



Application reference: 24/2168/ADV
 SOUTH RICHMOND WARD

Date application received	Date made valid	Target report date	8 Week date
26.08.2024	26.08.2024	21.10.2024	21.10.2024

Site:

11 King Street, Richmond, TW9 1ND,

Proposal:

1 x internally illuminated fascia sign and 1 x internally 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

BERTON GROUP UK LIMITED
 338A REGENTS PARK ROAD,
 OFFICE 3 AND 4
 London
 N3 2LN

AGENT NAME

AKART LIMITED MUHAMMET
 AKDERE
 Unit 119
 Omega Works
 4 Roach Road
 London
 E3 2PF
 United Kingdom

DC Site Notice: printed on 30.08.2024 and posted on 06.09.2024 and due to expire on 27.09.2024

Consultations:

Internal/External:

Consultee

14D Urban D

Expiry Date

13.09.2024

Neighbours:

- 20 King Street, Richmond, TW9 1ND, - 30.08.2024
- B1 Unit 2, Times Court, Retreat Road, Richmond, TW9 1AF, - 30.08.2024
- Unit 1, Times Court, Retreat Road, Richmond, TW9 1AF, - 30.08.2024
- 13 Times Court, Retreat Road, Richmond, TW9 1AF, - 30.08.2024
- 6 Times Court, Retreat Road, Richmond, TW9 1AF, - 30.08.2024
- 2 Times Court, Retreat Road, Richmond, TW9 1AF, - 30.08.2024
- 3 Times Court, Retreat Road, Richmond, TW9 1AF, - 30.08.2024
- 4 Times Court, Retreat Road, Richmond, TW9 1AF, - 30.08.2024
- 5 Times Court, Retreat Road, Richmond, TW9 1AF, - 30.08.2024
- 8 Times Court, Retreat Road, Richmond, TW9 1AF, - 30.08.2024
- 10 Times Court, Retreat Road, Richmond, TW9 1AF, - 30.08.2024
- 11 Times Court, Retreat Road, Richmond, TW9 1AF, - 30.08.2024
- 9 Times Court, Retreat Road, Richmond, TW9 1AF, - 30.08.2024
- 7 Times Court, Retreat Road, Richmond, TW9 1AF, - 30.08.2024
- Dimbleby Lodge, 8 Wickham House, 14 King Street, Richmond, TW9 1ND, - 30.08.2024
- Wodehouse, 7 Wickham House, 14 King Street, Richmond, TW9 1ND, - 30.08.2024
- Conrad, 6 Wickham House, 14 King Street, Richmond, TW9 1ND, - 30.08.2024
- Huxley, 4 Wickham House, 14 King Street, Richmond, TW9 1ND, - 30.08.2024

Orwell,5 Wickham House,14 King Street,Richmond,TW9 1ND, - 30.08.2024
Brooke,3 Wickham House,14 King Street,Richmond,TW9 1ND, - 30.08.2024
Shaw,2 Wickham House,14 King Street,Richmond,TW9 1ND, - 30.08.2024
Christie,1 Wickham House,14 King Street,Richmond,TW9 1ND, - 30.08.2024
9 King Street,Richmond,TW9 1ND, - 30.08.2024
Flat,9 King Street,Richmond,TW9 1ND, - 30.08.2024
Floor 2,9 King Street,Richmond,TW9 1ND, - 30.08.2024
13 King Street,Richmond,TW9 1ND, - 30.08.2024
Second Floor,12 - 13 King Street,Richmond,TW9 1ND, - 30.08.2024
First Floor,12 - 13 King Street,Richmond,TW9 1ND, - 30.08.2024
Flat Above,10 King Street,Richmond,TW9 1ND, - 30.08.2024
Flat,11 King Street,Richmond,TW9 1ND, - 30.08.2024

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

Development Management

Status: GTD Application:91/0344/FUL

Date:07/06/1991 Removal Of Existing And Installation Of New Shopfront

Development Management

Status: REF Application:80/1687/ADV

Date:06/04/1981 For Advertisements.

Development Management

Status: GTD Application:65/0256/DD01

Date:18/08/1965 Demolition and re-building of existing Fish Bar and living accommodation over. Planning permission 65/0256 dated 14th January, 1965.

Development Management

Status: GTD Application:66/2153

Date:05/01/1967 New shop front.

Development Management

Status: REF Application:66/2160/ADV

Date:29/12/1966 For Advertisements.

Development Management

Status: GTD Application:67/0006/ADV

Date:07/03/1967 For Advertisements.

Development Management

Status: PCO Application:24/2001/FUL

Date: Replacement of the existing extraction duct at the rear elevation with two separate extraction ducts. Installation of AC Outdoor Units to the rear garden. New air discharge louvers to the rear elevation.

Development Management

Status: PCO Application:24/2167/FUL

Date: Replacement of two existing roof lanterns on single storey rear roof, alterations to fenestration and replacement shopfront.

Development Management

Status: PCO Application:24/2168/ADV

Date: 1 x internally illuminated fascia sign and 1 x internally illuminated projecting sign

Building Control

Deposit Date: 25.07.2011 Installed a Gas Boiler

Reference: 11/FEN03258/GASAFE

Building Control

Deposit Date: 09.08.2024 The interior and exterior renovation works of the newly opened restaurant, which includes complete interior decoration, expansion of the skylight lanterns on the roof, carry out the steel reinforcements, change of shop front, the implementation of a new extraction system, installing new exhaust, ventilation and A/C systems.

Reference: 24/0966/IN

Application Number	24/2161/ADV
Address	11 King Street Richmond TW9 1ND
Proposal	1 x internally illuminated fascia sign and 1 x internally illuminated projecting sign
Contact Officer	Jack Davies
Legal Agreement	NO

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 conducted a desktop review, 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 proposal site comprises a three-storey building on the western side of King Street.

The application site is identified as a Building of Townscape Merit (BTM) and is within the Richmond Green Conservation Area (CA3) Key Shop Frontage and Key Office Area. The site is also within flood zone 1 and is in an area susceptible to groundwater flooding.

The site is also located adjacent to the Richmond Riverside Conservation Area as well as being in the setting of a number of Listed Buildings.

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposed scheme includes 1 x non illuminated fascia sign and 1 x non illuminated hanging sign

The planning history is outlined above. There are several historic applications in regards to advertising.

4. CONSULTATIONS CARRIED OUT

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

No representations were received.

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2023)

The key chapters applying to the site are:

Section 4: Decision-making

Section 12: Achieving well-designed places

Section 15: Conserving and enhancing the natural environment

Section 16: Conserving and enhancing the historic environment

These policies can be found at:

https://assets.publishing.service.gov.uk/media/65a11af7e8f5ec000f1f8c46/NPPF_December_2023.pdf

London Plan (2023)

The main policies applying to the site are:

- HC1 Heritage conservation and growth
- D4 Delivering good design

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	Ne
Impact on Heritage Assets	LP3, LP4	Yes	Ne
Impact on Amenity and Living Conditions	LP8	Yes	Ne
Highways/Transport	LP44, LP45	Yes	Ne

These policies can be found at https://www.richmond.gov.uk/media/15935/adopted_local_plan_interim.pdf

Supplementary Planning Documents

- Conservation Areas
- Shopfronts

These policies can be found at: https://www.richmond.gov.uk/services/planning/planning_policy/local_plan/supplementary_planning_documents_and_guidance

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	
Local Character and Design Quality	LP28	Yes	
Impact on Heritage Assets	LP29, LP30	Yes	
Impact on Amenity and Living Conditions	LP46	Yes	
Pedestrian/Highway Safety	LP47	Yes	

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:

- i Design and impact on heritage assets
- ii Impact on Neighbour Amenity
- iii Pedestrian/Highway Safety

Issue i – Design/Heritage

Policy LP1 states that development must be of a high architectural and urban design quality. Development must be inclusive, respect local character including the nature of a particular road, and connect with, and contribute positively, to its surroundings based on a thorough understanding of the site and its context. Particular regard should be had to the compatibility with local character, detailing and materials.

Local Plan Policy LP3 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 Shop front SPD states that It is important to consider how shopfronts relate to the character of the street as a whole. The effect of proportions, materials and detailing should relate to and compliment surrounding shops and buildings. For instance, stallrisers and fascias may vary to suit different buildings, but they should always respect group value.

The shopfront SPD also states that Externally illuminated fascia signs are generally preferred throughout the Borough. Normally, only the fascia should be spot lit by down-lighters. Light levels should be strictly controlled as should the number and design of light fittings. Strip lighting should be limited to the shop name lettering only. 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. Carefully designed exposed neon may also be considered acceptable.

The nature of the x1 internally fascia lettering, it is stated these are brass and are backlit or halo lit. There is no objection to the siting, size, form, and appearance of the fascia lettering. However, as outlined above, external illumination is generally preferred around the borough and internal halo illumination may be considered appropriate in certain circumstances. In this instance, the site's sensitive setting is noted, being within a Conservation Area, a Building of Townscape Merit (BTM) and surrounded by other BTMs and Listed Buildings. It is also noted that there are no examples of internally illuminated signage within the vicinity, with all signage on the street benefitting from external lighting. Internal illumination in this location would therefore be considered to result in less than substantial harm to the host BTM and surrounding Conservation Area. There are no public benefits to outweigh this harm.

Given the existence of a hanging wall sign above the fascia, there is no objection to the revised design. However the hanging sign will likewise be internally illuminated, which as outlined above is not supported.

This application is in contrary to the shopfronts SPD as well as policies LP1, LP3 and LP4 of the adopted Local Plan as well as policies LP 28, 29 and 30 of the Publication Local Plan.

Issue ii - Impact on Neighbour Amenity

Local Plan Policy LP8 states that: *'All development will be required to protect the amenity and living conditions for occupants of new, existing, adjoining and neighbouring properties'*.

The signage will not appear overbearing nor result in loss of light to neighbouring properties.

Had illumination been considered appropriate at this site, the council could have conditioned this to be of an intensity so as not to have harmful impact to neighbouring properties.

In consideration of this, the proposed development accords with the aims and objectives of Local Plan Policy LP8.

Issue iii – Pedestrian/Highway safety

Local Plan Policy LP44 states The Council will work in partnership to promote safe, sustainable and accessible transport solutions, which minimise the impacts of development including in relation to congestion, air pollution and carbon dioxide emissions, and maximise opportunities including for health benefits and providing access to services, facilities and employment. The Council will:

D. The road network:

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 signs are proposed within the parameters of existing features. The signs are illuminated, although had this application been acceptable a condition could have been applied, restricting the lighting so it was not distracting to drivers.

Other

Officers note that the submission drawings with this application include alterations to the shopfront as well as to the rear of the building and to the fenestration. This assessment has been made purely in regards to the development described within the description.

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 and 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.

For the reasons set out above, it is considered that the adverse impacts of allowing this planning application would significantly outweigh the benefits, when assessed against the policies in NPPF (2023) and Development Plan, when taken as a whole.

REFUSE

Reason for refusal – Design/Heritage

The proposed signage by reason of its internally illuminated nature would appear as an incongruous form of development which would detract from the special character of the host Building of Townscape Merit and surrounding conservation area. The development would result in less than substantial harm to heritage assets and there is no public benefit to outweigh this harm. The proposals are thereby contrary to Local Plan Policy LP1, LP3 and LP4 as well as publication Local Plan Policy 28, 29 and 30 and the Shopfronts SPD.

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: 03.10.2024

I agree the recommendation:

K Patel

Principal Planner

Dated: ..04/10/2024.....