



PLANNING REPORT

Printed for officer by

.Jack Davies on 27 August 2024

Application reference: 24/1821/ADV
SOUTH RICHMOND WARD

Date application received	Date made valid	Target report date	8 Week date
17.07.2024	17.07.2024	11.09.2024	11.09.2024

Site:

4 Golden Court, Richmond, TW9 1EU,

Proposal:

Externally illuminated projecting sign

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

APPLICANT NAME

Mr Jamie Blackwell
16-19 Canada Square
London
E14 5ER
United Kingdom

AGENT NAME

Mr Ceri Williams
4 Green Mews,
Bevenden Street
LONDON
N1 6AS
United Kingdom

DC Site Notice: printed on 23.07.2024 and posted on 02.08.2024 and due to expire on 23.08.2024

Consultations:

Internal/External:

Consultee

14D Urban D

Expiry Date

06.08.2024

Neighbours:

14 Old Palace Lane, Richmond, TW9 1PG -
5 Golden Court, Richmond, TW9 1EU, - 23.07.2024
5A - 7A Golden Court, Richmond, TW9 1EU, - 23.07.2024
7 Golden Court, Richmond, TW9 1EU, - 23.07.2024
75 - 81 George Street, Richmond, TW9 1HA, - 23.07.2024
2 Golden Court, Richmond, TW9 1EU, - 23.07.2024

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

Development Management

Status: PCO Application: 24/1821/ADV

Date: Externally illuminated projecting sign

Application Number	24/1821/ADV
Address	4 Golden Court Richmond
Proposal	Externally illuminated projecting sign
Contact Officer	Jack Davies
Target Determination Date	11/09/2024

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 relates to the premise at 4 Golden Court, which is situated along a pedestrian laneway, to the north of George Street, in the commercial area of Richmond. The property is situated within Richmond Central Conservation Area (CA17) and has also been identified as a Key Shop Frontage.

The application site is situated within Richmond and Richmond Hill Village and is designated as:

- Archaeological Priority
- Area Susceptible to Groundwater Flood
- Article 4 Direction A1 to A2
- Article 4 Direction Basements
- Article 4 Direction Class E
- Community Infrastructure Levy Band
- Community Infrastructure Levy Town Centre Zone
- Conservation Area (CA17 Central Richmond)
- Increased Potential Elevated Groundwater
- Key Shop Frontage
- Key Shop Frontage
- Main Centre Boundary
- Main Centre Buffer Zone
- Throughflow Catchment Area

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The application seeks approval for an externally illuminated projecting sign.

Planning history is as follows –

23/3420/ADV - Internally illuminated fascia sign. **Granted**

4. CONSULTATIONS CARRIED OUT

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

1 x letter of objection was received which objected on the grounds that the externally illuminated projecting sign would detract from the character of Golden Court and the surrounding Conservation Area.

This objection is addressed in section 6 of the report below.

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
- 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
- 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	No
Impact on Designated Heritage Assets	LP3	Yes	No
Impact on Amenity and Living Conditions	LP8	Yes	No
Highways/Transport	LP44, LP45	Yes	No

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) 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	Draft Local Plan Policy	Compliance	
		Yes	No
Local Character and Design Quality	LP28	Yes	No
Impact on Designated Heritage Assets	LP29	Yes	No
Impact on Amenity and Living Conditions	LP46	Yes	No
Pedestrian/Highway Safety	LP47	Yes	No

Supplementary Planning Documents

Shopfronts

These policies can be found at:

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 Impact on neighbour amenity
- iii Pedestrian/Highway Safety

Issue i- Design and impact on heritage assets

LP1 of the Local Plan 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.”*

LP3 of the Local Plan states *“that the Council will require development to conserve and, where possible, take opportunities to make a positive contribution to, the historic environment of the borough. Development proposals likely to adversely affect the significance of heritage assets will be assessed against the requirement to seek to avoid harm and the justification for the proposal.”*

The Shopfronts SPD 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. However, as for fascia signs, 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.”*

The proposed sign is modestly proportioned and is in scale with the host building. The sign is to be illuminated externally by warm LEDs which is preferred if illumination is proposed. A condition can be imposed which restricts illumination levels.

As such it is considered the sign would appear sympathetic to the existing commercial streetscape and character of the Central Richmond Conservation Area.

In view of the above, the proposal meets the aims and objectives of policies LP1, LP3 of the Local Plan 2018, the Shopfront SPD and the relevant paragraphs of the NPPF (2023).

Issue ii – Impact on neighbouring 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.

The proposed signage is limited in scale and size and would not be visually intrusive to any neighbouring property, nor result in loss of sunlight to any neighbouring property. The brightness and type of illumination would be restricted by way of condition.

In consideration of the above, the proposal is considered compliant with Policy LP8 of the Local Plan 2018.

Issue iii- Public Safety

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states that “a local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account—

(a) the provisions of the development plan, so far as they are material; and

(b) any other relevant factors.

(2) Without prejudice to the generality of paragraph (1)(b)—

(B) factors relevant to public safety include—

(i) the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

(ii) whether the display of the advertisement in question is likely to obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air;

(iii) whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle”.

The Outdoor advertisements and signs: a guide for advertisers states that “the planning authority will assume that all advertisements are intended to attract people’s attention, so that the advertisement you want to display would not automatically be regarded as a distraction to passers-by in vehicles or on foot. What matters is whether your advertisement, or the spot where you propose to site it, will be so distracting or so confusing that it creates a hazard for, or endangers, people who are taking reasonable care for their own and others’ safety”.

Policy LP 44(D) notes that “*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”.*

The proposed signage would sit above head height. As such, the signage would not create any obstruction to the footpath. As previously stated, the level of illumination would be restricted by way of condition, The condition would restrict the levels of illumination to ensure the sign would not present as highly reflective / distracting from the public realm.

In consideration of the above, the proposal is considered compliant with Policy LP44 of the Local Plan 2018.

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.

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 - 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): DAV

Dated: 27.08.2024

I agree the recommendation:

RDA

Dated: 27/08/2024