

Application reference: 24/2305/HOT BARNES WARD

Date application received	Date made valid	Target report date	8 Week date
13.09.2024	17.09.2024	12.11.2024	12.11.2024

Site:

19 Church Road, Barnes, London, SW13 9HE

Proposal:

Alterations to boundary enclosures, movement of 1no. masonry pier to vehicular access, replacement of metal gates.

APPLICANT NAME

Horsfield
19 Church Road
Barnes
London
Richmond Upon Thames
SW13 9HE

AGENT NAME

Mr G Hoeg
87 Notting Hill Gate
London
W11 3JZ
United Kingdom

DC Site Notice: printed on 18.09.2024 and posted on 27.09.2024 and due to expire on 18.10.2024

Consultations:

Internal/External:

Consultee

14D Urban D
LBRuT Trees Preservation Officer (South)

Expiry Date

02.10.2024
23.10.2024

Neighbours:

2 Nassau Road, Barnes, London, SW13 9QE, - 18.09.2024
15A Church Road, Barnes, London, SW13 9HG, - 18.09.2024
21 Church Road, Barnes, London, SW13 9HE, - 18.09.2024
Office 2, 15 Church Road, Barnes, London, SW13 9HE, - 18.09.2024
Office 1, 15 Church Road, Barnes, London, SW13 9HE, - 18.09.2024
17 Church Road, Barnes, London, SW13 9HE, - 18.09.2024
15 Church Road, Barnes, London, SW13 9HE, - 18.09.2024

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

Development Management

Status: GTD Application: 00/1042
Date: 01/06/2000 Partial Rebuilding Of Existing Rear Side Extension And Construction Of New Rear Conservatory.

Development Management

Status: GTD Application: 03/T1427
Date: 10/09/2003 Cherry (prunus) - Remove.

Development Management

Status: GTD Application: 03/T1428
Date: 10/09/2003 Cherry (prunus) - Remove.

Development Management

Status: GTD Application: 03/T1429
Date: 10/09/2003 Cherry (prunus - Rear Of Property) - Reduce Crown By 30

Development Management

Status: GTD Application: 69/0455
Date: 02/07/1969 Use of front room as garage, erection of front entrance porch, paving forecourt and provision of vehicular access to Church Road.

Development Management

Status: GTD Date:10/08/2004	Application:04/1882/HOT Alterations to boundary enclosures, relocate vehicular access and site refuse store
<u>Development Management</u> Status: RNO Date:09/06/2014	Application:14/T0452/TCA T1-Olive, situated in front garden, to crown reduce by up to 2M. T2-Cherry, in rear garden, to crown reduce up to 3M. T3-Bay, to crown reduce by up to 2M. All works intended to keep trees in scale with situation.
<u>Development Management</u> Status: RNO Date:20/06/2017	Application:17/T0340/TCA T1 - Bay - Reduce height by 1-1.5m and trim to shape T2 - Fig - Reduce height by 1-1.5m, pull in sides by 0.5-1m, lift lower branches by 0.5m, thin canopy by 5% and remove major dead wood T3 - Olive - Reduce height by 2-2.5m, pull in sides by 0.5-1m, lift lower branches by 0.5m, thin canopy by 5% and remove major dead wood
<u>Development Management</u> Status: RNO Date:31/07/2020	Application:20/T0457/TCA Back Garden (Right Boundary) T1: Bay tree - Fell to ground level (Left Boundary) T2: Cherry tree - Reduce height by 2.5 - 3 metres, reduce sides by 2 - 2.5 metres to balance canopy and maintain an even shape, thin canopy by 5%, remove major deadwood height 8m & spread 7m. Reduce height to 5m & spread to 5m T3: Acer tree - Reduce height by 1 metre, reduce sides to balance canopy and maintain an even shape, thin canopy by 5% height 4m & spread 3m. Reduce height to 3m & spread to 3m (Back Boundary) T4: Fig tree - Reduce height to stand around 1ft above fence height 4m & spread 4m. Reduce height to 2.5m & spread to 4m Front Garden (Front Boundary) T5: Cherry tree - Reduce height by 2 metres height 7m & spread 5m. Reduce height to 5m & spread to 4m T6: Olive tree - Reduce height by 2 metres, thin canopy by 5% height 7m & spread 4m. Reduce height to 5m & spread to 3m Reason for work clearance from building, maintaining this tree in its current setting, clearance from building
<u>Development Management</u> Status: GTD Date:29/08/2024	Application:24/1225/HOT Rear and side infill extension at ground floor with 4no skylights, rear roof dormer extension, addition of 2no rooflights to outrigger, removal of render to outrigger side elevation, repair and remedial works to external elevations and roof, replace existing windows with double glazed timber windows to match existing, replace timber front door too match existing, internal remodelling throughout.
<u>Development Management</u> Status: PCO Date:	Application:24/2298/VRC Variation of Condition U0187964 (Approved Drawings) of permission 24/1255/HOT to facilitate proposed amendments 1. Adjustment to approved ground floor rear and side extension and associated glazing. 2. Adjustment to approved new side elevation windows 3. Adjustment to approved new conservation skylights.
<u>Development Management</u> Status: PCO Date:	Application:24/2305/HOT Alterations to boundary enclosures, movement of 1no. masonry pier to vehicular access, replacement of metal gates.
<u>Building Control</u> Deposit Date: 04.04.2000 Reference: 00/0650/BN	Enlargement of existing opening
<u>Building Control</u> Deposit Date: 08.10.2014 Reference: 14/2312/BN	Underpinning to existing front and flank walls
<u>Building Control</u> Deposit Date: 19.06.2024	Single storey ground floor rear and side extension, loft conversion with rear dormer, removal of rear chimney breast at ground floor, first floor and second floor, reconfiguration of all floors with refitting of kitchen, bathrooms and services, fitting of replacement windows and ancillary works
Reference: 24/0753/IN	

Application Number	24/2305/HOT
Address	19 Church Road Barnes London SW13 9HE
Proposal	Alterations to boundary enclosures, movement of 1no. masonry pier to vehicular access, replacement of metal gates.
Contact Officer	Roberta Henriques
Target Determination Date	12 th November 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

The application site is a five storey dwellinghouse, located on the north western side of Church Road. The site is a Building of Townscape Merit (BTM) and is located within the Barnes Green Conservation Area (CA1), and is also subject to the following planning constraints:

Archaeological Priority	Site: Richmond APA 2.2: Barnes APA - Archaeological Priority Area - Tier II
Area Benefiting Flood Defence - Environment Agency.	Areas Benefiting from Defences
Area of Mixed Use	High Street
Area Susceptible To Groundwater Flood - Environment Agency	Superficial Deposits Flooding - >= 50% <75% - SSA Pool ID: 1384
Article 4 Direction Basements	Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018
Community Infrastructure Levy Band	Higher
Floodzone 2	Tidal Models
Floodzone 3	Tidal Models
Highway Maintained At Public/Private Expense	CHURCH ROAD Highways Publicly Maintained
Increased Potential Elevated Groundwater	GLA Drain London
Protected View (Indicative Zone)	View 7 RICHMOND PARK TOWARDS ST PAULS CATHEDRAL
SFRA Zone 3a High Probability	Flood Zone 3
Surface Water Flooding (Area Less Susceptible to) - Environment Agency	
Surface Water Flooding (Area Susceptible to) - Environment Agency	
Surface Water Flooding (Area Susceptible to) - Environment Agency	
Surface Water Flooding (Area Susceptible to) - Environment Agency	
Take Away Management Zone	Take Away Management Zone
TPO	
TPO	
TPO	
TPO	REF: T0028 - T19 Cherry Tree - Prunus sp
TPO	REF: T0028 - T20 Cherry Tree - Prunus sp
TPO	REF: T0028 - T21 Cherry Tree - Prunus sp

Village	Barnes Village
Village Character Area	Barnes Green - Character Area 12 & Conservation Area 1 Barnes Village Planning Guidance Page 49 CHARAREA04/12/01
Ward	Barnes Ward

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposed development comprises of alterations to boundary enclosures, movement of 1no. masonry pier to vehicular access, replacement of metal gates.

The comprehensive list of planning history can be found above however the most relevant planning history is as follows:

24/2298/VRC Variation of Condition U0187964 (Approved Drawings) of permission 24/1255/HOT to facilitate proposed amendments. Not determined yet

24/1225/HOT Rear and side infill extension at ground floor with 4no skylights, rear roof dormer extension, addition of 2no rooflights to outrigger, removal of render to outrigger side elevation, repair and remedial works to external elevations and roof, replace existing windows with double glazed timber windows to match existing, replace timber front door too match existing, internal remodelling throughout. Granted

24/P0124/PREAPP Follow up advice to 24/P0057/PREAPP. Pre Application Closed

24/P0057/PREAPP Proposed works include: Replacement of existing ground floor rear and side extension to rear of property; New oriel window to first floor rear outrigger; New rooflights over rear outrigger; New recessed roof terrace to rear of top floor roof; Widening of existing front boundary wall, similar to adjacent properties, with introduction of automated car gate; Replacement of existing cherry tree to front garden; New external windows throughout; General internal refurbishment and remodeling. Pre Application Closed

14/T0452/TCA T1-Olive, situated in front garden, to crown reduce by up to 2M. T2-Cherry, in rear garden, to crown reduce up to 3M. T3-Bay, to crown reduce by up to 2M. All works intended to keep trees in scale with situation. Decided the Council raises no objection

04/1882/HOT Alterations to boundary enclosures, relocate vehicular access and site refuse store. Granted

03/T1427 Cherry (prunus) - Remove. Granted

03/T1428 Cherry (prunus) - Remove. Granted

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	No
Impact on Designated Heritage Assets	LP3	Yes	No
Impact on Non-Designated Heritage Assets	LP4	Yes	No
Impact on Amenity and Living Conditions	LP8	Yes	No
Impact on Trees, Woodland and Landscape	LP16	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	Publication Local Plan Policy	Compliance	
Local character and design quality	28	Yes	No
Designated heritage assets	29	Yes	No
Non-designated heritage assets	30	Yes	No
Trees, Woodland and Landscape	42	Yes	No
Design process	44	Yes	No
Amenity and living conditions	46	Yes	No

Supplementary Planning Documents

Buildings of Townscape Merit
House Extension and External Alterations
Conservation Areas

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:

Barnes Green Conservation Area Statement and Study

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.

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Design and impact on heritage assets
- ii Impact on neighbour amenity
- iii Trees
- iv Flood Risk
- v Fire Safety

i Design and impact on heritage assets

Policy Context

Paragraph 199 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.'

Paragraph 202 of the NPPF states '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'.

Policy LP1 states that the Council will require all development to be of a 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. Development must respect, contribute to, and enhance the local environment and character.

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 significance of the borough's designated heritage assets should be conserved and enhanced. All proposals in Conservation Areas are required to preserve and, where possible, enhance the character or appearance of the Conservation Area.

Policy LP4 seeks to preserve, and where possible enhance, the significance, character and setting of non-designated heritage assets, including Buildings of Townscape Merit.

The Council's SPD relating to House Extensions and External Alterations encourages the retention of the original form of the host property and any alterations should enhance the quality of the building. The original appearance should always be the reference point when considering any changes.

Background

No. 19 is within the Historic Core Character area of the Barnes Green Conservation Area (CA 1). The residential character of Church Road emerges to the north of the Green with two three storey red brick 19th century terraces. The first, at nos. 19 - 25, is well set back from the road behind generous front gardens, albeit now given over to car parking. They feature two-storey canted bay windows topped by steeply pitched gables, and mansard roofs partly screened by parapets. They are generally well-preserved and their setback from the road contributes to the more open, semi-rural character of this section of Church Road.

The Barnes Green Conservation Area covers the historic core of Barnes as well as late 19th century and early 20th century residential development to the east and west. It contains buildings ranging in date from the 17th to the 21st centuries, with many of high architectural quality, and the Grade II* Listed St Mary's Church with 12th century origins. Barnes retained some of its rural village character into the 19th century, only undergoing transformation in the late 19th and early 20th centuries from a rural settlement into a suburban area, reflecting the urban sprawl of London in this period. Although Barnes has been encroached on by this suburban development, its rural character can still be read in the form of the Green and its framing architecture which contributes to its significance.

Barnes derives its identity from four distinct elements: the river, historic thoroughfares and the shopping centre, open space of the Green, and residential areas. Barnes has a long historic relationship with the river, along which many of the fine 18th century houses are located. Long panoramic views of Barnes Terrace and the riverside are complemented by further long views upstream to Mortlake and downstream to Chiswick.

The medieval green acts as the focus for the village and is a welcome contrast to the dense and busy streets surrounding it. Barnes has maintained its commercial centre and similarly retains its strong historic character.

Analysis

19 Church Road is a BTM located within the Barnes Green Conservation Area (CA 1). The main dwellinghouse has been previously enlarged by way of ground floor side to rear conservatory extension that wraps around the outrigger. This application proposes the replacement of the existing conservatory with a single storey side to rear extension, with 4 rooflights, 2 new rooflights over the outrigger, the removal of the render to the outrigger side elevation, repair and remedial works to the external elevations and roof, the replacement of the existing windows with double glazed timber windows to match the existing, the replacement of the timber front door to match existing, and internal remodelling throughout.

This application proposes alterations to boundary enclosures, the movement of 1no. masonry pier to vehicular access, and replacement metal gates.

On the front elevation, one of the masonry piers will be moved by 500mm to allow for a wider vehicular access. To facilitate this work, a slightly wider gate than existing will be installed. All new materials to be used in the construction of the new masonry pier will match as closely as possible to the existing build-up. Furthermore, all new materials to be used in the fabrication of the new metal gates will be matched as closely as possible to existing. On the basis of their materiality, there is no objection to these works. Also, the existing masonry wall, connected to the pier that will be moved, will be made good, which there is no objection to.

The proposals are not considered to have a harmful impact on the significance of the BTM or the Conservation Area, and are therefore in accordance with policies LP1, LP3 and LP4 and NPPF paras. 199 and 203.

ii 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. Harm may arise from various impacts such as noise, air pollution, odours or vibration.

Due to the siting of the works in the front garden, away from the habitable room windows of neighbours, the proposals are not considered to harm the amenity of any neighbours.

The proposal complies with policy LP8 of the Local Plan and policy 46 of the Publication Local Plan.

iii Trees

Policy LP16 requires the protection of existing trees and the provision of new trees, shrubs and other vegetation of landscape significance that complement existing, or create new, high quality green areas, which deliver amenity and biodiversity benefits.

The location of this proposal is sited within the "CA1 Barnes Green" Conservation Area, which affords trees both within and adjacent to the site of the proposal, statutory protection. Our records show 3x Cherry trees in the front garden which are subject to TPO ref: T0028 1972. However, checking google street, it would appear that these have not been in-situ since before 2008. The existing cherry tree scheduled for removal is not of an age that would have existed in 1972 and so is not subject to TPO.

A "BS 5837:2012 Tree Survey, Arboricultural Impact Assessment, Method Statement & Tree Protection Plan for 19 Church Road, dated 04-10-2024" has been submitted. A BS5837:2012 survey is included within this report. Unless otherwise specified, all tree numbers and species identification will refer to those used in the tree survey schedule in this document.

It is considered that the recommendations and working methodologies of the aforementioned Tree Report are consistent with good Arboricultural practice for construction activities around trees and are in line with the British Standard BS5837 (2012) in the execution of this proposal.

The loss of 1x small trees (T009) in the front gardens is regrettable, However, there is no objection to its removal given its condition and classification on the BS5837 survey.

While this is a demonstrable loss of amenity tree cover, the proposed planting of 1 No. tree in the front garden goes some way to compensating for this loss. Nevertheless, replacement planting is required to be conditional on approval.

Subject to compliance with the submitted arboricultural details, secured via condition, the proposal complies with Local Plan policy LP16.

iii Fire Safety

London Plan policy D12 requires the submission of a Fire Safety Statement on all planning applications.

A Fire Safety Strategy has been received on 17th September 2024.

A condition has been included to ensure this is adhered to on an ongoing basis. The applicant is advised that alterations to existing buildings should comply with the Building Regulations. Overall, the scheme can therefore be considered consistent with this Policy D12 of the London Plan.

Issue v- Biodiversity

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

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.

This is to notify you that had this development received planning consent it would be liable for a chargeable amount under the Community Infrastructure Levy Regulations 2010 (as amended by the Community Infrastructure Levy Regulations 2012).

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

Recommendation:

The determination of this application falls within the scope of Officer delegated powers - YES / ~~NO~~

I therefore recommend the following:

- | | | |
|----|----------------------|-------------------------------------|
| 1. | REFUSAL | <input type="checkbox"/> |
| 2. | PERMISSION | <input checked="" type="checkbox"/> |
| 3. | FORWARD TO COMMITTEE | <input type="checkbox"/> |

This application is CIL liable	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO
	(*If yes, complete CIL tab in Uniform)	

This application requires a Legal Agreement	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO
	(*If yes, complete Development Condition Monitoring in Uniform)	

This application has representations online (which are not on the file)	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
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This application has representations on file	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
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Case Officer (Initials):RHE.....

Dated:06/11/2024.....

I agree the recommendation:



Team Leader/Head of Development Management/Principal Planner

Dated: ...06/11/2024.....