

Civic Centre, 44 York Street, Twickenham TW1 3BZ
tel: 020 8891 7300 text phone 020 8891 7120
fax: 020 8891 7789
email: envprotection@richmond.gov.uk
website: www.richmond.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990: DECISION NOTICE

Miss Robyn Blackburn, Planning
Potential
Planning Potential
Magdalen House
136 Tooley Street
London
SE1 2TU

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

Please contact: Planning Support

Please telephone: 0845 612 2660

Your ref:

Our ref: DC/SAJ/10/0076/FUL/FUL

Letter Printed: 11 May 2010

**FOR DECISION DATED
11.05.2010**

Dear Sir/Madam

Applicant: Young And Co's Brewery Plc

Agent: Miss Robyn Blackburn, Planning Potential

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 **12 January 2010** and illustrated by plans for the permission of the Local Planning Authority to develop land situated at:


The Shakespeare, Lower Richmond Road, Richmond, TW9 4PL.

for

Redevelopment of site to provide 8 one and two bed flats and associated works, through conversion of existing building and part 2 and 3 storey development.

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 Young And Co's Brewery Plc | AGENT NAME Miss Robyn Blackburn, Planning Potential Magdalen House 136 Tooley Street London SE1 2TU |
|---|---|

SITE:

The Shakespeare, Lower Richmond Road, Richmond, TW9 4PL.

PROPOSAL:

Redevelopment of site to provide 8 one and two bed flats and associated works, through conversion of existing building and part 2 and 3 storey development.

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS:

| | |
|--|--|
| AT01 Development begun within 3 years | U31607 Code for Sustainable Homes - New Build~ |
| BD12 Details - Materials to be approved | DV29C Potentially Contaminated Sites |
| U31606 Details to scale | U31608 Construction method statement |
| GD02A Restriction-Alterations/extrn | U31609 Obscure glazing |
| DV30 Refuse storage | DV02A Boundary fencing - Dev't commence |
| PK06A Cycle parking | U31730 No reduction in dwelling units |
| LT06 Tree Planting Scheme | U31731 NS04 Insulation and ventilation |
| LT08 Soft Landscaping Required | |
| LT10 Landscape Maintenance-Small Schemes | |

INFORMATIVES:

| | |
|--|--|
| U46058 NI07 - Insulation and ventilation | IL13 Section 106 agreement |
| U45938 Crossover reinstatement | U45933 Construction / Demolition Noise |
| IE05B Noise Control - Building Sites | U45934 Surface water drainage |
| IH06C Damage to public highway | U45935 Minimum water pressure |
| IL10A Building regulations required | U45936 Highways condition survey |
| U45928 Approved drawing numbers | U45937 Construction traffic |
| U45929 Relevant policies/propsoals | U46059 TFL informative |
| U45930 Summary reasons for granting pp | |

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.

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.

U31606 Details to scale

The development shall not be carried out other than in accordance with detailed drawings to a scale of not less than 1:10 which shall be submitted to and approved in writing by the Local Planning Authority, such details to show all new joinery .

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

GD02A Restriction-Alterations/extn

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) no external alterations or extensions shall be carried out to the building(s) hereby approved.

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

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.

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.

LT06 Tree Planting Scheme

(A) No development shall take place until a specification of all proposed tree planting has been submitted to and approved in writing by the local planning authority such specification to include details of the quantity, size, species, position and the proposed time of planting of all trees to be planted, together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance. All tree planting included within the approved specification shall be carried out in accordance with that specification and in accordance with BS 3936:1986 (parts 1, 1992, Nursery Stock, Specification for trees and shrubs, and 4, 1984, Specification for forest trees); BS 4043: 1989, Transplanting root-balled trees; and BS 4428:1989, Code of practice for general landscape operations (excluding hard surfaces).

(B) If within a period of 5 years from the date of planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted, 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 originally planted shall be planted at the same place in the next planting season/within one year of the original tree's demise unless the local planning authority gives its written consent to any variations.

(C) All tree planting shall be carried out in accordance with the details so approved and in any event prior to occupation of any part of the development

REASON: To safeguard the appearance of the locality.

LT08 Soft Landscaping Required

(A) No development shall take place until full details of soft landscaping works have been submitted to and approved in writing by the local planning authority such details to include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) and shall specify the quantity, density, size, species, position and the proposed time or programme of planting of all shrubs, hedges, grasses etc, together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance.

(B) All tree/plant/shrub planting included within the approved specification shall be carried out in accordance with that specification and in accordance with BS 3936:1986 (parts 1, 1992, Nursery Stock, Specification for trees and shrubs, and 4, 1984, Specification for forest trees); BS 4043: 1989, Transplanting root-balled trees; and BS 4428:1989, Code of practice for general landscape operations (excluding hard surfaces).

(C) All soft landscaping works shall be carried out in accordance with the approved details and in any event prior to the occupation of any part of the development

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

LT10 Landscape Maintenance-Small Schemes

No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years from the date of completion of the landscaping scheme has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation and shall be implemented as approved from the date of completion of the landscaping scheme as part of the development

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

U31607 Code for Sustainable Homes - New Build~

The dwelling(s) hereby approved shall achieve a Code Level 3 in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued for it certifying that the Code Level stated above has been achieved and which has been submitted to the Local Planning Authority for approval.

REASON: in the interests of promoting sustainable forms of developments and to meet the terms of the application.

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.

U31608 Construction method statement

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to through the construction period. The Statement shall provide for:

- i) the parking of vehicles of site operatives and visitors;
- ii) the loading and unloading of plant and materials;
- iii) the storage of plant and materials used in construction the development;
- iv) the erection and maintenance of security hoarding;
- v) measures to control the emission of dust and dirt during construction;
- vi) a scheme for recycling and disposing of waster resulting from demolition an construction work.
- vii) hours of construction working
- viii) details, routes and access of all construction traffic

REASON: To protect the amenities of local residents and road users.

U31609 Obscure glazing

The proposed windows in the northern elevation of the southern stairwell and the glazing to the eastern elevation of the northern stairwell of the building(s) hereby approved shall at no time be openable or glazed, otherwise than in obscured glass.

REASON: To ensure that the proposed development does not prejudice the amenities of adjoining occupiers.

DV02A Boundary fencing - Dev't commence

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before [the use hereby permitted] is commenced or [before the building(s) is/are occupied] or [in accordance with a timetable agreed in writing with the Local Planning Authority]. Development shall be carried out in accordance with the approved details.

REASON: To safeguard the visual amenities of the locality and the privacy/amenities of the adjoining properties.

U31730 No reduction in dwelling units

No alterations shall be made to the development hereby approved nor shall they be occupied in any way which would result in a reduction in the number of residential units.

REASON: To ensure that the development continues to contribute to the housing needs of the Borough by the retention of dwellings of a variety of sizes and types.

U31731 NS04 Insulation and ventilation

Prior to the commencement of work on site, a scheme providing for the insulation & associated ventilation of the proposed dwellings against the transmission of externally generated road and aircraft noise shall be submitted to and approved by the Council. The scheme shall demonstrate compliance with the "good to reasonable" criteria detailed in 7.6.1 of BS8233: 1999. Any works which form part of the scheme shall be completed in accordance with the approved details before the dwellings are occupied. Further details can be found in associated informative NI07.

REASON: To protect the amenities of future occupants

SCHEDULE OF REASONS FOR APPLICATION

DETAILED INFORMATIVES

U46058NI07 - Insulation and ventilation

BS8233:1999 Guidance on suitable internal noise levels can be found in BS8233:1999: Sound insulation and noise reduction for buildings. Section 7.6.1 of BS8233: 1999 suggest indoor ambient noise criterion for reasonable resting and sleeping conditions in bedrooms and living rooms. In respect of residential dwellings the following criterion is presented:

Table1 - Internal Target Noise Criteria

Typical Situation (Design Range LAeq,T dB)

Living Room : good - 30, reasonable- 40

Bedroom: good - 30, reasonable - 35

BS8233 also recommends that "for a reasonable standard in bedrooms at night, individual noise events (measured with F time-weighting should not normally exceed 45dB LAmax"

For the rooms facing onto the Lower Richmond Rd and any other facades which may be exposed to levels at the higher end of NEC C, an additional means of providing rapid ventilation, such as mechanical ventilators, should be considered for rapid ventilation and summer cooling (see General Guidance of Approved Document F, and paragraph 6.7.1 of BS8233:1999). This has not been considered by the applicant at this stage and we would wish to discuss further with their acoustic consultant.

Acoustic ventilators, which can be passive ventilators, should meet the minimum background ventilation requirements of the Building Regulations 2000 Approved Document F (Ventilation). Standard trickle ventilators are not adequate since they allow noise intrusion and reduce sound insulation.

U45938 Crossover reinstatement

The applicant is advised that an application to highways will be required to reinstate the existing crossover. This will be done at the applicant's expense

IE05B 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.

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

SCHEDULE OF REASONS FOR APPLICATION

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 0845 612 2660) 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).

U45928 Approved drawing numbers

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:- 'Site location plan' 08/685, 'Existing elevation' EX(00)100 rev. PO, 'Existing site location plan' EX(00)001 rev. PO, 'Existing plans - level 0 and 1' EX(00)002 rev. PO, 'Existing elevation' EX(00)101 rev. PO all received 12/01/2010, 'Proposed site location plan' GA(00)001 rev. P5, 'Proposed plans - level 0 and 1' GA(00)002 rev. P8, 'Proposed plans - level 2 and 3' GA(00)003 rev. P8, 'Proposed elevations' GA(00)100 rev. P10, 'Proposed elevations' GA(00)101 ref. P7, 'Proposed sections A, B and C' GA(00)200 rev. P8 and 'Indicative massing' SK(00)005 rev. P1 all received 29/03/2010

Reports titled 'Environmental Noise Assessment' undertaken by Bickerdike Allen Partners dated 10/11/2009 and received 12/01/2010, 'Code for Sustainable Homes (May 2009) Design Stage Pre Assessment' undertaken by Southfacing Services Ltd dated 11/12/2009 and received 12/01/2010, 'Energy Assessment' undertaken by Element Energy dated 07/01/2010 and received 12/01/2010, 'Sustainability statement' undertaken by Planning Potential dated December 2009 and received 12/01/2010, 'Sunlight, daylight and overshadowing' undertaken by BLDA Consultancy dated 21/12/2009 and received 12/01/2010 and 'Addendum note in respect of consultants reports' received 29/03/2010

U45929 Relevant policies/propsoals

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:- London Plan policies: 3A.1, 3A.3, 4A.7, 4B.1, 4B.5, Unitary Development Plan policies: ENV 7, 9, BLT 4, 11, 12, 13, 14, 15, 16 and 30, TRN 2 and 4, CCE15, HSG 5, 11, 18 and Core Strategy policies CP 1, 2, 5, 7, 14 and 16.

U45930 Summary reasons for granting pp

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.

- Whilst the loss of the public house/recreation use is regrettable, the applicant has provided sufficient evidence to demonstrate the use is no longer viable in accordance with the requirements of UDP policy CCE15. The proposed use would instead provide valuable residential units of an appropriate standard in accordance with UDP policy HSG 11 and Core Strategy policy CP14.

- Whilst the loss of the BTM is regrettable, it is considered that the scheme would retain and successfully incorporate the architecturally significant detailing of the BTM into the proposed design. The proposed extensions, by reason of their acceptable scale, height, massing, design and materials would respond appropriately to both the BTM itself and neighbouring buildings ensuring compatibility with the area in general. As such it is considered that the scheme would be compatible with the character and appearance of the surrounding area and would be of a high architectural and urban design quality as required by London Plan policies, UDP policies BLT 4, 11, 13 and Core Strategy policy CP7.

- The scheme has been assessed against policies BLT 15, 16, and 30 and by reason of its appropriate and compatible scale and massing, distance to properties and gardens and orientation, and

SCHEDULE OF REASONS FOR APPLICATION

subject to safeguarding conditions, it has been found to be acceptable with respect to light, privacy, visual impact, noise and light pollution.

- The scheme provides rooms of satisfactory sizes with adequate access to natural light and ventilation. Subject to conditions in relation to noise, the scheme would ensure an acceptable level of residential amenity for future residents as required by CP7 and CP14.
- The scheme would not create unacceptable congestion or pose a hazard to the road network, and would therefore be in accordance with the aims and objectives of Core Strategy policy CP5 and UDP policies TRN 2 and 4.
- The scheme would achieve Sustainable Homes Code Level 3, includes provision for onsite technologies to reduce the energy needs of the development by 20% and has adequately responded to all other aspects of the Sustainable Construction Checklist. Subject to conditions the scheme is considered to comply with the aims and objectives of Core Strategy Policy CP1.

IL13 Section 106 agreement

This planning permission has a Section 106 Agreement which must be read in conjunction with it.

U45933 Construction / Demolition Noise

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 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 of London Borough of Richmond upon Thames, Commercial Environmental Health, 7B Parkshot, Richmond, Surrey TW92RT. Tel 02088917994

U45934 Surface water drainage

The applicants are advised with regard to surface water drainage it is the responsibility of a 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.

U45935 Minimum water pressure

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

U45936 Highways condition survey

A highway condition survey is required before works are carried out on the site. The applicants are advised to contact the Highways Inspector for their area within the Highway Management Group with regard to this survey, which will include but may not be limited to photographs of the public highway surrounding the site.

U45937 Construction traffic

Details, routes and access of all construction traffic to the site are to be agreed with the Transport Planning Group prior to the commencement of development. The applicants are advised to contact Nunzia D'Apolito in Transport Planning for further information.

U46059 TFL informative

The applicants are advised of the TfL letter dated 04/02/2010 which states "The footway and carriageway on Lower Richmond Road must not be block during the construction and maintenance of the development. Temporary obstruction during the construction must be kept to a minimum and should not encroach on the clear spaces needed to provide safe passage for pedestrians or obstruct the flow of traffic"... "All vehicles associated with the proposed development must only park, stop or load and unload at permitted locations and within the periods permitted by existing on-street restrictions. No skips, spoil or construction materials shall be kept on or loaded/unloaded from the footway or carriageway of Lower Richmond Road at all times".

END OF SCHEDULE OF CONDITIONS AND INFORMATIVES FOR APPLICATION 10/0076/FUL

SCHEDULE OF REASONS FOR APPLICATION