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TOWN AND COUNTRY PLANNING ACT 1990: DECISION NOTICE

Viewcourt Property Trading Co. LTD
C/o The London Planning Practice
4 Goodwins Court
London
WC2N 4LL

**APPLICATION GRANTED
THIS APPLICATION IS
SUBJECT TO A LEGAL
AGREEMENT**

Please contact: Planning Support

Please telephone: 0845 612 2660

Your ref:

Our ref:
DC/POD/07/3470/FUL/FUL

Letter Printed: 11 February 2008

**FOR DECISION DATED
11.02.2008**

Dear Sir/Madam

Applicant: Viewcourt Property Trading Co. LTD

Agent: The London Planning Practice

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

209 Waldegrave Road, Teddington, Middlesex, TW11 8LX.

for

Refurbishment of existing public house retaining the A4 use class at ground floor with 3 flats at upper floors. Construction of two new 3 storey buildings comprising of 19 flats with associated parking for 20 cars.

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 Viewcourt Property Trading Co. LTD C/o Agent	AGENT NAME The London Planning Practice 4 Goodwins Court London WC2N 4LL
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SITE:

209 Waldegrave Road, Teddington, Middlesex, TW11 8LX.

PROPOSAL:

Refurbishment of existing public house retaining the A4 use class at ground floor with 3 flats at upper floors.
Construction of two new 3 storey buildings comprising of 19 flats with associated parking for 20 cars.

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS:

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INFORMATIVES:

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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.

U19356BD04 - specified scale

The development shall not be carried out other than in accordance with detailed drawings to a scale of not less than 1:20, which shall be submitted to and approved in writing by the Local Planning Authority, such details to show window and door frames to BTM;

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

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.

U19357BD14A - materials to match existing

No new external finishes (including fenestration), including works of making good, shall be carried out other than in materials to match the existing BTM

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

DV11 Use of roof restricted

The roof of the building shall not be used for any purpose other than as a means of escape in emergency or for maintenance of the building.

REASON: To safeguard the amenities of the adjoining premises and the area generally.

U19358DV19A - Parking private vehicles

parking space hereby approved shall not be used for any purpose other than for the garaging or parking of private motor vehicles used by occupiers or visitors to the premises.

REASON: To ensure that the parking provided within the site is utilised by occupants of the site to meet the car parking standards of the Local Planning Authority.

DV27A Recycling - Details required

Recycling facilities shall be provided as part of the development hereby approved in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority, such drawings to show position, size, design, materials, finishes and signage thereof.

REASON: To accord with this Council's policy to encourage the recycling of appropriate waste products.

DV29C Potentially Contaminated Sites

1. No development approved by this permission shall be commenced until:

- a) A contaminated land assessment and associated remedial strategy, together with a timetable of works being submitted to and approved by the local planning authority.
- b) Such contaminated land assessment shall include a desk study with details of the history of the site use, hazardous materials, substances used and details of a site investigation strategy based on the relevant information discovered by the desk study.

2. No development approved by this permission shall be commenced until:

- a) The site investigation strategy has been implemented and completed. Such site investigation to include relevant soil, soil gas, surface and groundwater sampling, which to be carried out by a suitably qualified and accredited geo-environmental consultant/contractor in accordance with the current U.K. requirements for sampling and analysis and,

b) A site investigation report detailing all investigative works and sampling on site, together with the results of analyses, risk assessment to any relevant receptors and a proposed remediation strategy has been submitted to and approved by the local planning authority. The remedial works shall be of such a nature as to reduce the risk posed from the identified contamination to an acceptable level, given the proposed end-use of the site and surrounding environment including any controlled waters.

3. None of the dwellings/buildings hereby approved shall be occupied until:

- a) Approved remediation works have been carried out in full on site in compliance with the proposed methodology and best practice. If during the works new areas of contamination are encountered, which have not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the local planning authority and,
- b) Upon completion of the remediation works, a validation report has been submitted to and approved by the local planning authority. The validation report shall include details of the remediation works and Quality Assurance/Quality Control results to show that the works have been carried out in full and in accordance with the approved methodology. Details of any validation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the validation report together with the necessary waste management documentation.

REASON: to protect future users of the site and neighbouring land and to protect the amenity of the environment including ground water quality.

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.

LA07A Tree planting scheme

No works or development shall take place until full details of all proposed tree planting, and the proposed times of planting, have been approved in writing by the Local Planning Authority, and all tree planting shall be carried out in accordance with those details and at those times.

REASON: To safeguard the appearance of the locality.

LA11A Landscaping required-hard and soft

No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant]. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

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

LA30 Landscape works-Implementation

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

REASON: To ensure that the proposed development does not prejudice the appearance of the locality.

LA32 Replacement tree planting

If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, [or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective] another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

REASON: To ensure that the proposed development does not prejudice the appearance of the locality.

PK06A Cycle parking

No building/dwelling/part of the development shall be occupied until cycle parking facilities have 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 position, design, materials and finishes thereof.

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

U19361 DV41A - Planning Contribution

No development shall begin until details of schemes for the provision of education, health, public realm and transport infrastructure and affordable housing to meet the needs of the development in accordance with the relevant policies of the Unitary Development Plan and the London Plan have been submitted to and approved in writing by the local planning authority. The schemes shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.

REASON: to help off set the increased burden on local public infrastructure resulting from this development and to comply with the terms of the Council's adopted Planning Obligations Strategy.

U19362NS01 - Tree protection

No works or development shall take place until a scheme for the protection of the retained trees (section 7, BS59837, the Tree Protection Area) has been agreed in writing with the LPA. This scheme shall include:

A plan to scale and level of accuracy appropriate to the proposal that shows the position, crown spread and roof protection area (para. 5.2.2 of BS6837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.

The details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 9.3 of BS5837).

The details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 9.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.

The details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 11.7 of BS5837)

The details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 5.2.2 of BS5837) of any retained tree, including those on neighbouring or nearby ground.

The details of the working methods to be employed for the installation of drives, paths and other light structures within the RPA's of retained trees in accordance with the principles of 'No-Dig' construction.

The details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, excavators, concrete pumps, piling rigs etc) on site.

The details of tree protection measures for the hard landscaping phase (sections 13 and 14 of BS5837).

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

U19363NS02 - Site Supervision

No works or development shall take place until a scheme of supervision for the arboricultural protection measures has been approved in writing by the LPA. This scheme will be appropriate to the scale and duration of the works and may include details of:

induction and personnel awareness of arboricultural matters.

identification of individual responsibilities and key personnel.

statement of delegated powers.

timing and methods of site visiting and record keeping, including updates.

procedures for dealing with variations and incidents. REASON: To ensure that tree protection measures are applied so that trees are not damaged or adversely affected by building operations.

U19369NS03 - Sustainability Statement

Within one month of completion of the new building hereby approved, a post-construction review shall be carried out by a certified EcoHomes assessor to establish whether that block has achieved the rating specified in the submitted Sustainability Statement. The post construction review report and details of any necessary changes to achieve that rating shall be submitted to and approved in writing by the Local Planning

Authority and subsequently implemented as approved. REASON: In the interest of sustainable construction.

U19370NS04 - BREEAM

The final post construction review shall demonstrate how the BREEAM 'Excellent' rating (or superseding standard) for the whole redevelopment scheme hereby approved has been achieved. REASON: In the interest of sustainable construction.

U19372NS05 - Hard surfacing

That the hard surfacing shall be porous and constructed and laid out in accordance with details to be approved by the Local Planning Authority. REASON: In the interest of sustainable development and to avoid excessive surface water run off.

DETAILED INFORMATIVES

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).

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.

IL10A Building regulations required

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).

U30470IL12A - Decision drawing nos.

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:- approved drawing Nos. ' Site location plan, 260603-P-01C, 260603-P-02, 260603-P-04EX.301, EX.302, EX.303, EX.304, EX.305, EX.207, PL.207 REV A, PL.208 REV.C, PL.209 REV.B, PL.209 REV.B, PL.210 REV.A, PL.211, PL.220, PL.221REV.A, PL.223 REV.A, and PL.222 REV.A received on 5 October 2007.'

U30471IL16FB - Relevant 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 policy/ies - Polices' UDP- First Review: STG 5, 6, IMP 1, ENV

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9, BLT 4, 11,12, 15, 16, 26, TRN 2, 4, HSG 1, 5, 6, 7, 8, 11, 14, 18 11, Design Quality SPD, Small and Medium Housing sites SPD, Sustainable Construction Checklist SPD, London Plan Polices: 3A.1, 3A.4, 3A.8, 3C.21, 3C.22, 4B.1, 4B.3, 4B.5, 4B.6.'

U30472IL19 - Reason for Granting Permission

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 proposed development, suitably conditioned, would not cause harm to the area through visual impact, effect on neighbouring residential amenity, traffic and highway safety. The provision of new residential units will comply with the relevant housing polices and help meet the Councils housing needs. The development will protect the setting and character of the BTM and revitalize this area in need of environmental improvement.

U30473 Planning Obligation Strategy

The applicant is advised that the following sums of money are likely to be required to comply with the Grampian condition forming part of this planning permission:

Planning Obligation/contribution – Transport £100, 240, Play £21,739.60, Health £4,699.59 and Education £25,492 (primary £15, 744, Secondary £9,748)

IH02A Refuse storage and collection

The applicant is advised to contact Recycling and Waste, London Borough of Richmond upon Thames, Central Depot, Langhorn Drive, Twickenham TW2 7SG with regard to arrangements for the collection and storage of refuse. The provision of an enclosure may require the submission of a further application.

IM01 Disabled persons

The applicant's attention is drawn to the provisions of the Chronically Sick and Disabled Persons Act 1970 (Section 4,7, 8a) and to the Code of Practice for Access for the Disabled to Buildings (BS 5810: 1979). Attention is also drawn to the provisions of Part M of the Building Regulations - access and facilities for disabled people.

IM11 Use of hardwoods

If hardwood is to be used in the development hereby approved the applicant is strongly recommended to ensure that it is from a recognised sustainable timber source. You are invited to consult the 'Good Wood Guide' produced by Friends of the Earth together with The National Association of Retail Furnishers for advice on this matter.

IM13 Street numbering

The applicant is advised that this permission will normally require the new numbering or renumbering of the property/site for postal/emergency services address purposes. You are advised to make early written contact with the Council's Chief Building Surveyor at the Civic Centre to ensure a satisfactory arrangement is reached over this issue.

IT01 Trees - TPO/CA notice ~

Nothing in this notice shall override the provisions of:-

1. TPO No. which affects the application site.
2. The Town and Country Amenities Act 1990 which requires the service of 6 weeks notice on the Local Planning Authority prior to the excavation of works to trees in Conservation Areas; the application site is subject to such a requirement.

IX03 Soil and surface water drainage

The applicant is advised to consult Thames Water Utilities, Sewerage and Sewage Treatment Operations, Hogsmill Valley Works, Lower Marsh Lane, Kingston, KT1 3BW (Tel: 020 8213 8729) about the disposal of surface ater and/or sewage from the development.

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IX11 Fire Brigade access

The applicant's attention is drawn to the need to comply with the requirements of Section 33 of the Middlesex County Councils Act, 1956 - Access for Fire Brigade to New Buildings. This can be achieved by following the recommendations in the London Fire Brigade publication - FP/Gen./20/Rev.4 - Access for Fire Brigade Appliances etc., copies of which are available from London Fire Brigade, Marion House, 61 Staines Road, Hounslow, TW3 3JQ (Tel: 020 7587 4402).

U30474N101 - Surface Water Drainage

Surface Water drainage – With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of ground water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

U30475N102 - Environment Agency Advice

Environment agency Advice - We strongly recommend that if potentially contaminating activities have previously been conducted at this site, such as chemical or fuel storage, manufacturing or other industrial processes, an assessment of risks to controlled waters from the land should be carried out and submitted to the local planning authority in accordance with PPS 23, Annex 2 (Planning Policy Statement 23 – Planning and Pollution Control; Annex 2: Development on Land Affected by Contamination).

This work should follow the framework in the 'Model Procedures for the Management of Land Contamination' (CLR11), Defra / EA 2004. Risks to controlled waters should be evaluated in accordance with the 'Environment Agency guidance on requirements for land contamination reports'. These documents can be downloaded from our website at http://www.environment-agency.gov.uk/subjects/landquality/113813/887579/1101611/?lang=_e.

The Environment Agency requests that it is only consulted for advice if significant contamination is identified. Responsibility for the safe development and secure occupancy of the site rests with the developer/landowner.

Should contamination on the site be found to be affecting controlled waters significantly, subsequent to the redevelopment, the site may be determined as 'Contaminated Land' under Part IIA of the Environmental Protection Act 1990 and costs for remedial actions sought from appropriate persons.

In most circumstances, contaminated soils are regarded as waste. This means that their storage, treatment and disposal are subject to waste management legislation including the Duty of Care Regulations 1991 (as amended), the Waste Management Licensing Regulations 1994 (as amended) and the Hazardous Waste (England and Wales) Regulations 2005. Waste producers should ensure that all waste, including soil is adequately characterised before it is taken off site. There is guidance on the classification of soil at construction sites and the definition of waste in the Framework for the Classification of Contaminated Soils as Hazardous Waste July 2004 (or latest version) and the Definition of Waste -Developing Greenfield and Brownfield sites both documents are available from the Environment Agency website.

The Environment Agency strongly encourages the use of sustainable drainage systems for new discharges of surface water run-off from roads, vehicle parking and public/amenity areas, providing there are adequate measures to protect groundwater and the site is not in an inner Source Protection Zone (SPZ 1). Groundwater from an SPZ1 is abstracted for human consumption.

In all cases, arrangements for effective management and maintenance of the systems should be put into place. Any such drainage system will also need to comply with PPS 25 in order to manage risks from flooding.

The developer is advised to adopt sustainable urban drainage systems ('SUDS') such as ponds, wetlands, grassed swales, infiltration trenches and permeable surfaces in order to protect groundwater quality from contaminants in surface water run-off. Any infiltration system employed, including soakaways, should be constructed as shallow as practicable, in natural ground where possible and in no circumstances where the ground is odorous or visibly contaminated.

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Systems constructed to within one metre of the highest likely water table may pose an unacceptable risk of pollution and should be avoided where a shallower system is practicable. In all cases, surface water drainage designs should take into account the local geological and hydrogeological conditions. SUDS should always conform to the Groundwater Regulations 1998 to prevent the introduction to groundwater of certain substances in List 1 of the regulations, such as hydrocarbons, and pollution from other contaminants in List 2.

The developer should refer to the Interim Code of Practice for Sustainable Drainage Systems, which can be downloaded from www.ciria.org.uk. They should also refer to CIRIA Report C609 'Sustainable Urban Drainage Systems- Hydraulic, Structural and Water Quality Advice'.

The discharge of clean roof water to ground is acceptable. However, we require that all roof water down-pipes be connected to the drainage system directly, or by means of back inlet gullies which should be sealed against pollutants entering the system from surface run-off, disposal or other forms of discharge.

Where the site is located on soil with low permeability, such as clay, infiltration techniques may not be practicable. We recommend that surface water be discharged to the local surface water sewer or watercourse with appropriate pollution control measures.

Drainage from covered car parking floors should be connected to the foul sewer.

Where roof parking is proposed surface water may need to pass through an approved oil separator before connecting to the surface water system. Guidance on the use and design of oil separators in surface water drainage systems (PPG 03) may be found on the Environment Agency website:

<http://www.environment-agency.gov.uk/business/444251/444731/ppg/>

Rainwater and grey water recycling is becoming increasingly popular. It can reduce household water use by up to 30%. A number of systems are available which collect, treat and store rain- or grey water for WC flushing or garden/outside watering. Detailed information can be downloaded from the following link http://www.environment-agency.gov.uk/subjects/waterres/286587/287169/?version=1&lang=_e

END OF SCHEDULE OF CONDITIONS AND INFORMATIVES FOR APPLICATION 07/3470/FUL
