

## Application reference: 23/2581/NMA HAM, PETERSHAM, RICHMOND RIVERSIDE WARD

Date application received	Date made valid	Target report date	8 Week date
16.07.2024	16.07.2024	13.08.2024	13.08.2024

**Site:**

Teddington Footbridge, Ferry Road, Teddington,

**Proposal:**

Replace the bearings at the Ham end of the Lockcut Footbridge

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

**APPLICANT NAME**

Mr Sam Emmett, LBRuT  
Civic Centre  
44 York Street  
Twickenham  
TW1 3BZ

**AGENT NAME**

**DC Site Notice:** printed on and posted on and due to expire on

**Consultations:**

**Internal/External:**

**Consultee**

21D Urban D

**Expiry Date**

09.08.2024

**Neighbours:**

-

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

Development Management

Status: GTD

Date:22/10/2012

Application:12/2594/LBC

To remove the existing high level street lighting columns and existing handrails and replace with low level illuminated hand rail

Development Management

Status: GTD

Date:16/11/2023

Application:23/2581/FUL

Installation of anti-jump measures including anti-bird and anti-cat spikes to the Lock Cut Iron Truss Footbridge and a replacement ramp at the southern approach to the Suspension Footbridge comprising the demolition of the existing access ramp, replacement access ramp, existing cast iron parapets and stainless-steel handrails with LED lighting to be retained and reused. Temporary works proposed include temporary river dams, temporary access ramp and other associated works. (Associated listed building consent application reference: 23/2582/LBC).

Development Management

Status: GTD

Date:16/11/2023

Application:23/2582/LBC

Installation of anti-jump measures and anti-bird and cat spikes to the Lock Cut Iron Truss Footbridge and a replacement ramp at the southern approach to the Suspension Footbridge comprising the demolition of the existing access ramp, replacement access ramp, existing cast iron parapets and stainless-steel handrails with LED lighting to be retained and reused. Temporary works proposed include temporary river dams, temporary access ramp and other associated works. (Associated planning application reference: 23/2581/FUL).

<u>Development Management</u> Status: GTD Date:17/01/2024	Application:23/2581/DD01 Details pursuant to condition U0169381 - Construction Ecological Management Plan, of planning permission 23/2581/FUL.
<u>Development Management</u> Status: GTD Date:17/07/2024	Application:24/1417/VRC Variation of Conditions 'U0169376 Approved Documents' and 'U0169378 Spikes' of 23/2582/LBC for alterations to the Method Statement TA Rev C 21 September 23
<u>Development Management</u> Status: PDE Date:	Application:24/1418/VRC Variation of Condition U0169382 'Approved Documents' attached to planning permission 23/2581/FUL ((Installation of anti-jump measures including anti-bird and anti-cat spikes to the Lock Cut Iron Truss Footbridge and a replacement ramp at the southern approach to the Suspension Footbridge comprising the demolition of the existing access ramp, replacement access ramp, existing cast iron parapets and stainless-steel handrails with LED lighting to be retained and reused. Temporary works proposed include temporary river dams, temporary access ramp and other associated works. (Associated listed building consent application reference: 23/2582/LBC)). Variation proposes to use self-tapping screws in place of adhesive to ensure the anti-jump spikes remain in position.
<u>Development Management</u> Status: PCO Date:	Application:23/2581/NMA Investigations carried out during the original refurbishment works have highlighted the need to replace the original bearings at the Ham end of the Lockcut Footbridge. These works are considered an addition to the original proposed works and as such supplementary plans are to be submitted for the bearing replacement and associated works of of planning permission 23/2581/FUL. Listed Building Consent will also be sought. The works are required to protect the future use of the listed structure
<u>Development Management</u> Status: PCO Date:	Application:24/1808/LBC Replacement of the existing rocker/roller bearings on the Lockcut Iron Truss Footbridge including any associated works.
<u>Enforcement</u> Opened Date: 01.05.2015 Reference: 15/0253/EN/ADV	Enforcement Enquiry

## 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.

## 2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

Teddington Footbridge crosses the River Thames between Ferry Lane in Teddington and the Ham Lands. The crossing consists of different sections, including an iron girder bridge across the lock to the north, a pathway on the island, the iron suspension bridge across the main river and a ramp carrying the footpath from that bridge to the bank.

The application site is situated principally in Teddington and is designated as:

- Archaeological Priority (Site: Richmond APA 2.12: Ham Fields - Archaeological Priority Area - Tier II)
- Archaeological Priority (Site: Richmond APA 2.19: Teddington - Archaeological Priority Area - Tier II)
- Area Susceptible To Groundwater Flood - Environment Agency (Superficial Deposits Flooding - >= 50%)
- Article 4 Direction Basements (Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018)
- Bank Top Planning App Tool - Environment Agency ( )
- Bank Top Planning App Tool - Environment Agency ( )
- Community Infrastructure Levy Band (Low)
- Conservation Area (CA27 Teddington Lock)
- Flood Defence - Environment Agency - Buffered By LBR 20metre ( )
- Floodzone 2 (Fluvial / Tidal Models)

- Floodzone 2 (Fluvial / Tidal Models and Fluvial Events)
- Floodzone 2 (Fluvial Models and Fluvial Events)
- Floodzone 3 (Fluvial / Tidal Models)
- Floodzone 3 (Fluvial Models)
- Floodzone 3 (Tidal Models)
- Increased Potential Elevated Groundwater (GLA Drain London)
- Landmark (Ref 22 TEDD SUSPENSION BRIDGE)
- Listed Building (Grade: II Site: Teddington Footbridge Ferry Road Teddington Middlesex )
- Main Centre Buffer Zone (Teddington Town Centre Boundary Buffer Zone - A residential development or a mixed use scheme within this 400 metre buffer area identified within the Plan does not have to apply the Sequential Test (for Flood Risk) as set out in Local Plan policy LP21.)
- Metropolitan Open Land (Site: Thames Hampton Wick - MOL - LP 13)
- Metropolitan Open Land (Site: Thames Tedd - MOL - LP 13)
- Neighbourhood Plan Area (Ham and Petersham Neighbourhood Area - Ham and Petersham Neighbourhood Plan - Adopted by Council on 22 January 2019)
- Other Site Of Nature Importance (Site: THAMES HAMPTON WICK - OSNI - LP 15)
- Other Site Of Nature Importance (Site: THAMES TEDD - OSNI - LP 15)
- Public Open Space (Site: HAM LANDS)
- Public Open Space (Site: Ham Towpath Ham)
- SFRA Zone 3a High Probability (Flood Zone 3)
- SFRA Zone 3b Functional Floodplain (Floodzone 3B Fluvial & Tidal - SFRA 2020)
- Surface Water Flooding (Area Susceptible to) - Environment Agency ( )
- Thames Policy Area (Thames Policy Area)
- Village (Ham and Petersham Village)
- Village (Teddington Village)
- Village Character Area (Teddington Lock - Area 4 & Conservation Area 27 Hampton Wick & Teddington Village Planning Guidance Page 25 CHARAREA11/04/01)
- Ward (Ham, Petersham and Richmond Riverside Ward)
- Ward (Teddington Ward)

### **3. DESCRIPTION OF THE PROPOSED AMENDMENTS AND ANY RELEVANT PLANNING HISTORY**

Under 23/2581/FUL works to repair and replace sections of the Teddington footbridges across the Thames were approved, as well as minor alterations such as the installation of anti-jump spikes.

Upon commencing repair works, it has become apparent that the bearings on the Lockcut footbridge between the Ham bank and the island are not longer functional, having become fused and rusted.

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

#### Development Management

Status: GTD

Date:16/11/2023

Application:23/2581/FUL

Installation of anti-jump measures including anti-bird and anti-cat spikes to the Lock Cut Iron Truss Footbridge and a replacement ramp at the southern approach to the Suspension Footbridge comprising the demolition of the existing access ramp, replacement access ramp, existing cast iron parapets and stainless-steel handrails with LED lighting to be retained and reused. Temporary works proposed include temporary river dams, temporary access ramp and other associated works. (Associated listed building consent application reference: 23/2582/LBC).

### **4. CONSULTATIONS CARRIED OUT**

An application to make a non-material change under s.96A is not an application for planning permission, so the existing Town and Country Planning (Development Management Procedure) Order 2015 provisions relating to statutory consultation and publicity do not apply. Local planning authorities have discretion in determining whether and how they choose to inform other interested parties or seek their views.

### **5. TOWN AND COUNTRY PLANNING ACT 1990**

The application seeks approval under s.96A(4) of the Act for non-material changes to planning permission. Section 96A(1) states: "A local planning authority may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material."

Section 96A(2) states: "In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted."

S96A was introduced by the Parliament to allow for a degree of flexibility to be introduced into the planning system. Whilst there is no statutory guidance as to what constitutes a non-material amendment, materiality is a matter of judgement, and that materiality is to be judged by reference to the overall context including the nature and scale of the permission being altered. Judgement on 'materiality' in any particular case is one of fact and degree, along with taking into account the likely impact of the amendment on the local environment. Materiality is considered against the development as a whole, not just part of it. The basis for forming a judgement on materiality is always the original permission however the cumulative effects of any previous amendments would also need to be assessed.

Although what defines a non-material amendment is to the discretion of the local authority concerned and lacking in legal definition, the following key tests could be applied in assessing the acceptability of a change to an approved scheme under the non-material amendment procedure:

- Is the proposed change material/significant in terms of its scale (magnitude, degree etc) in relation to the original approval?
- Would the proposed change result in a development that will appear noticeably different to what interested parties may have envisaged or could result in an impact on the amenity of occupiers of adjoining properties?
- Would the interests of any third party or body who participated in or where informed of the original decision be disadvantaged in any way?
- Would the amendments be contrary to any planning policy of the Council?

If none of these tests are positive, then it is considered that the change could be dealt with as a non-material amendment.

## 6. EXPLANATION OF OFFICER RECOMMENDATION

The original proposal includes permission to replace dilapidated sections of the ramp on the Teddington side of the river. The proposed amendment would also involve the replacement of part of a bridge at a much smaller scale and associated temporary works.

The proposed bearings would be elastomeric ones which are industry standard and would allow for greater movement in the structure of the bridge compared to the existing ones. The new bearings would have metalwork on the sides to replicate the form of the original bearings and, therefore, would retain the same appearance. It is not thought that the replacement would involve any greater disruption in the passage of pedestrians or rivercraft than the existing approved works and that the existing construction management plans are sufficient to mitigate any disruption. No other third parties are thought to be affected.

The bridge is in a conservation area and a listed structure. Listed building consent is being applied for separately. The Conservation Officer consulted on the application makes the following comments:

*In terms of significance, the current bearing is, in terms of materiality, relatively modern, believed to be replaced in the 1970s and therefore not original. However, it matches the original rocker/roller bearing to the roof. Accordingly, following consultation with Historic England engineers, the significance has been identified as follows:*

- *The bearing itself is not of historic interest in terms of rarity or engineering innovation, particularly as it is not in its original form with some parts replaced (as to be expected with its age and the amount of wear and tear it has endured). Furthermore, there is an example of this bearing on Hammersmith Bridge so was likely a common bridge bearing by this time.*
- *However, it is considered to contribute to the architectural interest of the listed bridge as it is highly visible and forms part of its original 19th century character.*
- *In terms of the conservation area, the contribution is largely architectural although it is a less visible feature being under the bridge.*

*The proposals have been subject to detailed discussions with the applicant team regarding the various options available to the replacement bearing. As shown in the optioneering report, various options have been considered and robustly discounted. The principal contribution that the bearing makes to the significance of the listed bridge and indeed that of the conservation area is its visual appearance rather than the fabric itself. Given the issues raised with the other options, most notably the option of replacing like for like in terms of a rocker/roller bearing, the current proposals appear to offer the most appropriate approach which seeks to maintain the key element of the significance of the bearing through the insertion of a plate in front of the new modern bearing to allow the appearance to remain largely the same from public views of the bridge.*

*In terms of the temporary works to the staircase, these were discussed at length on site prior to the submission of the application to find the best solution to avoid cutting the balusters. The method proposed of carefully removing the top three treads of the staircase and cutting at the handrail rather than the balusters themselves appears an appropriate approach which minimizes impact on the fabric. It is clear that, whatever option was going to be chosen for the bearing replacement, the top three treads would need to be removed to allow access and therefore, whilst this will result in temporary harm to the listed building, this is necessary to ensure works are carried out to secure the structural stability of the bridge in the long term. In addition, once the works are completed, the staircase will appear largely as existing in terms of appearance, therefore this harm would only be temporary for the duration of the works.*

*Overall, the proposals have been robustly justified and are consistent, overall and on balance of all considerations, to conserve the significance and structural integrity of the listed building and the character and appearance of the conservation area. Therefore, it accords with the statutory duties, paras 205 and 206 of the NPPF and LP3 of the Local Plan.*

Consequently, the proposals are not thought to contravene any planning policy of the Council.

## **7. RECOMMENDATION**

This recommendation is made following careful consideration of all the issues raised through the process and it is considered the current application satisfies Section 96A of the Town and Country Planning Act (1990) as amended.

**Grant permission**

**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): JPH

Dated: 07/08/2024

**I agree the recommendation:**

Team Leader/Head of Development Management/Principal Planner - EL

Dated: 09/08/2024.....

This application has been subject to representations that are contrary to the officer recommendation. The Head of Development Management has considered those representations and concluded that the application can be determined without reference to the Planning Committee in conjunction with existing delegated authority.

Head of Development Management: .....

Dated: .....

<b>REASONS:</b>
<b>CONDITIONS:</b>
<b>INFORMATIVES:</b>
<b>UDP POLICIES:</b>
<b>OTHER POLICIES:</b>

The following table will populate as a quick check by running the template once items have been entered into Uniform

**SUMMARY OF CONDITIONS AND INFORMATIVES**

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**CONDITIONS**

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**INFORMATIVES**

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