

**Application reference: 24/2230/ADV**  
**SOUTH RICHMOND WARD**

Date application received	Date made valid	Target report date	8 Week date
04.09.2024	04.09.2024	30.10.2024	30.10.2024

**Site:**

Pavement Outside, 27F The Quadrant, Richmond,

**Proposal:**

Illuminated advertising to proposed Communication Hub

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

**APPLICANT NAME**

Mr Martin Stephens  
991 GREAT WEST ROAD  
BRENTFORD  
TW8 9DN  
United Kingdom

**AGENT NAME**

**DC Site Notice:** printed on 06.09.2024 and posted on 13.09.2024 and due to expire on 04.10.2024

**Consultations:**

**Internal/External:**

**Consultee**

LBRUT Transport  
Network Rail  
14D Urban D  
LBRUT Environmental Health

**Expiry Date**

20.09.2024  
27.09.2024  
20.09.2024  
20.09.2024

**Neighbours:**

26A The Quadrant, Richmond, TW9 1DF, - 06.09.2024  
27D - 27E The Quadrant, Richmond, TW9 1DN, - 06.09.2024  
27F The Quadrant, Richmond, TW9 1DN, - 06.09.2024  
7B Parkshot, Richmond, TW9 2RD, - 06.09.2024  
27D - 27E The Quadrant, Richmond, TW9 1DN, - 06.09.2024  
27F The Quadrant, Richmond, TW9 1DN, - 06.09.2024  
5 Queens Crescent, Richmond, TW10 6HG, - 06.09.2024  
Flat 17, Fitzwilliam House, Little Green, Richmond, TW9 1QW, - 06.09.2024  
9 Bridge Road, Twickenham, TW1 1RE, - 06.09.2024

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

Development Management

Status: REF Application: 17/1988/TEL  
Date: 11/07/2017 Installation of an electronic communications apparatus (telephone kiosk).

Development Management

Status: REF Application: 18/2225/ADV  
Date: 18/09/2018 Display of a single sided LED illuminated sequential display affixed to the frame of the payphone kiosk.

Development Management

Status: REF Application: 23/0481/FUL  
Date: 25/04/2023 Proposed Communication Hub

Development Management

Status: REF

Date: 18/04/2023

Application: 23/0482/ADV

Illuminated advertising to proposed Communication Hub

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Development Management

Status: PCO

Date:

Application: 24/2230/ADV

Illuminated advertising to proposed Communication Hub

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Appeal

Validation Date: 02.11.2017

Reference: 17/0203/AP/REF

Installation of an electronic communications apparatus (telephone kiosk).

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Appeal

Validation Date: 07.02.2019

Reference: 19/0023/AP/REF

Display of a single sided LED illuminated sequential display affixed to the frame of the payphone kiosk.

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Appeal

Validation Date: 25.10.2023

Reference: 23/0090/AP/REF

Proposed Communication Hub

**Appeal Allowed**

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<b>Application Number</b>	<b>24/2230/ADV</b>
<b>Address</b>	<b>Telecommunications Outside 27F The Quadrant, Richmond TW9 1DN</b>
<b>Proposal</b>	<b>Illuminated advertising to proposed Communication Hub</b>
<b>Contact Officer</b>	<b>Jack Davies</b>
<b>Legal Agreement</b>	<b>No</b>

## 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 subject site is located on the pavement outside 27F The Quadrant, Richmond. The subject site is on the same block as Richmond Railway Station, a hub of pedestrian activity. There are locally designated Buildings of Townscape Merit (BTM) in close proximity to the subject site including Richmond Railway Station and 28 The Quadrant located on the south side of Drummonds Place, adjacent to the subject site. Additionally the subject site is located in the Central Richmond Conservation Area.

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

The application proposes Illuminated advertising to proposed Communication Hub

In relation to this site the following application is of relevance:

**23/0481/FUL & 23/0482/ADV** - Proposed Communication Hub  
Illuminated advertising to proposed Communication. **Refused (Appeal Allowed)**

It is noted that only 23/0481/FUL was appealed as the ADV application was not submitted in time.

Notwithstanding such, the inspectorate noted in their appeal decision that:

*The appeal relates to the refusal of planning permission for the proposed Communication Hub. An appeal in respect of the refusal of advertisement consent for displays on the LCD advert screen for this communication hub was submitted outside the prescribed time period and therefore not processed. However, in this appeal I must have some regard to the use of the equipment for the illuminated display of advertisements.*

**17/1988/TEL** - The installation of a new electronic communications apparatus (telephone kiosk). **Refused (Appeal Dismissed)**

Reason: *Under schedule 2, Part 16 of the General Permitted Development Order 2015 (as amended), the Local Planning authority has determined that prior approval is required and hereby REFUSED as to the siting and appearance of the proposed development for the following reason:*

*The proposal, by reason of its prominent siting, height, with, bulk and materials, would adversely affect the character, appearance and setting of the street scene and the wider conservation area and be detrimental to the pedestrian environment. As such, the proposal is considered contrary to the National Planning Policy Framework and the Local Plan with particular regard to policies CP7 of the Core Strategy and policies DM DC1, DM HD1 and DM TP6 of the Development Management Plan (2011), and policies LP1, LP3 and LP44 and SA 19 of the Local Plan (Publication for Consultation 2017).*

## 4. CONSULTATIONS CARRIED OUT

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

No representations have been 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

These policies can be found at:

[https://assets.publishing.service.gov.uk/media/669a25e9a3c2a28abb50d2b4/NPPF\\_December\\_2023.pdf](https://assets.publishing.service.gov.uk/media/669a25e9a3c2a28abb50d2b4/NPPF_December_2023.pdf)

## **London Plan (2021)**

The main policies applying to the site are:

- Policy D4 – Delivering good design
- Policy HC1 – Heritage conservation and growth

These policies can be found at: <https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/london-plan-2021>

The new London Plan has now been adopted with relevant policies updated.

## **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, Design Quality and Heritage Assets	LP1, LP3	Yes	
Impact on Amenity and Living Conditions	LP8	Yes	
Pedestrian/Highway Safety	LP44	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)

## **Supplementary Planning Documents**

Central Richmond Conservation Area Statement

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)

## **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 local character
- ii Amenity
- iii Pedestrian/Highway Safety

### Issue i – Design and impact on Local Character and Heritage Assets

*Local Plan policy LP 1 states that:*

*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.*

*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*

Of relevance to this application is planning permission 23/0481/FUL which was allowed at appeal for the installation of an open access Communication hub. The advertising consent scheme (23/0482/ADV), which was refused by the council concurrently was not appealed as it was not submitted in time. Notwithstanding such, the inspectorate noted in their appeal decision that:

*The appeal relates to the refusal of planning permission for the proposed Communication Hub. An appeal in respect of the refusal of advertisement consent for displays on the LCD advert screen for this communication hub was submitted outside the prescribed time period and therefore not processed. However, in this appeal I must have some regard to the use of the equipment for the illuminated display of advertisements.*

This application proposes the same advertising scheme as was previously refused under 23/0482/ADV and should be read in conjunction with the allowed communication hub application. In regards to the acceptability

of illuminated advertising, the inspectorate also notes within their decision that:

*6. The supportive nature of Government policy on the expansion of electronic communications networks when considered against the more restrictive form of the development plan policies clearly necessitates a balanced decision. However, in my view it is the specifics of the site's characteristics and the extent to which the proposed equipment and its illuminated displays would be in keeping with its surroundings that are primarily the determinative factors in this appeal.*

And:

*"it is this sort of location where an on-street communication hub with digital advertising might reasonably be expected"*

Given the appeal decision, the proposed illuminated advertising is considered to be acceptable. Conditions restricting illumination and timing will be applied in order to safeguard the appearance of the locality.

Local Plan Policy LP1, LP3 and LP4 is considered to be satisfied.

#### **Issue ii- Impact on Neighbour Amenity**

The illuminated signage can be restricted by condition so as not to appear as a nuisance to nearby neighbours.

Conditions also limit light levels and prevent sounds which prevent nuisance to neighbours.

Given the above, it is not considered that the proposed works would unreasonably impact the amenity of neighbouring occupiers, satisfying Local Plan Policy LP 8.

#### **Issue iii- Impact on Pedestrian/Highway Safety**

*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.*

Given the illumination levels of the proposals are limited by condition It is not considered the proposals would adversely impact highway and pedestrian safety.

As such, the scheme proposals are not considered to warrant a reason for refusal in regard to pedestrian and highway safety.

### **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.

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.

**Granted**

**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: .....09/10/24.....

**I agree the recommendation:**

SG  
Senior Planning Officer

Dated: .....28/10/2024.....