

**PLANNING COMMITTEE – 7 FEBRUARY 2008**

**07/3470/FUL  
WALDEGRAVE ARMS  
209 WALDEGRAVE ROAD  
TEDDINGTON**

**TEDDINGTON WARD  
Contact Officer:  
P Davidson**



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**Proposal:** Refurbishment of existing Public House retaining A4 use class at Ground floor with 3 flats at upper floors. Construction of two new three storey buildings comprising of 19 flats with associated parking for 20 cars.

**Applicant:** The London Planning Practice for Viewcourt Property Trading Co. LTD

**Application received on:** 5 October 2007

**Main development Plan Policies:**

UDP- First Review: STG 5, 6, IMP 1, ENV 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.

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**Present use:** Vacant Public House garden and carpark (A4)

### **SUMMARY OF APPLICATION**

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 policies and help meet the Council's housing needs. The development will protect the setting and character of the BTM and revitalize this area in need of environmental improvement.

### **RECOMMENDATION: PERMISSION**

#### **Site History and proposal:**

1. The application site is a prominent corner site where Shacklegate Lane meets Waldegrave Road. At present the site is occupied by a vacant and dilapidated public house, The Waldegrave Arms, surrounding which is open land that used to form the pub car park and garden. There are residential properties to the north of the site, the railway to the west and a mix of residential and commercial uses to the south and east. The site is in an Area of Mixed Use, the public house is designated as a Building of Townscape Merit (BTM) and there are two TPO's on the site adjacent to Shacklegate Lane. This area is also identified as an area in need of environmental improvement.
2. 07/0299/FUL- Refurbishment of existing public House retaining A4 use class at Ground floor with 3 flats at upper floors. Construction of two new three storey buildings comprising of 19 flats with associated parking for 20 cars. – Application was withdrawn by applicant.
3. Other planning history on the site relates to external alterations to the public house when it was in operation.
  - This application proposes:
  - Construct two three storey buildings comprising a total of 19 flats
  - Refurbishment and extension of existing public house; retention of public house at ground floor level with three residential flats above and alterations to the roof with the addition of two dormer windows to north elevation.
  - Creation of garden area fronting Shacklegate Lane
  - Off Street parking spaces for 20 Cars and 24 bicycles
4. Materials include: Buff coloured brick, western red cedar hardwood cladding.

#### **Public and other representations:**

5. Letters have been received from 11 residents, the Teddington Society and one petition signed by six residents, objecting to the proposal for the following reasons:
  - Inadequacy of parking and impact on the area
  - Overbearing development
  - Loss of trees
  - Loss of privacy

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- Poor access
- Loss of pub car park
- Impact on BTM
- Inappropriate materials
- Highway safety
- Noise and disturbance from Public House
- Loss of light
- Sustainability
- Inadequacy of loading area

6. Thames Water: Thames Water does not have any objection to this proposal in relation to sewerage infrastructure or water infrastructure, subject to a condition relating to surface water discharge.
7. Environment Agency: The Environment Agency has no objection to this scheme, and has stated that the site has a low risk of polluting controlled waters. Informatives have been suggested relating to land contamination and sustainable drainage.

**Professional comments:**

8. This proposal is a revised version of the withdrawn scheme; alterations have been made to parking, vehicular and pedestrian access, disabled access, root protection to existing trees on site, level of affordable housing and mix of units.
9. The main issues to take into consideration when assessing this proposal are suitability of land use, impact on surrounding area, the BTM and the neighboring amenities, impact on parking, highway safety and trees.

Land use

10. The redevelopment of this site and the creation of 22 new residential units (of which 9 are affordable and 13 units are for private sale.) is considered to make a positive contribution to the strategic dwelling requirement within the borough, for which there is a proven need as set out in the Unitary Development Plan, under policy HSG 1. The site falls within an area of mixed use, but the immediate surrounding area is predominantly residential in use and close to Teddington town centre. As stated in HSG 5, new residential development will be encouraged where it is compatible with other policies; the redevelopment of the upper floors of the pub for separate residential units is considered appropriate and complies with the objectives of this policy.

11. Policy HSG 11 discusses appropriate density and mix of residential development and notes that developments will be expected to provide a reasonable number of small units appropriate to the site, and the Council will seek to negotiate at least 25% of small units on appropriate sites. ~~This proposal is considered to be in compliance with this element of the policy and is proposing to provide 27% small units (private and affordable combined).~~ This

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12. This development is proposing to provide 40% affordable housing, this Council will encourage residential developments involving Registered Social Landlords and schemes which will meet the needs of buyers or renters on low to middle incomes who are unable to gain access to the housing market. There are three 2 bed flats for shared ownership and six flats for social rent (4x2 bed and 2x 1 bed) agreed by the Council and the housing association. This proposal meets ~~the~~ objectives as set out in HSG 6 of the UDP.

All things considered

Planning Guidance suggest > only 25% ~~at~~  
rather than 33% <sup>50</sup> available for shared ownership. This  
is in acceptable to Housing Policy, at Housing  
Dept and the housing association.

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13. The redevelopment of this site with new residential units is considered to be in compliance with PPG3 and the London Plan which both promote the use of previously developed sites for new development in order to be sustainable.
14. The Waldegrave Arms Public House has an existing A4 use; policy CCE15 resists the loss of such entertainment uses within the borough as the use contributes to the local community and vitality of the area.

### Design, impact on BTM

15. This site is situated on a corner plot, and corner sites offer the potential to go above the established proportions of the street to create a landmark, the scheme can often differ from the surrounding properties without causing visual disruption and intrusion. This development will comprise two new three storey buildings, one fronting Waldegrave Road and the other situated behind the Waldegrave Arms fronting Shacklegate Lane; access to parking will be from Waldegrave Road.
16. The new development is considered to respect the existing building lines; both new blocks will be set back behind the building lines established by the pub. The horizontal and vertical elements of the new development are considered to balance well with the neighboring buildings and the flat roof of the new build reflects that of the adjoining terrace fronting Waldegrave Road. The built form of the surrounding buildings varies; the adjacent terrace fronting Waldegrave Road is a three storey construction with little architectural merit. The new development would reflect the scale of this terrace but add enhanced visual interest through design and materials. The main parapet line of the PH has been carried through onto the new block helping the new development link to the old and helps to maintain the BTM as the focal point of the site. The scale and positioning of the new blocks allows the existing BTM to retain its important prominent and dominant position commanding the corner.
17. The design of this scheme is considered to be acceptable and would represent a good quality of design appropriate to the area. The contemporary design approach of the new build, framing the existing BTM would sit comfortably within the setting of this BTM, clearly defining old from new and would also appear to sit comfortably within the varied context of the surrounding townscape. The varied use of materials, articulation of façades and strong rhythm of fenestration adds interest to these elements and enables a good relationship between the old and new build.
18. Alterations to BTM include extension to the roof and addition of dormer windows to allow an increase in head height for improvement to the residential accommodation. These modifications to the BTM are considered to reflect the original form of the building and the character of the BTM will be preserved.
19. The new block to the rear of the PH fronting Shacklegate lane will be set back from the building line of the PH by 2m initially then by 10m and then by 8m. These set backs will again ensure the prominence of the BTM, add visual interest and reduce the impact on Shacklegate lane. Set backs along this elevation are also import for the retention of the two TPO trees and the creation of the communal garden area. Three storey building fronting Shacklegate Lane will be set back behind the garden area and as the pavement rises along this frontage, the height impact and visual massing of this building will be further reduced.
20. The proposed materials of the new flats mainly comprise buff coloured brick with Red Cedar timber cladding, these do differ from anything in the immediate surrounding area, however, this is considered to be an appropriate site to progress design and materials rather than simply

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replicate past materials. This development is considered to be a good opportunity for new distinctive design and to introduce new materials. A condition can be used to request large-scale drawings of timber joinery and material samples to ensure the development does not have an unreasonable visual impact on the surrounding area.

21. The density of development is high and above the minimum that what would be required for this site, however there is no limit set in policy for the density of development on a site and on balance this development is considered to relate well to the surrounding buildings and is efficient re-use of this vacant brownfield site. The width and heights of the new building is considered to be sympathetic to its surroundings and is not considered to harm the surrounding street scenes. In certain locations such as this intensification may be acceptable still a balance with neighboring properties.
22. This development includes sufficient refuse storage and recycling facilities in a suitable location. Provided on the site will be 5x 360ltr bins for recycling and 30ltr storage per unit for refuse. The refuse storage area is located within the carpark adjacent to the public house and would be accessible from Waldegrave Road.
23. The Sustainability Report provided by the applicants appears to cover the sustainability construction checklist requirements of this Council and complies with the SPD.
24. Access for disabled has been incorporated into this development. Two of the flats located on the ground floor would be designed for wheelchair users, complying with the objectives of HSG8. Flat 1 and 2 will be entered via level access; flat 1 through the garden and flat 2 directly from the carpark.

### Neighbour amenity

25. Residential properties surrounding the site include Bridge Close to the north, Railway Road to the west and dwellings on Waldegrave Road directly opposite and adjoining the site.
26. The proposal is not considered to result in an unacceptable impact on outlook or privacy enjoyed by the neighbouring properties, the development will be at least 20m away from the Bridge Close and Railway Road dwellings and views of the development across Shacklegate Lane will be partially screened by the two mature trees and boundary wall.
27. The impact on the amenities of the adjoining terrace is not considered unreasonable given that the main outlook is to the rear of the site across the railway.
28. The applicants have submitted a daylight and sunlight report for the development and its impact on 207 Waldegrave Road (all other surrounding properties pass the basic 25 degree test). Information provided in the report shows that the proposed development will not result in a significant loss of daylight to habitable rooms in neighboring properties.

### Trees

29. There are two trees on site with a TPO, a Sycamore and a Eucalyptus; both of which will be retained. The proposed tree pruning and the proximity of the buildings to the trees on site have been approved by this Council. The proposed protective fencing and ground protection are also considered to be appropriate.
30. Details of species and size will be required by condition if permission is granted. Various other conditions will also be required relating to matters such as replacement planting, landscaping details, tree protection and site supervision.

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### Transport and parking

31. A comprehensive traffic and transport statement has been supplied by the applicant to support the proposal. Vehicle access would be from Waldegrave Road through an undercroft in the same position, as the existing vehicular access to the PH. 20 parking spaces will be provided for the residential flats, 2 of which will be disabled users parking bays. 24 Cycle storage spaces are proposed on site, which is in compliance with current Council guidelines. These locations will need to be secure and covered and details can be requested by condition.
32. This site has a PTAL level of 2, Strawberry Hill station and Teddington station are both in walking distance of the site and there is a bus stop within 50m of the development.
33. In respect of off street car parking provision, the relevant policy in the UDP, First Review, is TRN 4 which refers to maximum standards being set for all types of development. This proposal provides 20 off street parking spaces for 22 flats, the parking standards of the Council are set at a maximum of 1 space per unit, meaning that the provision is two spaces less than the maximum. As such, the proposed car parking provision complies with policy TRN 4, it is also noted that there are 9 affordable units on site which statistically are shown to have a lower car ownership than privately owned flats.
34. Both PPG13 and the London Plan include objectives to reduce the need to travel by car and promote more sustainable transport choices. The applicants have agreed and are willing to work with the Council to provide a Car Club facility near to the site. The idea is that the car will be located on street enabling other residents away from the development site to have access to this facility. Monies towards this Car Club will be provided and secured by S106 Agreement.
35. It is the view of the Council that we should be reducing the number of cars coming to the site relating to the PH and the removal of the carpark is one way to do this, therefore no objection is made to the loss of the pub car park.

### S106 monies

36. The applicant has confirmed a commitment to the level of planning obligations requested and set out below:
- Transport: £100,240
  - Play: £21,739.60
  - Health: £4,699.59
  - Education: £25,429.00 (£15,744 Primary and £9,748.00 Secondary)
- Total: £152,171.19**
37. This proposal also included 3 x 2 bed flats for shared ownership and six flats for social rent (4 x 2 bed and 2 x 1 bed).

### **Conclusion**

38. 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 policies and help meet the Council's housing needs. The development will protect the setting and character of the BTM and revitalize this area in need of environmental improvement.

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I therefore recommend **permission** subject to the applicant entering into an obligation under S106 of the Town and Country Planning Act 1990 to secure financial contributions and affordable housing as set out in the report and subject to the following conditions and informatives.

### **Standard Conditions:**

- AT01 - Development begun in 3 years
- BD04 - Details to specified scale '1:20' 'window and door frames to BTM'
- BD12 - Details of materials to be approved
- BD14A - Materials to match existing 'to the BTM'
- DV11 - Use of roof
- DV19A - Parking- private vehicles (communal) 'parking spaces hereby approved'
- DV27A - Recycling-details required
- DV29b - Ground pollution and soil decontamination.
- DV30 - Refuse storage
- LA07A - Tree planning scheme
- LA11A - Landscaping required Hard/soft
- LA30 - Landscape works implementation
- LA32 - Replacement Planting
- PK06A - Cycle parking
- DV41A - Planning conds'/obligations – Grampian adapted to include 'affordable housing'.

### **Non-standard conditions:**

- NS01 - No works or development shall take place until a scheme for the protection of the retained trees (section 7, BS59837, the Tree Protection Plan) has been agreed in writing with the LPA. This scheme shall include:
  - a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (para. 5.2.2 of BS5837) 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 RPAs 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.

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### NS02 - 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.

### **Standard Informatives:**

IE05A - noise control- building sites

IH06C - Damage to highway

IL10A - Building regulations

IL12A - 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.'

IL16FA - Polices' UDP- First Review: STG 5, 6, IMP 1, ENV 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.'

IL19 - Reasons for granting permission – see conclusion

IL22 - Planning Obligation/contribution – Transport £100, 240, Play £21,739.60, Health £4,699.59 and Education £25,492 (primary £15, 744, Secondary £9,748)

IH02 - Refuse storage and collection

IM01 - Disabled persons

IM11 - Use of hardwoods

IM13 - Street Numbering

IT01 - Trees- TPO/CA notice

IX03 - Soil and water drainage

IX11 - Fire Brigade access

### **Non-standard informatives:**

NI01 - 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.

NI02 - 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



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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](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.

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

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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](http://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>

### **Background papers:**

Application forms and drawings  
Letters of representation

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