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**TOWN AND COUNTRY PLANNING ACT 1990: DECISION NOTICE COU**

Mr Charies Freedman  
C/O Aki Akiwumi  
48 Churchill Road  
Edware  
Middx  
HA8 6NY

**APPLICATION GRANTED**

Please contact: Planning Support

Please telephone: 0845 612 2660

Your ref:

Our ref:  
DC/AWL/07/2611/COU/COU

Letter Printed: 30 November  
2007

**FOR DECISION DATED**  
30.11.2007

Dear Sir/Madam

**Applicant:**Mr Charies Freedman

**Agent:** Aki Akiwumi

**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 **23 July 2007** and illustrated by plans for the permission of the Local Planning Authority to develop land situated at:

44 Sheen Lane, East Sheen, London, SW14 8LP

for

Change of use from class A2 (Offices) to class A3 (Restaurant) and changes to front elevation at ground floor level.

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 any Orders or Regulations 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 below and listed on the attached schedule:-

**CONDITIONS:**


U18073	DV18A Refuse arrangements
U18074	DV17A Dustbin enclosure required
U18075	DV30 Refuse storage
U18076	RS05 Restriction - air cooling
AT01 Development begun within 3 years	RS13A Staff leaving premises
BD12 Details - Materials to be approved	U18101
DS04 Access for disabled people ~	

**INFORMATIVES:**

IE05A Noise control - Building sites	U28747 Policies
IE01A Food Hygiene	U28749 Reasons to apporve
IH06C Damage to public highway	
U28746 Drawings	

**SCHEDULE OF REASONS FOR APPLICATION 07/2611/COU**

Yours faithfully

A handwritten signature in black ink, appearing to read 'R. Angus', with a long horizontal flourish extending to the right.

Robert Angus  
Development Control Manager

## SCHEDULE OF REASONS FOR APPLICATION 07/2611/COU

<b>APPLICANT NAME</b> Mr Charles Freedman 26 Staibans Lane Golders Green NW11 7QE	<b>AGENT NAME</b> Aki Akiwumi 48 Churchill Road Edware Middx HA8 6NY
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### SITE:

44 Sheen Lane, East Sheen, London, SW14 8LP.

### PROPOSAL:

Change of use from class A2 (Offices) to class A3 (Restaurant) and changes to front elevation at ground floor level.

## DETAILED CONDITIONS

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### U18073 parking spaces to be retained

The parking spaces on the plans hereby approved shall be maintained permanently for parking and servicing, for the sole use by staff, customers, or those servicing the premises. REASON: To ensure the proposed use does not prejudice the free flow of traffic on the neighbouring highways, road safety and the amenity of the area

### U18074 Hours of opening

Customers shall not be present on the premises during the following times: Monday to Saturday before 9.00 a.m. or after 11.00 p.m. and on Sundays before 10.30 a.m. and after 11.00 p.m. A notice to this effect shall be displayed prominently on the shopfront at all times. REASON: To ensure the proposed development does not prejudice the amenities of nearby occupiers, or the area generally.

### U18075 Extractor duct details

Notwithstanding the details shown on the drawings hereby approved, details of extraction equipment and ducting shall be submitted to and approved by the Local Planning Authority prior to the premises opening for business. The equipment so approved shall be installed, utilised and maintained in an efficient state whilst operating as a restaurant. REASON: To ensure the amenities of the area are not adversely affected by cooking smells and that the equipment and ducting are situated in a manner which is not obtrusive nor detrimental to the appearance of the surroundings and Conservation Area.

### U18076 Delivery times

There shall be no deliveries, unloading or loading from or to the premises before 9.00 a.m. or after 7.00 p.m. Mondays to Saturdays or at any time on Sundays. REASON: To ensure that the use hereby permitted does not prejudice the amenities of nearby occupiers, or the area generally.

### 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.

### BD12 Details - Materials to be approved

The external surfaces of the building(s) (including fenestration) and, where applicable, all areas of hard surfacing shall not be constructed other than in materials details/samples of which shall be submitted to and approved in writing by the Local Planning Authority. REASON: To ensure that the proposed development does not prejudice the appearance of the locality.

### DS04 Access for disabled people ~

Before the development hereby permitted is commenced a scheme indicating the provision to be made for disabled people to gain access to shall have been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented before the development hereby permitted is brought into use. REASON: To ensure the provision of a satisfactory and convenient form of development for people with disabilities.

**SCHEDULE OF REASONS FOR APPLICATION 07/2611/COU  
DV18A Refuse arrangements**

None of the buildings hereby approved shall be occupied until arrangements for the storage and disposal of refuse/waste have been made in accordance with details to be submitted to and approved in writing by the Local Planning Authority. REASON: To safeguard the appearance of the property and the amenities of the area.

**DV17A Dustbin enclosure required**

None of the buildings hereby approved shall be occupied until a dustbin enclosure has been provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority, such drawings to show the siting and design thereof. REASON: To safeguard the appearance of the property and the amenities of the area.

**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.

**RS05 Restriction - air cooling**

No air conditioning apparatus, equipment or ducting shall be erected, placed or fixed to any part of the roof or external faces of the building, otherwise than as agreed in writing by the Local Planning Authority. REASON: To safeguard the amenities of neighbouring properties and the area in general.

**RS13A Staff leaving premises**

Staff shall not be present on the premises after a period of 60 minutes has elapsed following the approved closing times. REASON: To protect the amenities of nearby residential properties

**U18101 Sound proofing**

The development hereby approved shall not be occupied until the ceiling has been insulated to provide sound attenuation against internally generated noise in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority. REASON: To safeguard the amenities of the occupiers of the adjoining residential properties.

## **SCHEDULE OF REASONS FOR APPLICATION 07/2611/COU**

### **DETAILED INFORMATIVES**

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#### **IE05A Noise control - Building sites**

Attention is drawn to the noise control provisions of the Environmental Protection Act 1990. Any enquiries for further information should be made to the Commercial Environmental Health Team, 7B Parkshot, Richmond TW9 2RT (Tel: 020 8891 7994).

#### **IE01A Food Hygiene**

The applicant is advised to contact Consumer Protection, London Borough of Richmond upon Thames, 7B Parkshot, Richmond TW9 2RT (Telephone 020 8891 1411) with regard to Food Hygiene Regulations.

#### **IH06C Damage to 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 sent to 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 020 8891 1411) to arrange a joint inspection of the footway before work commences.

#### **U28746 Drawings**

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). For the avoidance of doubt the drawing numbers to which this decision refers are as follows:- Ordnance Survey, 123 SD 02, 1213 SD 03, 123 SD 04, 123 SK 01, 123 SK 02, 123 SK 03, 123 SK 04 received 23 July 2007.

#### **U28747 Policies**

This decision has taken into account the relevant policies of the London Plan and, in particular, the following have been taken into account in the consideration of this proposal:- Unitary Development Plan - First Review 2005 policies IMP 2, BLT 2, 11, 16, 21, 30, TRN 2, 4, 11, EMP 4, CCE18, TC 9.

#### **U28749 Reasons to approve**

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. The marketing evidence suggests there have been difficulties in marketing the property for offices, but in any case a change to restaurant use is considered compatible with the character of the street, supported by the Mixed Use Area designation and would help support the retail and community facilities of the area. An hours of opening condition can help control noise at anti-social times. Parking and servicing arrangements are considered satisfactory and extractor ducting details can be conditioned to protect against smells nuisance and visual intrusion.

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**END OF SCHEDULE OF CONDITIONS AND INFORMATIVES FOR APPLICATION 07/2611/COU**