



**PLANNING REPORT**

Printed for officer by  
Jasmine Loftus on 04 August 2024

ENVIRONMENT DIRECTORATE

**Application reference: 24/0453/FUL**  
**TWICKENHAM RIVERSIDE WARD**

Date application received	Date made valid	Target report date	8 Week date
22.02.2024	28.06.2024	23.08.2024	23.08.2024

*Site:*  
14 Poplar Court, Richmond Road, Twickenham, TW1 2DS  
**Proposal:**  
Replace UPVC windows with new aluminum windows.

**APPLICANT NAME**

Mr Charles Dodd  
14 Poplar Court  
Richmond Road  
Twickenham  
TW1 2DS

**DC Site Notice:** printed on 01.07.2024 and posted on 12.07.2024 and due to expire on 02.08.2024

**Consultations:**

**Internal/External:**

**Consultee**

14D Urban Design

**Expiry Date**

15.07.2024

**Neighbours:**

- 24 Poplar Court, Richmond Road, Twickenham, TW1 2DS, - 01.07.2024
- 19 Poplar Court, Richmond Road, Twickenham, TW1 2DS, - 01.07.2024
- 17 Poplar Court, Richmond Road, Twickenham, TW1 2DS, - 01.07.2024
- 15 Poplar Court, Richmond Road, Twickenham, TW1 2DS, - 01.07.2024
- 12 Poplar Court, Richmond Road, Twickenham, TW1 2DS, - 01.07.2024
- 10 Poplar Court, Richmond Road, Twickenham, TW1 2DS, - 01.07.2024
- 8 Poplar Court, Richmond Road, Twickenham, TW1 2DS, - 01.07.2024
- 7 Poplar Court, Richmond Road, Twickenham, TW1 2DS, - 01.07.2024
- 5 Poplar Court, Richmond Road, Twickenham, TW1 2DS, - 01.07.2024
- 3 Poplar Court, Richmond Road, Twickenham, TW1 2DS, - 01.07.2024
- 1 Poplar Court, Richmond Road, Twickenham, TW1 2DS, - 01.07.2024
- 12A Poplar Court, Richmond Road, Twickenham, TW1 2DS, - 01.07.2024
- 25 Poplar Court, Richmond Road, Twickenham, TW1 2DS, - 01.07.2024
- 23 Poplar Court, Richmond Road, Twickenham, TW1 2DS, - 01.07.2024
- 21 Poplar Court, Richmond Road, Twickenham, TW1 2DS, - 01.07.2024
- 20 Poplar Court, Richmond Road, Twickenham, TW1 2DS, - 01.07.2024

18 Poplar Court, Richmond Road, Twickenham, TW1 2DS, - 01.07.2024  
16 Poplar Court, Richmond Road, Twickenham, TW1 2DS, - 01.07.2024  
11 Poplar Court, Richmond Road, Twickenham, TW1 2DS, - 01.07.2024  
22 Poplar Court, Richmond Road, Twickenham, TW1 2DS, - 01.07.2024  
9 Poplar Court, Richmond Road, Twickenham, TW1 2DS, - 01.07.2024  
6 Poplar Court, Richmond Road, Twickenham, TW1 2DS, - 01.07.2024  
4 Poplar Court, Richmond Road, Twickenham, TW1 2DS, - 01.07.2024  
2 Poplar Court, Richmond Road, Twickenham, TW1 2DT, - 01.07.2024

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

**Development Management**

Status: PDE

Application: 24/0453/FUL

Date:

Replace UPVC windows with new aluminum windows.

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**Building Control**

Deposit Date: 13.10.2003 FENSA Notification of Replacement Glazing comprising 2 Windows and 1 Doors. Installed by Alwyn Homes Ltd. FENSA Member No 16085. Installation ID 1119578.

Invoice No A1469

Reference: 04/5244/FENSA

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**Building Control**

Deposit Date: 05.05.1998

Internal alterations

Reference: 98/0758/BN

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**Development Management**

**Building Control**

Deposit Date: 23.11.2019

Install a replacement consumer unit

Reference: 19/ELE00205/ELECSA

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**Building Control**

Deposit Date: 16.04.2007

Demolishing of existing brick built garden shed and construction of new single storey side extension

Reference: 07/0827/IN

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**Building Control**

Deposit Date: 29.09.2008

Installed a Gas Boiler

Reference: 08/COR02277/CORGI

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**Building Control**

Deposit Date: 02.03.2021

Install a replacement consumer unit

Reference: 21/NIC00742/NICEIC

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**Building Control**

Deposit Date: 10.11.2021

Install a gas-fired boiler

Reference: 21/FEN03816/GASAFE

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**Building Control**

Deposit Date: 25.06.2022

Install replacement windows in a dwelling

Reference: 22/FEN01069/FENSA

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<b>Application Number</b>	<b>24/0453/FUL</b>
<b>Address</b>	14 Poplar Court Richmond Road Twickenham TW1 2DS
<b>Proposal</b>	Replace UPVC windows with new aluminium windows.
<b>Contact Officer</b>	Jasmine Loftus
<b>Target Determination Date</b>	23.08.2024

## 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 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 has considered 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

Poplar Court is a five-storey apartment building located prominently on the junction between Richmond Road and St Margarets Road, and west of Richmond Bridge. At ground floor level are glazed shopfronts and car parking with residences above. The building, which was built in the 1930s, is finished in stock brick with a slate mansard roof. It features projecting bay windows. All of the original metal fenestration has been replaced, with the majority being white UPVC casement units.

The site is located within the Richmond Road East Twickenham Conservation Area. It is not listed or locally listed. The subject property, no. 14 Poplar Court, is a top floor flat.

The application site is situated within St Margarets and East Twickenham Hill Village and is designated as:

- Area of Mixed Use (East Twickenham)
- Area Susceptible to Groundwater Flood
- Richmond Road East Twickenham Conservation Area
- Increased Potential Elevated Groundwater
- Surface Water Flooding
- St Margarets and East Twickenham Village
- Richmond Road Village Character Area
- Twickenham Riverside Ward

## 3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Permission is sought for the installation of 6no. casement windows on the uppermost floor. These would be in white-painted aluminium. These windows would replace the existing UPVC windows which are damaged.

The comprehensive list of planning history can be found above. There is no recent or relevant planning history.

## 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

### NPPF (2023)

The key chapters applying to the site are:

- 4. Decision-making
- 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)**

The main planning considerations applying to the site and the associated Local Plan policies are:

Issue	Local Plan Policy	Compliance
Local Character and Design Quality	LP1	Yes
Impact on Designated Heritage Assets	LP3	Yes
Impact on Amenity and Living Conditions	LP8	Yes
Impact on Flood Risk and Sustainable Drainage	LP21	Yes

These policies can be found at

[https://www.richmond.gov.uk/media/15935/adopted\\_local\\_plan\\_interim.pdf](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) was published on 9 June 2023 for public consultation which ended on 24 July 2023.

The Publication Version Local Plan, together with all the representations received during the representation period, the plan and its supporting documents were submitted to the Secretary of State for examination on 19 January 2024. The submission documents do not form part of the statutory development plan for the Borough, however, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the Publication Plan.

The Publication Version Local Plan, including its evidence base, are material considerations for decision-making. The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 48 of the NPPF. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below where it is relevant to the application.

Note that it was agreed by Full Council on 27 April, when the Publication Plan was approved, that no weight will be given to Policy 4 in relation to the increased carbon offset rate, and therefore the existing rate of £95 will continue to be used; in addition, no weight will be given to Policy 39 in relation to the 20% biodiversity net gain requirement; all other aspects and requirements of these policies will

apply.

Issue	Publication Local Plan Policy	Compliance
Flood risk and sustainable drainage	8	Yes
Local character and design quality	28	Yes
Designated heritage assets	29	Yes
Amenity and living conditions	46	Yes

### Supplementary Planning Documents

Buildings of Townscape Merit

Development Control for Noise Generating and Noise Sensitive Development

House Extension and External Alterations

Transport

Village Plan – St Margarets and East Twickenham

These policies can be found at:

[https://www.richmond.gov.uk/services/planning/planning\\_policy/local\\_plan/supplementary\\_planning\\_documents\\_and\\_guidance](https://www.richmond.gov.uk/services/planning/planning_policy/local_plan/supplementary_planning_documents_and_guidance)

### Other Local Strategies or Publications

Other strategies or publications material to the proposal are:

Richmond Road East Twickenham Conservation Area Statement

### 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.

## 6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- Design and impact on heritage assets
- Impact on neighbour amenity
- Biodiversity
- Flood Risk
- Fire Safety

### Design and impact on heritage assets

*Policy LP1 of the Local Plan 2018 seeks to maintain and, where possible, enhance the high architectural and urban design quality which contributes to the character and heritage of the area.*

*Proposals should demonstrate an understanding of the site and its context when considering the design including layout, siting and access and the compatibility of the works to the neighbouring uses.*

Poplar Court is not recognised as a heritage asset, but its protrusive position on Richmond Road makes it an important part of the street scene. The building has been inappropriately altered: the original metal windows with slim glazing bars have mostly been removed and replaced with white UPVC. These are poor-quality replacements that fail to replicate the traditional appearance and is in direct conflict with the subject property and wider character of the conservation area.

The proposal seeks to install aluminium windows, which would be in white to match the existing fenestration colour. The use of aluminium would be an improvement from plastic, as existing. The openings would not be enlarged, and the glazing bar pattern would remain as existing. Overall, the use of aluminium is supported as it better complements the original architectural style, whilst still maintaining a consistent appearance with the existing windows on Poplar Court.

Paragraph 205 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.

The works are a positive addition to the building and would not present any harm to the wider conservation area. In view of the above, the proposal complies with the aims and objectives of policies LP1 and LP3 of the Local Plan and policies 28 and 29 of the Publication Local Plan as supported by the Richmond Road East Twickenham Conservation Area Statement.

### **Impact on neighbour amenity**

*Policy LP8 states that development must protect the amenity and living conditions of existing, adjoining and neighbouring occupants. Design must allow for good daylight standards, avoid overlooking or noise disturbance, avoid visual intrusion, overbearing impacts or harm to the reasonable enjoyment of the uses of buildings and gardens.*

The replacement of the existing windows presents no additional overlooking as the opening remains the same size. There is no change to the windows' positioning on the building. Windows are appropriately designed and would not be visually intrusive. There would be no impact on neighbour amenity, in accordance with the above policies.

### **Biodiversity**

Biodiversity net gain became mandatory for minor developments on applications made from 2<sup>nd</sup> April 2024. This application is exempt from mandatory biodiversity net gain on the grounds that is a householder application.

### **Flood risk**

*Policy LP21 of the Local Plan states that 'all developments should avoid, or minimise, contributing to all sources of flooding, including fluvial, tidal, surface water, groundwater and flooding from sewers, taking account of climate change and without increasing flood risk elsewhere'. This is supported by Policy 8 of the Draft Local Plan.*

The proposal only seeks the replacement of windows. There is no additional built footprint. These works would have no impact on flooding in the area.

### **Fire Safety**

*Policy D12 of the Local Plan states that all new development must achieve the highest standards for fire safety.*

The applicant has confirmed windows are FENSA certified. Works consist solely of works to windows,

no change to opening or siting. There is not expected to be any additional risk of fire.

The applicant is advised that 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.

**7. 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.

**Grant planning permission**

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.

**Recommendation:**

The determination of this application falls within the scope of Officer delegated powers.

**I therefore recommend the following:**

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

- This application is CIL liable  YES  NO
- This application requires a Legal Agreement  YES  NO
- This application has representations on file  YES  NO

Case Officer (Initials): **JLO** Dated: 14/08/2024

**I agree the recommendation:**

Senior Planner

VAA

Dated: 14.08.2024