



PLANNING REPORT
 Printed for officer by
 Jeremy MacIsaac on 26 November
 2024

**Application reference: 24/2331/FUL
 TWICKENHAM RIVERSIDE WARD**

Date application received	Date made valid	Target report date	8 Week date
17.09.2024	02.10.2024	27.11.2024	27.11.2024

Site:

Flats 1, 2, And 3, 52 King Street, Twickenham, TW1 3SH

Proposal:

Replacement of the existing single glazed timber sash windows in Flats 1, 2 and 3, 52 King Street, on the first and second floors, for double glazed upvc sash windows.

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

APPLICANT NAME

Ordnance Estates Ltd C/o Hamways
 Hamway House
 104 Station Road East
 Oxted
 Surrey
 RH8 0QB

AGENT NAME

Ms Bonney-James
 C/o Mostsons
 29 The Green
 London
 London
 N21 1HS
 United Kingdom

DC Site Notice: printed on 03.10.2024 and posted on 11.10.2024 and due to expire on 01.11.2024

Consultations:

Internal/External:

Consultee
 14D Urban D

Expiry Date
 17.10.2024

Neighbours:

- Flat 4,61 Holly Road,Twickenham,TW1 4HF, - 03.10.2024
- Flat 1,61 Holly Road,Twickenham,TW1 4HF, - 03.10.2024
- Flat 2,61 Holly Road,Twickenham,TW1 4HF, - 03.10.2024
- 63 Holly Road,Twickenham,TW1 4HF, - 03.10.2024
- Flat 3,61 Holly Road,Twickenham,TW1 4HF, - 03.10.2024
- 54A King Street,Twickenham,TW1 3SH, - 03.10.2024
- Flat 3,52 King Street,Twickenham,TW1 3SH, - 03.10.2024
- Flat 2,52 King Street,Twickenham,TW1 3SH, - 03.10.2024
- Flat 1,52 King Street,Twickenham,TW1 3SH, - 03.10.2024
- 50 King Street,Twickenham,TW1 3SH, - 03.10.2024
- 54 King Street,Twickenham,TW1 3SH, - 03.10.2024
- 215 Hospital Bridge Road,Twickenham,TW2 6LH -

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

Development Management

Status: PCO Application:24/2331/FUL

Date: Replacement of the existing single glazed timber sash windows in Flats 1, 2 and 3, 52 King Street, on the first and second floors, for double glazed upvc sash windows.

Development Management

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Development Management

Status: REF Application:02/0403

Date:05/04/2002 Proposed Change Of Use To A3 With Ground Floor Rear Extension And Rear Duct.

Development Management

Status: GTD Application:02/1349

Date:27/06/2002 Construction Of New Building Comprising Lower Ground And First Floor Offices (b1) And Second Floor 2 Bed Flat. Parking Space Off Holly Road For 1 Vehicle.

Development Management

Status: GTD Application:03/2705/FUL

Date:18/12/2003 Erection Of A Ground And First Floor B1 Office Building With A 2 Bed Residential Flat On Second Floor.

Development Management

Status: WNA Application:99/3097

Date:22/03/2000 Erection Of A New Building For Live/work Use With Parking.

Development Management

Status: REF Application:80/0624

Date:14/07/1980 Change of use of ground floor shop to an employment agency.

Development Management

Status: GTD Application:59/0103

Date:19/03/1959 Erection of a garage.

Development Management

Status: GTD Application:61/0629

Date:17/07/1961 Alteration to shop front.

Development Management

Status: PCO Application:24/2331/FUL

Date: Replacement of the existing single glazed timber sash windows in Flats 1, 2 and 3, 52 King Street, on the first and second floors, for double glazed upvc sash windows.

Building Control

Deposit Date: 01.02.2008 Installed a Gas Boiler

Reference: 08/COR00565/CORGI

Building Control

Deposit Date: 25.06.2018 Circuit alteration or addition in a special location Install a replacement consumer unit

Reference: 18/NIC01227/NICEIC

Building Control

Deposit Date: 04.08.2020 Install a gas-fired boiler

Reference: 20/FEN02627/GASAFE

Building Control

Deposit Date: 01.02.2008 Installed a Gas Boiler

Reference: 08/COR00565/CORGI

Building Control

Deposit Date: 22.08.2018 Circuit alteration or addition in a special location Install a replacement consumer unit

Reference: 18/NIC01749/NICEIC

Building Control

Deposit Date: 03.10.2024 Install a gas-fired boiler

Reference: 24/FEN03659/GASAFE

Building Control

Deposit Date: 01.02.2008 Installed a Gas Boiler

Reference: 08/COR00565/CORGI

Building Control

Deposit Date: 01.02.2008 Installed a Gas Boiler

Reference: 08/COR00565/CORGI

Building Control

Deposit Date: 25.08.2016 Install a gas-fired boiler

Reference: 16/FEN02615/GASAFE

Building Control

Deposit Date: 08.11.2017 Circuit alteration or addition in a special location Install a replacement consumer unit

Reference: 17/NIC02372/NICEIC

Enforcement

Opened Date: 19.11.2002 Enforcement Enquiry

Reference: 02/00396/EN

Enforcement

Opened Date: 19.11.2002 Enforcement Enquiry

Reference: 02/00397/EN

Enforcement

Opened Date: 19.11.2002 Enforcement Enquiry

Reference: 02/00398/EN

Application Number	24/2331/FUL
Address	Flats 1, 2, And 3 52 King Street Twickenham TW1 3SH
Proposal	Replacement of the existing single glazed timber sash windows in Flats 1, 2 and 3, 52 King Street, on the first and second floors, for double glazed upvc sash windows.
Contact Officer	Jeremy Maclsaac

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

52 King Street is a Building of Townscape Merit, located within the Twickenham Riverside Conservation Area (CA8). The building forms part of a wider terrace with nos. 48 and 50 both of which are also designated BTMs, together comprising a three-storey brick frontage.

The adjacent 54 King Street is a listed building.

The application site is designated as:

Article 4 Direction A1 to A2	Restricting A1 To A2 - Parts Of Twickenham TC 01/04/17 / Ref: ART4/A1TOA2/002 / Effective from: 01/04/2017
Article 4 Direction B1 to C3	Restricting B1 To C3 - Twickenham TC 01/10/16 / Ref: ART4/CJ/035 / Effective from: 10/08/2016
Article 4 Direction Basements	Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018
Article 4 Direction Class E (Town Centre) to Class C3 (Residential)	Modified Article 4 Direction Class E (Town Centre) to Class C3 (Residential). Came into effect 29 July 2022.
Building of Townscape Merit	Site: 52 King Street Twickenham Middlesex TW1 3SH
Community Infrastructure Levy Band	Higher
Conservation Area	CA8 Twickenham Riverside
Critical Drainage Area - Environment Agency	Strawberry Hill [Richmond] / Ref: Group8_003 /
Key Office Area	Twickenham / Twickenham town centre / Status: Key Office Area / Area: 62148.5
Key Shop Frontage	38-62 KING ST 2-44 HEATH ROAD
Main Centre Boundary	Twickenham
Main Centre Buffer Zone	Twickenham 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.

Risk of Flooding from Surface Water 1 in 100 chance - Environment Agency	RoFSW Extent 1 In 100 year chance - SSA Pool ID: 27145
Risk of Flooding from Surface Water 1 in 1000 chance - Environment Agency	RoFSW Extent 1 In 1000 year chance - SSA Pool ID: 47146
Risk of Flooding from Surface Water 1 in 30 chance - Environment Agency	RoFSW Extent 1 In 30 year chance - SSA Pool ID: 13221
Surface Water Flooding (Area Less Susceptible to) - Environment Agency	
Surface Water Flooding (Area Susceptible to) - Environment Agency	
Take Away Management Zone	Take Away Management Zone
Throughflow Catchment Area (Throughflow and Groundwater Policy Zone)	Adopted: October 2020 , Contact: Local Plan Team
Twickenham Area Action Plan	AAP: Twickenham
Village	Twickenham Village
Ward	Twickenham Riverside Ward

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Replacement of the existing single glazed timber sash windows in Flats 1, 2 and 3, 52 King Street, on the first and second floors, for double glazed upvc sash windows.

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

There is no relevant planning history associated with the site.

4. CONSULTATIONS CARRIED OUT

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

1 letter of objection have been received and the comments can be summarised as follows:

- Harm to the conservation area
- Upvc upsets the harmony
- Impact on the listed buildings nearby

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	
		Yes	No
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

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	
		Yes	No
Local character and design quality	28	Yes	No
Designated heritage assets	29	Yes	No

Non-designated heritage assets	30	Yes	No
Amenity and living conditions	46	Yes	No

Supplementary Planning Documents

Buildings of Townscape Merit
 Conservation Areas
 Design Quality
 House Extension and External Alterations

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:

Twickenham Riverside Conservation Area Statement
 Twickenham Riverside Conservation Area 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.

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Design and impact on heritage assets
- ii Impact on neighbour amenity
- iii Fire Safety
- iv Biodiversity

Issue i - Design and impact on heritage assets

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.

Policy LP3 of the Local Plan 2018 covers Designated Heritage Asset and states that proposals should conserve and take opportunity to make positive contribution to the historic environment such as retaining and preserving the architectural features and materials.

Policy LP4 seeks to preserve and enhance the significance, character and setting of non-designated heritage assets including Buildings of Townscape Merit. The building makes a positive contribution to the special character of King Street and this part of the Conservation Area.

These policies are taken forward in policies 28, 29 and 30 of the Publication Local Plan.

The House Extensions and External Alterations SPD 2015 sets out that timber is preferable to UPVC as it lasts longer and because UPVC can never fully replicate the original appearance and is unsuitable.

52 King Street is a Building of Townscape Merit, located within the Twickenham Riverside Conservation Area (CA8). The building forms part of a wider terrace with nos. 48 and 50, together comprising a three storey brick frontage. To the ground floor of each of these three properties are commercial units, divided by pilasters and consoles. The upper storeys have regular bays demarked by brick pilasters, with architectural features including terracotta panels, continuous moulded sill course and eaves course with brackets and dentil detailing. Nos. 48-52 are flanked by a Grade II listed building to the western side (54 King Street) and another BTM to the east (no.46), creating an attractive run of historic properties.

The significance of the conservation area is intrinsically linked to its relationship with the Thames and the evolution of the quayside village into a bustling and prosperous town centre. At its core, historic remnants of the former village remain obvious, including deep and narrow burgage plots surviving from medieval times, and dense, traditional laneways branching from busy main roads. There also remain pockets of small-scale domestic dwellings, such as simple workers' cottages reflective of the contrasting character between the village centre and the grander developments along the river's edge, which once enjoyed the status of summer retreat for many prominent figures, such as Alexander Pope. The relationship with the river remains prominent, with surviving light industrial works, slipways and boathouses making an important contribution to the Area's character, as well as the unique charm of Eel Pie Island. Primarily a historic town centre, the piecemeal and organic growth of the area has resulted in a richly varied and much altered townscape, and the character of much of the area is defined by this diversity and a richness of building typologies.

The site makes a positive contribution to the character and appearance of the conservation area as part of a wider and consistent terrace with rich detailing that adds to the variety and interest of the conservation area, featuring prominently on the northern side of King Street.

Proposals for the site comprise: "Replacement of the existing single glazed timber sash windows in Flats 1, 2 and 3, 52 King Street, on the first and second floors, for double glazed upvc sash windows."

The quality of the front elevation in particular including its fenestration which has coherence across the upper floors, and with the adjacent BTMs, positively contributes to the conservation area and setting of the adjacent listed building. The quality of the existing slim profile timber fenestration is coherent with other properties on King Street. The cumulative impact of this coherence and quality positively contributes to the character and significance of the Conservation Area. The windows contribute in a positive way to the property's architectural integrity and thus its special interest and significance.

The Buildings of Townscape Merit SPD highlights that 'The removal of original or characteristic features, or the introduction of unsympathetic windows, doors or materials can not only destroy the visual quality of one building but erode the entire character and interest of an area. Many Buildings of Townscape Merit play a crucial role in the character of local areas. The sympathetic maintenance and adaptation of these buildings can preserve and indeed increase the attractiveness of an area'.

The Twickenham Riverside Conservation Area Study notes that King Street and Church Street form the true heart of the town centre mainly because of their surviving C18th buildings. The Twickenham Riverside Conservation Area Statement outlines that the problems and pressures arising from development in the area are the use of poor-quality products in building work such as uPVC and the loss of traditional materials due to unsympathetic alterations.

The Twickenham Area Action Plan sets out a series of principles for development within the Town Centre which includes conserving and enhancing historic buildings and their settings.

The SPD on House Extensions and External Alterations' states that the use of timber windows are preferable to uPVC in terms of appearance and sustainability.

The replacement of the existing timber frames for uPVC frames is considered an unsympathetic use of material, which would appear at odds with the host dwelling, the terrace that it forms a part of, the immediate vicinity and the Conservation Area in general. The use of uPVC is uncharacteristic of the street and thus the scheme fails to preserve or enhance the setting, character and appearance of the locality and therefore the wider conservation area.

In the absence of further detailing of the appearance of the replacement windows, there are no mitigating circumstances to justify a departure from policy and guidance. Although the windows are indicated to be of the same dimensions, in practice UPVC windows generally have thicker frames and mullions and the absence of detail in the application submission provides no comfort that the detailed design of the window would be to match existing. In these respects, the proposal would have the potential to adversely alter the form and appearance of the windows and diminish the positive contribution they make to the special interest and significance of this heritage asset. The ambiguity and lack of detail does not allow for a valid and meaningful assessment of the form and appearance of the proposed windows but in any case, as set out above the use of UPVC is considered harmful in this instance.

There would be no objection in principle to the introduction of double glazing, subject to the use of units in timber that replicate the historic details of the building, which may require use of slimline units.

It is considered that the principle of the works would not be in accordance with the Statutory Duties of the 1990 Act as the proposals would fail to preserve the character or appearance of the conservation area. The proposals would also fail to be in accordance with para 205 of the NPPF and would engage para 208 due to the less than substantial harm to a designated heritage asset; there are no heritage benefits to be considered alongside the identified harm and any wider public benefits. Para 209 would also be engaged as a result of harm caused to the significance of a non-designated heritage asset. Proposals would fail to be in accordance with local policies LP1, LP3 and LP4.

Issue 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.

Given the location, siting, scale and nature of the proposal being for the replacement of existing windows with no increase in height or footprint of the building, the proposal would not have an adverse impact on the amenities of neighbouring occupiers in terms of loss of daylight/sunlight, overbearing or visual intrusion.

Given there is no change in the number of or siting of windows, the proposal does not result in any new lines of sight and so does not result in harmful overlooking or loss of privacy.

In view of the above, the proposal complies with the aims and objectives of policies LP8 of the Local Plan 2018 and policy 46 of the Publication Local Plan (Regulation 19 Version).

Issue iii – Fire Safety

London Plan Policy D12 requires the submission of a Fire Safety Statement on all planning applications. Where the applicant considers parts of or the whole policy do not apply, this should be justified in a Reasonable Exception Statement (RES).

The applicant has provided a FENSA certificate which satisfies the intent of Policy D12. The applicant is advised that alterations to existing buildings should comply with the Building Regulations.

Issue iv - 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:

- The application was made before 2nd April 2024
- The development impacts habitat of an area below a 'de minimis' threshold of 25m² or 5m of linear habitat such as hedgerows, and does not impact an onsite priority habitat
- The development is for a small scale self-build or custom house building

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.

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 (2021) and Development Plan, when taken as a whole.

Refuse planning permission for the following reasons

The proposed replacement uPVC framed windows, by reason of their siting, unsympathetic use of material and absence of sufficient detail, would result in an unsympathetic form of development to the detriment of the setting, character and appearance of the host Building of Townscape Merit, the terrace row that it forms a part of including the setting of the adjacent listed building and fails to preserve or enhance the setting, character and appearance of the Conservation Area. As such the scheme fails to address the aims and objectives of the NPPF and in particular, policies LP1, LP3 and LP4 of the Local Plan (2018), policies 28, 29 and 30 of the Publication Local Plan, the Supplementary Planning Documents 'House Extensions and External Alterations' and 'Buildings of Townscape Merit', and the Twickenham Riverside Conservation Area Statement and Appraisal.

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
in Uniform) (*If yes, complete Development Condition Monitoring

This application has representations online YES NO
(which are not on the file)

This application has representations on file YES NO

Case Officer (Initials):JMA.....

Dated:26.11.2024.....

I agree the recommendation:

South Area Team Manager:ND.....

Dated:26.11.2024.....