

Application reference: 24/1808/LBC HAM, PETERSHAM, RICHMOND RIVERSIDE WARD

Date application received	Date made valid	Target report date	8 Week date
16.07.2024	16.07.2024	10.09.2024	10.09.2024

Site:

Teddington Footbridge, Ferry Road, Teddington,

Proposal:

Replacement of the existing rocker/roller bearings on the Lockcut Iron Truss Footbridge including any associated works.

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
Civic Centre
44 York Street
Twickenham
TW1 3BZ
United Kingdom

AGENT NAME

DC Site Notice: printed on 19.07.2024 and posted on 26.07.2024 and due to expire on 16.08.2024

Consultations:

Internal/External:

Consultee

English Heritage 1st Consultation
21D Urban D

Expiry Date

09.08.2024
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: GTD Date:07/08/2024	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: GTD Date:09/08/2024	Application:23/2581/NMA Replace the bearings at the Ham end of the Lockcut Footbridge
<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.

Before preparing this summary report the planning officer has visited the application site if required to assess the application, 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, observations during any site visit, 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

Teddington Footbridge crosses the River Thames between Ferry Lane in Teddington and the Ham Lands. The crossing consists of different sections, including an iron truss bridge across the lock to the north ('the Lockcut bridge'), 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 PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposal is to replace the bearings on the Lockcut bridge. The bridge has one set of bearings on the Ham/ right bank of the river.

It is noted that other works to the bridges and associated structures are being carried out currently, including replacement of the ramp on the left bank. These were granted permission under 23/2581/FUL and 23/2582/LBC. A non-material amendment to 23/2581/FUL to incorporate the replacement bearing was granted permission under 23/2581/NMA.

The other most relevant planning history is as follows:

12/2594/LBC – replacement of lighting and installation of illuminated handrails

4. AMENDMENTS

No amendments were received.

5. CONSULTATIONS CARRIED OUT

Due to the nature of the application, no neighbours were notified.

Comments were received from Urban Design section of the Council.

Historic England were notified of the application, but no comments were received.

6. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2021)

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://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf

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)

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

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 the Regulation 18 representations received, was considered at Full Council on 27 April. Approval was given to consult on the Regulation 19 Plan and, further, to submit the Local Plan to the Secretary of State for Examination in due course. The Publication Version Local Plan, including its accompanying documents, have been published for consultation on 9 June 2023. Together with the evidence, the Plan is a material consideration for the purposes of decision-making on planning applications. 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 Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Note that it was agreed by Full Council that no weight will be given to Policy 4 in relation to the increased carbon offset rate, and therefore the existing rate of £95/t will continue to be applied; in addition, no weight will be given to Policy 39 in relation to the 20% biodiversity net gain requirement at this stage; all other aspects and requirements of these policies will apply.

Issue	Draft Local Plan Policy
Local character and design quality/ Design process	Policy 28/ Policy 42
Designated Heritage Assets	Policy 29

These policies can be found at :

https://www.richmond.gov.uk/media/fomccpcf/publication_local_plan_low_resolution.pdf

Supplementary Planning Documents

Hampton Wick and Teddington Village Plan

These policies can be found

at: 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:

Listed Buildings

Teddington Lock Conservation Area Statement

Teddington Lock Conservation Area Appraisal

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.

Determining applications affecting a Listed Building

Sections 16(1) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require that, when considering whether to grant listed building consent for any works, or whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses. In this context, "preserving", means doing no harm.

To give effect to this duty decisions of the court have confirmed that a decision-maker should accord "considerable importance and weight" to the desirability of preserving the listed building or its setting when weighing this factor in the balance with other material considerations which have not been given this special statutory status. However, this does not mean that the weight that the decision-maker must give to the desirability of preserving the building or its setting is uniform. It will depend on, among other things, the extent of the assessed harm and the heritage value of the asset in question. This creates a strong presumption against granting planning permission where harm to a listed building or its setting is identified. The presumption can be rebutted by material considerations powerful enough to do so.

7. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

i. Design and impact on heritage assets

Policy Context

In Chapter 12 of the NPPF, Paragraph 134 advises that poorly designed developments should be refused, especially where designs do not reflect local design policies, guidance and supplementary planning documents. It also says that significant weight should be given to designs which reflect local character, or to ones which are innovative designs in achieving high levels of sustainability, or which help improve the general standard of design in an area and fit in with the 'overall form and layout of their surroundings'.

In Chapter 16 of the NPPF, Paragraph 199 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. It goes on to say in Paragraph 202 that, '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'. Additionally, 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'.

Policy D4 of the London Plan states that the 'design of development proposals should be thoroughly scrutinised' and that 'design quality development should be retained through to completion'. Policy HC1 of the London Plan states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings'.

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.

Policy LP3 states that development should conserve and, where possible, take opportunities to make a positive contribution to, the historic environment of the borough, particularly in relation to designated heritage assets.

Analysis

Teddington Footbridge is a grade II listed Victorian structure, situated within the Teddington Lock Conservation Area, forming an important local landmark connecting the north side of the Thames and the lock. The building is of architectural interest as a fine example of a long transport structure dating from the latter part of the Victorian period and forming an important local feature.

Despite changes to the structure including the encasing of the steel towers with concrete, it remains largely as constructed - albeit with some modern interventions such as additional handrails. The structure is also of historic interest for illustrating a key stage in the development of this part of Teddington and allowing better transport access to the north banks and the lock, illustrating the importance of the lock to Teddington and Ham.

The Lockcut bridge currently has a rocker-roller type bearing located underneath the walkway. It is clearly visible when approaching along the towpath and up the stairs to the bridge. It is proposed to replace this with an elastomeric bearing with ironwork on the sides to replicate the original bearing's appearance. The elastomeric bearing will allow movement in the bridge, whereas the existing bearing is fused and likely causing the bridge structural problems. The intervention will involve various temporary works, including the removal of handrails and some steps, jacking the existing bridge platform, scaffolding and associated protective measures such as hoarding, etc.

The Urban Design and Conservation Officer consulted on the proposals has made the following comments:

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.

In view of the above, the proposals are thought to comply with the statutory duty of the 1990 Act, the aims and objections of Chapter 12 and Chapter 16 of the NPPF, policy D4 and policy HC1 of the London Plan and

policies LP1 and LP3 of the Local Plan, as well as guidance on Listed Buildings.

8. 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

9. 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 Listed Building Consent subject to condition

Recommendation:

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

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: 16/08/2024

I agree the recommendation:

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

Dated: 02/09/2024.....

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:

REASONS:
CONDITIONS:
INFORMATIVES:
UDP POLICIES:
OTHER POLICIES:

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

CONDITIONS

INFORMATIVES
