

Environment Directorate / Development Management

Web: www.richmond.gov.uk/planning
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Mr Jonathan Phillips
Bidwells LLP
Seacourt Tower
West Way
Oxford
OX2 2JJ
United Kingdom

Letter Printed 27 June 2023

FOR DECISION DATED
27 June 2023

Dear Sir/Madam

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

Application: 23/1214/FUL
Your ref: Richmond The Richmond Club
Our ref: DC/DAV/23/1214/FUL/FUL
Applicant: Ms Maureen Heffernan
Agent: Mr Jonathan Phillips

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 **4 May 2023** and illustrated by plans for the permission of the Local Planning Authority to develop land situated at:

The Richmond Club 115 - 117 Kew Road Kew Richmond

for

The proposed reversion of use from commercial proprietary club to a public house

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 23/1214/FUL

APPLICANT NAME

Ms Maureen Heffernan
115-117 The Richmond Club Kew Road
Kew
Richmond Upon Thames
TW9 2PN

AGENT NAME

Mr Jonathan Phillips
Seacourt Tower
West Way
Oxford
OX2 2JJ
United Kingdom

SITE

The Richmond Club 115 - 117 Kew Road Kew Richmond

PROPOSAL

The proposed reversion of use from commercial proprietary club to a public house

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS

AT01	Development begun within 3 years
U0159483	Hours of Operation
U0159484	Approved drawings
U0159485	Staff on Premises
U0159486	Servicing Hours
U0159487	Specified Use
DV30	Refuse storage
U0159488	Outdoor Area
U0159489	Fire Safety

INFORMATIVES

U0080252	Composite Informative
U0080251	NPPF APPROVAL - Para. 38-42

DETAILED CONDITIONS AND INFORMATIVES

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.

U0159483 Hours of Operation

The premises shall not be open to the public, customers or guests other than between the hours of 9:00am to 12:00am on Monday to Thursday; between 9:00am to 1:00am on Fridays and Saturdays and between 12:00pm to 12:00am on Sundays. A notice to this effect shall be displayed at all times on the premises so as to be visible from outside.

REASON: To ensure that the proposed development does not prejudice the amenities of nearby occupiers, or the area generally.

U0159484 Approved drawings

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

20.056.EL.B 001, 20.056.EL.B 002, 20.056.EL.B 003; received 04 May 2023.

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

U0159485 Staff on Premises

Staff shall not be present on the premises more than 60 minutes after the closing times respectively.

REASON: To protect the amenities of nearby residential properties.

U0159486 Servicing Hours

No work or associated activities including deliveries/cash collection/loading/unloading/servicing/recycling or waste collection of the premises hereby approved shall be carried out before 7:00am or after 7:00pm Monday-Saturday or at any time on Sundays and Bank Holidays.

REASON: To safeguard the free flow of traffic and the amenities of the area generally and residential amenity of nearby occupants.

U0159487 Specified Use

The premises shall only be used as a Public House and for no other Sui Generis use.

REASON: To preserve the social infrastructure floorspace in line with Policies LP27 and LP28 and to ensure that the proposal accords with the terms of the application sought.

DV30 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.

U0159488 Outdoor Area

The use of the rear garden shall cease and be cleared of customers by 23.00 every day.

REASON: To ensure that the proposed development does not prejudice the amenities of nearby occupiers, or the area generally.

U0159489 Fire Safety

The development must be carried out in accordance with the provisions of the Fire Safety Statement; dated 04 May 2023 and retained as such thereafter.

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

DETAILED INFORMATIVES

U0080252 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:-

Local Plan

- o Policy LP 1 Local Character and Design Quality
- o Policy LP 3 Designated Heritage Assets
- o Policy LP 4 Non-Designated Heritage Assets
- o Policy LP 6 Royal Botanic Gardens, Kew World Heritage Site
- o Policy LP 8 Amenity and Living Conditions
- o Policy LP 24 Waste Management
- o Policy LP 26 Retail Frontages
- o Policy LP 27 Local Shops, Services and Public Houses
- o Policy LP 28 Social and Community Infrastructure
- o Policy LP 44 Sustainable Travel Choices
- o Policy LP 45 Parking Standards and Servicing

Supplementary Planning Documents / Guidance:

- o Buildings of Townscape Merit
- o Development Control for Noise Generating and Noise Sensitive Development
- o Transport
- o Refuse and Recycling Storage Requirements
- o Kew Foot Road Conservation Area Statement

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.

U0080251 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.

END OF SCHEDULE OF CONDITIONS AND INFORMATIVES FOR APPLICATION
23/1214/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