

Application reference: 24/0115/ADV SOUTH RICHMOND WARD

Date application received	Date made valid	Target report date	8 Week date
17.01.2024	17.01.2024	13.03.2024	13.03.2024

Site:

26 Hill Street, Richmond, TW9 1TW,

Proposal:

1 x internally illuminated set of individual letters on fascia, 1 x externally illuminated projecting sign, 1 x non illuminated sign printed on awning fabric and 1 x manifestation on door glazing

Status: Pending Consideration (If status = HOLD please check that all is OK before you proceed any further with this application)

APPLICANT NAME

Mr Steve Seager
26 Earlam st
London
WC2H 9LN

AGENT NAME

Stuart Kern
Quadrant Design
23
Reading
RG1 3AR
United Kingdom

DC Site Notice: printed on 19.01.2024 and posted on 26.01.2024 and due to expire on 16.02.2024

Consultations:**Internal/External:**

Consultee
14D Urban D

Expiry Date
02.02.2024

Neighbours:

17 Hill Street, Richmond, TW9 1SX, - 19.01.2024
15 Hill Street, Richmond, TW9 1SX, - 19.01.2024
5 Castle Yard, Richmond, TW10 6TF, - 19.01.2024
28 Hill Street, Richmond, TW9 1TW, - 19.01.2024
24 Hill Street, Richmond, TW9 1TW, - 19.01.2024
24A Hill Street, Richmond, TW9 1TW, - 19.01.2024
28A Hill Street, Richmond, TW9 1TW, - 19.01.2024

History: Development Management, Appeals, Building Control, Enforcements:Development Management

Status: GTD Application:02/1123
Date:13/06/2002 Externally Illuminated Fascia And Hanging Signs.

Development Management

Status: GTD Application:02/1096
Date:25/06/2002 Installtion Of New Stainless Steel Duct Fitted To Rear Elevation.

Development Management

Status: GTD Application:02/1096/DD01
Date:30/08/2002 Details Pursuant To Rs092 (colour Of External Ducting)

Development Management

Status: GTD Application:89/1216/FUL
Date:24/07/1989 Addition Of Rooflight To Existing Single Storey Rear Extension.

Development Management

Status: GTD Application:89/2364/ADV

Date:12/01/1990	Illuminated Fascia Sign And Canopy
<u>Development Management</u> Status: GTD Date:10/11/1989	Application:89/1952/FUL Alterations To Hill Street, New Shopfront And Addition Of Extract Duct To Rear.
<u>Development Management</u> Status: GTD Date:10/11/1994	Application:94/1899/FUL Installation Of New Shopfront.
<u>Development Management</u> Status: GTD Date:18/11/1994	Application:94/2609/ADV Externally Illuminated Fascia Sign
<u>Development Management</u> Status: GTD Date:17/07/1995	Application:95/1495/FUL Retention Of New Shopfront, Raised Area In Front Of Opening Doors And Iron Railings.
<u>Development Management</u> Status: GTD Date:13/07/1995	Application:95/1479/ADV Erection Of One Externally Illuminated Fascia Sign And One Projecting Swing Sign
<u>Development Management</u> Status: WNA Date:22/06/1995	Application:95/1708/CAC Demolition Of Existing Shopfront And Erection Of New Shopfront
<u>Development Management</u> Status: GTD Date:09/08/1977	Application:77/0444 Erection of fire escape on the rear elevation to replace existing.
<u>Development Management</u> Status: REF Date:25/11/1986	Application:86/1265 Use of the whole of the premises as a restaurant, alterations to the front to provide an open eating area and new shopfront, and alterations to the rear including a small extension, fire escape, staircase and screen fencing to the roof at first floor level.
<u>Development Management</u> Status: GTD Date:02/04/1987	Application:87/0099 Use of the whole premises as a restaurant. Alterations to the shopfront and alterations to the rear including a small extension, fire escape staircase and screen fencing to the roof at first floor level. (Amended plan 34.099.TP.02B received on 27.2.87).
<u>Development Management</u> Status: REF Date:08/10/1987	Application:87/1307 Erection of 2 storey rear extension to provide larger restaurant.
<u>Development Management</u> Status: GTD Date:19/04/1988	Application:88/0063 Erection of single storey extension at rear to provide enlarged restaurant area and staircase to second floor.
<u>Development Management</u> Status: REF Date:06/08/1969	Application:69/0904/ADV For Advertisements.
<u>Development Management</u> Status: GTD Date:23/06/2008	Application:08/1393/ADV Externally illuminated fascia and projecting sign.
<u>Development Management</u> Status: SPL Date:10/05/2010	Application:10/0629/ADV External replacement signage.
<u>Development Management</u> Status: GTD Date:24/06/2016	Application:16/1776/ADV 1. New externally illuminated Projecting sign; 2. New externally illuminated fascia sign; 3. New fabric to existing awning
<u>Development Management</u> Status: WDN Date:07/07/2016	Application:16/1778/ADV New Projecting sign, fascia sign and fabric to existing awning
<u>Development Management</u> Status: GTD Date:03/12/2020	Application:20/2898/ADV 1 set of externally illuminated fascia text. 1 externally illuminated projection

sign (retrospective)

Development Management

Status: PCO

Date:

Application:24/0115/ADV

1 x internally illuminated set of individual letters on fascia, 1 x externally illuminated projecting sign, 1 x non illuminated sign printed on awning fabric and 1 x manifestation on door glazing

Appeal

Validation Date:

Reference: 87/1307

Erection of 2 storey rear extension to provide larger restaurant.

Building Control

Deposit Date: 09.05.2002

Reference: 02/0877/FP

Refurbishment to ground & first floor existing restaurant

Building Control

Deposit Date: 24.06.2002

Reference: 02/0877/1/FP

Refurbishment to ground & first floor existing restaurant

Building Control

Deposit Date: 26.10.1994

Reference: 94/1535/FP

Refurbishment of restaurant

Building Control

Deposit Date: 27.06.1995

Reference: 95/0577/1/FP

Refurbishment including new shop front & bar to restaurant premises

Building Control

Deposit Date: 18.10.2010

Reference: 11/FEN02253/GASAFE

Installed a Gas Boiler

Building Control

Deposit Date: 19.04.2016

Reference: 16/0839/IN

Alterations and refurbishment of existing commercial unit to form a Byron Restaurant

Building Control

Deposit Date: 08.01.2024

Reference: 24/0021/IN

Refurbishment of a restaurant over basement to second floors at Rosa's Thai

Enforcement

Opened Date: 04.03.2008

Reference: 08/0115/EN/ADV

Enforcement Enquiry

Application Number	24/0115/ADV
Address	26 Hill Street, Richmond, TW9 1TW
Proposal	1 x internally illuminated set of individual letters on fascia, 1 x externally illuminated projecting sign, 1 x non illuminated sign printed on awning fabric and 1 x manifestation on door glazing
Contact Officer	Grace Edwards
Target Determination Date	13/03/2024

1. INTRODUCTION

This application is of a nature where the Council's Constitution delegates the authority to make the decision to Officers rather than it being determined by the Planning Committee.

Before preparing this summary report the planning officer has considered any relevant previous planning applications in relation to the development and considered any comments made by those interested in the application such as consultees with specialist knowledge and nearby residents.

By indicating that the development proposal complies with relevant Local Plan Policies, the planning officer is taking into account the information submitted with the application, any previous relevant applications, any comments received in connection with the application and any other case specific considerations which are material to the decision.

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

The application site comprises the ground floor of a three storey, mid terrace building located on the eastern side of Hill Street. The building has been identified as a Building of Townscape Merit and is designated within the Central Richmond Conservation Area (CA17). The site is also subject to the following designations:

- Archaeological Priority Area
- Area susceptible to groundwater flooding
- Article 4 Direction A1 to A2
- Article 4 Direction B1 to C3
- Article 4 Direction Class E to C3
- Key office area
- Key shop frontage
- Richmond Main Centre Boundary
- Richmond Main Centre Buffer Zone
- Take Away Management Zone
- Richmond and Richmond Hill Village
- Central Richmond Character Area

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Permission is sought for 1 x internally illuminated set of individual letters on fascia, 1 x externally illuminated projecting sign, 1 x non illuminated sign printed on awning fabric and 1 x manifestation on door glazing.

The comprehensive list of planning history can be found above however the most relevant planning history is as follows:

20/2898/ADV - 1 set of externally illuminated fascia text. 1 externally illuminated projection sign (retrospective) **(GRANTED)**

4. CONSULTATIONS CARRIED OUT

The list of neighbours notified of this application are listed above.

No letters of representation were received.

5. MAIN POLICIES RELEVANT TO THE DECISION

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

require that local authorities to exercise their powers under the Regulations and determine advertisement consent applications in the interests of amenity and public safety, taking into account any material provisions of the development plan and any other relevant factors. Amenity and Public Safety are defined as follows:

- i. Amenity - The effect of advertisement(s) on the appearance of buildings or the immediate vicinity of where they are displayed; and
- ii. Public safety – matters having a bearing on the safe use and operation of any form of traffic or transport, including the safety of pedestrians, or distraction of drivers or confusion with traffic signs.

NPPF (2023)

Central Government guidance is contained in the National Planning Policy Framework (NPPF). The NPPF reinforces the Development Plan led system and does not change the statutory status of the development plan as the starting point for decision-making of significance, it sets out that in assessing and determining development proposals, Local Planning Authorities should apply the presumption in favour of sustainable development.

The key chapters applying to the site are:

4. Decision-making
7. Ensuring the vitality of town centres
12. Achieving well-designed places
16. Conserving and enhancing the historic environment

These policies can be found at:

<https://www.gov.uk/guidance/national-planning-policy-framework>

London Plan (2021)

The main policies applying to the site are:

- D4 Delivering good design
- D12 Fire Safety
- HC1 Heritage conservation and growth

These policies can be found at: <https://www.london.gov.uk/what-we-do/planning/london-plan>

Richmond Local Plan (2018)

Issue	Local Plan Policy	Compliance	
Local Character and Design Quality	LP1	Yes	Ne
Impact on Designated Heritage Assets	LP3	Yes	Ne
Impact on Non-Designated Heritage Assets	LP4	Yes	Ne
Impact on Amenity and Living Conditions	LP8	Yes	Ne
Pedestrian/Highway Safety	LP44	Yes	Ne

These policies can be found at:

https://www.richmond.gov.uk/media/15935/adopted_local_plan_interim.pdf

Richmond Publication Local Plan (Regulation 19 version)

The Richmond Publication Version Local Plan (Regulation 19 version) and its supporting documents, including all representations received, was considered at Full Council on 27 April. Approval was given to consult at Regulation 19 and, further, to submit the Local Plan to the Secretary of State for Examination in due course.

The Publication Version Local Plan is a material planning consideration for the purposes of decision-making on planning applications.

Other relevant planning policy guidance includes:

Shopfront SPD

https://www.richmond.gov.uk/services/planning/planning_policy/local_plan/supplementary_planning_documents_and_guidance

Determining applications in a Conservation Area

In considering whether to grant planning permission with respect to any buildings or other land in a conservation area, Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. In this context, "preserving", means doing no harm.

To give effect to that duty, decisions of the court have confirmed that for development proposed to be carried out in a conservation area, a decision-maker should accord "considerable importance and weight" to the desirability of preserving or enhancing the character or appearance of the conservation area, when weighing this factor in the balance with other material considerations which have not been given this special statutory status. This creates a strong presumption against granting planning permission where harm to the character or appearance of a conservation area is identified. The presumption can be rebutted by material considerations powerful enough to do so.

In applications where the decision-maker is satisfied that there will be no harm to the character or appearance of a conservation area, the statutory presumption against granting planning permission described above falls away. In such cases the development should be permitted or refused in accordance with the policies of the development plan and other material considerations.

Other relevant guidance includes the Central Richmond Conservation Area Study and Central Richmond Conservation Area Statement.

6. EXPLANATION OF RECOMMENDATION

The key issues for consideration are:

- i Design and Impact on heritage assets
- ii Neighbour amenity
- iii Public Safety

Issue i- Design and impact on heritage assets

Local Plan Policy LP1 states: 'The Council will require all development to be of high architectural and urban design quality. The high-quality character and heritage of the borough and its villages will need to be maintained and enhanced where opportunities arise. Development proposals will have to demonstrate a thorough understanding of the site and how it relates to its existing context, including character and appearance, and take opportunities to improve the quality and character of buildings, spaces and the local area'.

The Council will exercise strict control over the design and siting of advertisements to ensure the character of individual buildings and streets are not materially harmed, having regard to the interests of amenity and public safety, including highway safety.

Policy LP3 of the Local Plan seeks to preserve, and where possible enhance, the significance, character and setting of designated heritage assets, including Conservation Areas.

Paragraph 199 of the NPPF states 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'.

Paragraph 202 of the NPPF states 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal'.

Paragraph 203 of the NPPF states 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

The application site contains a three-storey terrace building and is located within the Richmond Town Centre, giving it a prominent location in the surrounding area.

The proposal comprises 1 x internally illuminated set of individual letters on fascia, 1 x externally illuminated

projecting sign, 1 x non illuminated sign printed on awning fabric and 1 x manifestation on the entrance door glazing.

The Councils Shopfronts SPD states:

'Externally illuminated fascia signs are generally preferred throughout the Borough. Normally, only the fascia should be spot lit by down-lighters ... Individual and fret-cut lettering applied to solid backgrounds, with halo lighting or lighting of individual letters from behind or internally, may be acceptable in individual circumstances.'

In regard to hanging signs, it states:

'Signs should generally be painted or sign-written and, if needed, illuminated externally with spot or strip lighting. Internally illuminated box signs are not usually considered appropriate.'

The proposed fascia sign comprises a set of internally illuminated letters which is considered acceptable in this context. The proposed letters would be appropriately sized and located.

The proposed projecting sign is sited in the same location as the existing sign and is externally lit using the existing lighting.

The proposed awning lettering will be applied to the existing awning. The awning will be blue with discreet white writing. There is no objection to this proposal as the lettering is modest and in scale with the host property.

The proposed door signage will be applied internally and advertisement consent is therefore not required.

The site is located within a conservation area and is designated as a BTM. In assessment of the impact to these heritage designations, the local character and extent of the signage has been considered. The locality is characterised by retail units at ground floor, most of which benefit from similarly proportioned fascia and projecting signs.

The signage is considered to be in proportion to the host building and other signs in the locality. Given such, it is considered that subject to a condition limiting the amount of illumination, that the proposal would be acceptable and would not be harmful to the Conservation Area nor the Host BTM which would warrant a refusal. The scheme is considered to satisfy Local Plan Policy LP1, LP3 and LP4 as well as the Shopfronts SPD.

Issue ii- Neighbour amenity

Policy LP8 requires all development to protect the amenity and living conditions for occupants of new, existing, adjoining and neighbouring properties. This includes ensuring adequate light is achieved, preserving privacy and ensuring proposals are not visually intrusive.

It is acknowledged that there are some residential properties within the vicinity of the site, however given that they are already surrounded by other commercial units with similar advertisements, the proposal is not considered to introduce any features which would appear obtrusive to neighbouring properties. Some of the proposed signage would be illuminated, as such, it is considered reasonable and necessary to condition any consent to control illumination to a level which is not considered to be unreasonably harmful to neighbouring properties.

Given the above it is not considered that residential amenity would be compromised as a result of this scheme, therefore satisfying Local Plan Policy LP8.

Issue iii- Public Safety

Policy LP44 states: 'the Council will ensure that new development does not have a severe impact on the operation, safety or accessibility to the local or strategic highway networks.'

Given the location of the advertisement above head height, the modest scale and design of the proposed signs, as well as the incorporation of limited illumination levels and static nature, it is not expected that the signage will result in increased risk of public safety, particularly in regard to the nearby highway.

In consideration of the above, the proposed development accords with the aims and objectives of Local Plan Policy LP44.

7. LOCAL FINANCE CONSIDERATIONS AND OTHER MATTERS

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. The weight to be attached to a local finance consideration remains a matter for the decision maker. The Mayor of London's CIL and Richmond CIL are therefore material considerations.

On initial assessment this development is not considered liable for the Mayoral or Richmond CIL however this is subject to confirmation by the CIL Administration Team.

8. RECOMMENDATION

This recommendation is made following careful consideration of all the issues raised through the application process. In making this recommendation consideration has been had to the statutory duties imposed by the Planning (Listed Buildings and Conservation Areas) Act 1990 and the requirements set out in Chapter 16 of the NPPF.

Paragraph 11 of the Framework explains how the presumption in favour of sustainable development applies. For the reasons set out above, this application falls to be determined in accordance with the test under section 38(6) of the 2004 Act, the proposal is in general conformity with the Development Plan overall and there are no material considerations of sufficient weight to justify refusal.

Grant planning permission with conditions

Recommendation:

The determination of this application falls within the scope of Officer delegated powers - YES /NO

I therefore recommend the following:

- 1. REFUSAL
- 2. PERMISSION
- 3. FORWARD TO COMMITTEE

This application is CIL liable YES* NO
(*If yes, complete CIL tab in Uniform)

This application requires a Legal Agreement YES* NO
(*If yes, complete Development Condition Monitoring in Uniform)

This application has representations online (which are not on the file) YES NO

This application has representations on file YES NO

Case Officer (Initials):GE.....

Dated:08/03/2024.....

I agree the recommendation:

SG
Senior Planner

Dated:172/03/2024.....