval by the Council. This review and re-write cycle shall continue every three years and any approved revision shall be implemented within three months of the date of approval.

REASON: In order to comply with the objectives of national and local Planning Policies which promote sustainable development with particular regard to transport.

U0072125 Hard and Soft Landscaping

All hard and soft landscaping works shall be carried out in accordance with the approved Landscape Plan by Landmark Trees dated May 2019 and shall be completed within 3 months of the first use of the car-parking area hereby approved..

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

U0072126 Arboricultural Method Statement (AMS)

Prior to the commencement of the car-parking enhancements as hereby approved, an Arboricultural Method Statement (AMS), shall be submitted to and approved in writing by the Local Planning Authority. The AMS must:

(A) Be written in accordance with and address sections 5.5, 6.1, 6.2, 6.3 and 7 of British Standard 5837:2012 Trees in relation to design, demolition and construction - recommendations

(B) Be written in conjunction with the schemes specific method of construction (where applicable)

(C) Detail all tree protection (including plans)

The development shall not be implemented other than in accordance with the approved AMS.

REASON: To ensure that the protected trees and future planting areas are not damaged or otherwise adversely affected by building operations and soil compaction

U0072112 Protective Fencing (Other)-Small

(A) No equipment, machinery or materials are to be brought on the site for the purpose of the development until all trees to be retained shall be protected by fences or other suitable means of enclosure to the recommended distances given in Table 1 of the current British Standard 5837: 2005 Trees in Relation to Construction -

Recommendations, or to such distances and by such methods as may be agreed in writing by the Local Planning Authority prior to the commencement of the proposals and with regard to this proposal such protective fencing shall normally be at least 1.2m high comprising a vertical and horizontal framework of scaffolding, well braced to resist impact, supporting either cleft chestnut pale fencing (in accordance with BS 1772: part 4) or chain link fencing (in accordance with BS 1772: part 1) as shown in figure 4 of BS 5837:2005, within which no activities associated with building operations shall take place, such areas also being free of the storage of materials or temporary structures.

(B) No fire shall be lit within 10m from the outside of the crown spread of trees to be retained.

(C) the ground levels within the protected areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

(D) All means of protection shall be in situ for the duration of the development and distances of such protection should be passed by a person suitably experienced in arboriculture.

(E) No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures to be attached to or supported by a retained tree.

(F) No mixing of cement or use of other materials or substances to take place within a Root Protection Area ('RPA'), or close enough to a RPA that seepage or displacement of those materials or substances could enter a RPA

(G) No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the local planning authority.

REASON: To safeguard site trees the subject of a TPO

DETAILED INFORMATIVES

U0038235 Section 278

Section 278: In order to secure the installation of appropriate lining and road markings, a Section 278 agreement will need to be entered into. The applicant should contact the Council's Highway team to start this process.

U0038225 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:-

National Planning Policy Framework (February 2019) (NPPF)

National Planning Policy Guidance (NPPG)

London Plan (Adopted March 2016 - Consolidated with alterations since 2011):

Adopted Local Plan 2018:

LP 1 (Local Character and Design Quality)

LP 8 (Amenity and Living Conditions)

LP 10 (Local Environmental Impacts, Pollution and Land Contamination)

LP 20 (Climate Change Adaptation)

LP21 (Flood Risk and sustainable drainage)

LP 22 (Sustainable Design and Construction)

LP 24 (Waste Management)

LP 25 (Development in Centres)

LP27 (Local shops, services and Public Houses)

LP28 (Social and Community Infrastructure)

LP 40 (Employment and Local Economy)

LP 44 (Sustainable Travel Choices)

LP 45 (Parking Standards and Servicing).

Richmond Supplementary Planning Guidance/Documents

Design Quality (2006)

Refuse and Recycling Storage Requirements (2015)

Twickenham Village Planning Guidance SPD

Security by design (2002), Sustainable Construction Checklist Guidance Document

SPD (January 2016); Trees: landscape design, planting and care SPG (November 1999); and Trees: legislation and procedure SPG (November 1999).

Other:

DCLG/Department of Transport - Manual for Streets

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

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

U0038229 Service and Deliveries Management Plan

The applicant is advised that as part of any future Service and Deliveries Management Plan submitted pursuant to the relevant attached planning condition, the Plan shall incorporate mitigation measures that ensure the control of vehicles entering and exiting the site to times outside of peak traffic hours on the surrounding highway network and in particular times that do not coincide with local schools' drop off and pick up times.

U0038227 Construction Management Statement

The applicants are advised that when drafting the Construction Management Statement, as secured via condition, each 'point' of the condition should form a sub-heading in the Statement. Where a point is not applicable please state this, with justification.

U0038228 Advertisements

The applicant is advised of the need to obtain separate consent under the Town & Country Planning (Control of Advertisements) Regulations 1992 for any advertisements requiring express consent which it is to display on these premises.

U0038226 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:

- Providing a formal pre-application service
- Providing written policies and guidance, all of which is available to view on the Council's website
- Where appropriate, negotiating amendments to secure a positive decision
- Determining applications in a timely manner.

In this instance:

- The application was recommended for approval and referred to the first available Planning Committee, where the agents / applicants had an opportunity to present the case.

END OF SCHEDULE OF CONDITIONS AND INFORMATIVES FOR APPLICATION
18/4073/FUL

FUL 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, 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, 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

Email 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

Email 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