



**Application reference: 24/2299/FUL  
 ST MARGARETS AND NORTH TWICKENHAM WARD**

Date application received	Date made valid	Target report date	8 Week date
12.09.2024	20.09.2024	15.11.2024	15.11.2024

**Site:**  
 125 St Margarets Road, Twickenham, TW1 1RG,  
**Proposal:**  
 Installation of a replacement shopfront door

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

**APPLICANT NAME**  
 c/o agent  
 c/o agent  
 c/o agent  
 c/o agent  
 SE1 2TU

**AGENT NAME**  
 Mr James Baker  
 Magdalen House  
 148 Tooley Street  
 London  
 SE1 2TU  
 United Kingdom

**DC Site Notice: printed on 20.09.2024 and posted on 27.09.2024 and due to expire on 18.10.2024**

**Consultations:**  
*Internal/External:*

**Consultee**  
 LBRUT Transport  
 LBRUT Highways  
 14D Urban D  
 14D Urban D

**Expiry Date**  
 19.11.2024  
 19.11.2024  
 04.10.2024  
 04.11.2024

**Neighbours:**

127 St Margarets Road, Twickenham, TW1 1RG, - 20.09.2024  
 123 St Margarets Road, Twickenham, TW1 1RG - 20.09.2024

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

**Development Management**

**Status: PCO Application:89/1890/DD01**  
**Date:12/01/1990 New Shopfront (details Pursuant To Condition 3 (materials) Of Planning Permission 89/1890 Dated 27/10/89)**

**Development Management**

**Status: GTD Application:89/1890/FUL**  
**Date:27/10/1989 Renewal Of Existing Shopfront Together With Dutch Blinds Replacement To Retain Existing Cornice And Fascia And Incorporate A Concealed Roller Shopfront Blind Box.**

**Development Management**

**Status: REF Application:77/0199**  
**Date:20/06/1977 Change of use of premises from storage to use for pattern making.**

**Development Management**

**Status: REF Application:77/0976**

Date:21/12/1977 Change of use of premises from storage to use for laundry and dry cleaning purposes.

Development Management

Status: GTD Application:05/2442/COU

Date:08/03/2006 Proposed Change Of Use To Wine Bar (A4) With Ancillary Retail Sales; Alterations To The Shop Front Facing St Margarets Road.

Development Management

Status: GTD Application:08/1368/ADV

Date:20/06/2008 Replacement of existing signage for Streets to include new wine bar Parvinu

Development Management

Status: REF Application:16/4381/ADV

Date:30/01/2017 Retention of existing advertisement.

Development Management

Status: GTD Application:19/0122/FUL

Date:07/05/2019 Temporary change of use of premises from A1 (retail) to a mixed A1/ A3 use (retail/cafe) including the construction of a timber frame gazebo to cover a rear patio for outside eating and the relocation to the roof of air conditioning plant and a new extract flue to vent the kitchen area.

Development Management

Status: REF Application:19/2870/VRC

Date:31/10/2019 Variation of condition U0061099 (Rear patio - hours of use) of planning permission 19/0122/FUL to allow to open until 10:30pm.

Development Management

Status: GTD Application:23/1870/ES191

Date:30/08/2023 Lawful development certificate (Existing) to establish the use as class E.

Development Management

Status: PDE Application:24/2299/FUL

Date: Installation of a replacement shopfront door

Development Management

Status: GTD Application:24/2300/ADV

Date:29/11/2024 Installation of 1 no. externally illuminated fascia lettering sign

Appeal

Validation Date: Change of use of premises from storage to use for pattern making.

Reference: 77/0199

Building Control

Deposit Date: 14.07.2021 Pergola with tables and seating installed. Commercial kitchen installed

Reference: 21/1217/RG

Building Control

Deposit Date: 09.03.2022 Install a replacement consumer unit

Reference: 22/NAP00098/NAPIT

Building Control

Deposit Date: 09.03.2022 Install one or more new circuits

Reference: 24/NAP00475/NAPIT

Enforcement

Opened Date: 08.10.2018 Enforcement Enquiry

Reference: 18/0472/EN/UBW

<b>Application Number</b>	<b>24/2299/FUL</b>
<b>Address</b>	<b>125 St Margarets Road Twickenham TW1 1RG</b>
<b>Proposal</b>	<b>Installation of a replacement shopfront door</b>
<b>Contact Officer</b>	<b>SHO</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 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

Brief description of site

The application site consists of an A1 unit currently in use as a Greengrocer/Florist located to the western side of St Margarets Road.

The application site is situated within St Margaret's Village and is designated as:

- Area of Mixed Use (St Margarets)
- Area Susceptible To Groundwater Flood - Environment Agency (Superficial Deposits Flooding - >= 75% - SSA Pool ID: 183)
- Article 4 Direction A1 to A2 (Restricting A1 To A2 - St Margarets Rd, St Margarets 01/04/17 / Ref: ART4/A1TOA2/016 / Effective from: 01/04/2017)
- 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: 125 St Margarets Road Twickenham Middlesex TW1 1RG )
- Community Infrastructure Levy Band (Higher)
- **Conservation Area** (CA49 Crown Road St Margarets)
- Increased Potential Elevated Groundwater (GLA Drain London)
- **Key Shop Frontage** (125-135 ST MARGARETS ROAD)
- Land Use Past Industrial ( Start: 2002 End: 2004)
- Network Rail Safeguarding Zone (Network Rail asset, or within 10 metre of - Tenure: Bridge (Road over Rail) - Requirement to consult NR about sites within 10 metres of a railway line)
- Network Rail Safeguarding Zone (Network Rail asset, or within 10 metre of - Tenure: Freehold Ownership - Requirement to consult NR about sites within 10 metres of a railway line)
- Protected View (Indicative Zone) (N\_View\_004 View from near Ham House to Orleans House)
- Protected View (Indicative Zone) (N\_View\_005 View to Marble Hill House (north))
- Risk of Flooding from Surface Water 1 in 1000 chance - Environment Agency (RoFSW Extent 1 In 1000 year chance - SSA Pool ID: 46332)

- 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 )
- Village (St Margarets and East Twickenham Village)
- Village Character Area (Crown Road - Area 4 & Conservation Area 49 St Margarets Village Planning Guidance Page 22 CHARAREA07/04/01)
- Ward (St. Margarets and North Twickenham Ward)

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

Installation of a replacement shopfront door

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

Ref	Proposal	Received	Valid	Decision	Officer
24/2299/FUL	Installation of a replacement shopfront door	12/09/2024		Pending Consideration	SHO
24/2300/ADV	Installation of 1 no. externally illuminated fascia lettering sign	12/09/2024	16/09/2024	Granted Permission	SHO
23/1870/ES191	Lawful development certificate (Existing) to establish the use as class E.	07/07/2023	07/07/2023	Granted Permission	GAP
19/2870/VRC	Variation of condition U0061099 (Rear patio - hours of use) of planning permission 19/0122/FUL to allow to open until 10:30pm.	19/09/2019	23/09/2019	Refused Permission	RFE
19/0122/FUL	Temporary change of use of premises from A1 (retail) to a mixed A1/ A3 use (retail/cafe) including the construction of a timber frame gazebo to cover a rear patio for outside eating and the relocation to the roof of air conditioning plant and a new extract flue to vent the kitchen area.	15/01/2019	07/03/2019	Granted Permission	RFE

### 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
6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
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:

GG1 Building strong and Inclusive communities  
 SD6 Town Centres and high streets  
 SD7 Town Centres: development principles and Development Plan Documents  
 SD8 Town Centre network  
 D4 Delivering good design  
 D8 Public Realm  
 D12 Fire Safety  
 D14 Noise  
 E4 Land for industry, logistics and services to support London economic function  
 E9 Retail, markets and hot food takeaways  
 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, LP39	Yes	
Impact on Designated Heritage Assets	LP3	Yes	
Impact on Non-Designated Heritage Assets	LP4	Yes	
Impact on Amenity and Living Conditions	LP8	Yes	
Impact on Flood Risk and Sustainable Drainage	LP21	Yes	
Sustainable Design and Construction	LP20, LP22, LP23	Yes	
Waste Management	LP24	Yes	
Retail Frontages	LP25, LP26	Yes	
Employment and local economy	LP40	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)

## 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	
Living Locally and the 20-minute neighbourhood	1	Yes	
Spatial Strategy: Managing change in the borough	2	Yes	
Place-based Strategy for Hampton & Hampton Hill Teddington & Hampton Wick Twickenham, Strawberry Hill & St Margarets Whitton & Heathfield Ham, Petersham & Richmond Park Richmond & Richmond Hill Kew Mortlake & East Sheen		Yes	
Flood risk and sustainable drainage	8	Yes	
Supporting our centres and promoting culture, Development in centres	17, 18	Yes	
Managing the impacts of development on local surroundings	19	Yes	
Shops and services serving essential needs	20	Yes	
Protecting the Local Economy	21	Yes	
Promoting jobs and our local economy	22	Yes	
Local character and design quality	28	Yes	
Non-designated heritage assets	30	Yes	
Design process	44	Yes	
Social and Community Infrastructure	49	Yes	
Delivery and Monitoring	55	Yes	

### Supplementary Planning Documents

Buildings of Townscape Merit  
Design Quality  
Shopfronts  
Sustainable Construction Checklist  
Village Plan – St Margaret’s Village

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)

### Other Local Strategies or Publications

Other strategies or publications material to the proposal are:  
Community Infrastructure Levy  
CA49 Crown Road St Margarets Conservation Area Study  
Basement development – Planning Advice Note  
Basement Assessment User Guide  
Strategic Flood Risk Assessment 2021

### 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:

- ii Design and impact on heritage assets
- iii Trees
- ix Biodiversity

### **Issue ii- Design and impact on heritage assets**

Paragraph 205 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 207 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'.

Paragraph 208 of the NPPF states 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

The proposal seeks permission for the installation of a replacement shopfront door.

The application received comments from Urban Design stating that the proposal complies with policies regarding paragraph 208 and 205 of the NPPF, as there is less than substantial harm to the Building of Townscape Merit and the Conservation Area. This was subject to the confirmation of there being no awning or garaging at the proposal, which was confirmed by the agent, and reflected in plans

Thus, there will be no harm to the building or conservation area in terms of the proposal.

In view of the above, the proposal complies with the aims and objectives of policies LP1, LP3 and LP4 of the Local Plan and policies 28, 29 and 30 of the Publication Local Plan as supported by the CA49 Crown Road St Margarets Conservation Area Statement/Study.

### **Issue viii - Trees**

Policies LP15 and LP16 seek to protect biodiversity and health and longevity of trees, woodland and landscape in the borough. Local Plan policy LP16, subsection 5 requires;

"That trees are adequately protected throughout the course of development, in accordance with British Standard 5837 - Trees in relation to design, demolition and construction, Recommendations (2012)."

The proposal would not harm any trees within the area, and therefore complies with the policies set out above.

**Issue ix - Biodiversity**

Biodiversity net gain became mandatory for minor developments on applications made from 2<sup>nd</sup> April 2024. This application is exempt from mandatory biodiversity net gain on the grounds that:

- The application was made before 2<sup>nd</sup> April 2024
- The development impacts habitat of an area below a 'de minimis' threshold of 25m<sup>2</sup> 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.

Paragraph 11 of the Framework explains how the presumption in favour of sustainable development applies. For the reasons set out above, this application falls to be determined in accordance with the test under section 38(6) of the 2004 Act, the proposal is in general conformity with the Development Plan overall and there are no material considerations of sufficient weight to justify refusal.

**Grant planning permission with conditions**

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

**I therefore recommend the following:**

- 1. **REFUSAL**
- 2. **PERMISSION**
- 3. **FORWARD TO COMMITTEE**



This application is CIL liable

YES\*       NO

(\*If yes, complete CIL tab in Uniform)

This application requires a Legal Agreement

YES\*       NO

(\*If yes, complete Development Condition

Monitoring in Uniform)

This application has representations online  
(which are not on the file)

YES       NO

This application has representations on file

YES       NO

Case Officer (Initials): .....SHO.....

Dated: .....02/04/2024.....

I agree the recommendation:

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

Dated: ...04/12/2024.....

This application has been subject to representations that are contrary to the officer recommendation. The Head of Development Management has considered those representations and concluded that the application can be determined without reference to the Planning Committee in conjunction with existing delegated authority.

Head of Development Management: .....

Dated: .....