

**Application reference: 20/2526/LBC**  
**SOUTH RICHMOND WARD**

Date application received	Date made valid	Target report date	8 Week date
10.09.2020	14.09.2020	09.11.2020	09.11.2020

**Site:**

2 Old Palace Place , The Green, Richmond, TW9 1NQ

**Proposal:**

One new air conditioning unit to replace existing unit. Single storey rear glass extension. Tanking works to the modern basement slab and retaining walls

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

**APPLICANT NAME**

Mr & Mrs Vicky & Richard Peirson  
129 Kew Road  
RICHMOND  
TW9 2PN  
United Kingdom

**AGENT NAME**

Mrs Lorena Teixeira  
129 Kew Road  
RICHMOND  
TW9 2PN  
United Kingdom

**DC Site Notice:** printed on 16.09.2020 and posted on 25.09.2020 and due to expire on 16.10.2020

**Consultations:**

**Internal/External:**

**Consultee**

21D Urban D  
English Heritage 1st Consultation

**Expiry Date**

07.10.2020  
23.11.2020

**Neighbours:**

-

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

Development Management

Status: GTD Application:03/2588/LBC  
Date:07/11/2003 Lowering Of Basement Floor, New Stairs To Lower Level And Shower/wc.

Development Management

Status: GTD Application:86/1584  
Date:12/01/1987 Alterations to existing railings and gate.

Development Management

Status: GTD Application:86/1585/LB  
Date:12/01/1987 Repair of existing railings and gate, including rebuilding low level support wall as detailed.

Development Management

Status: GTD Application:03/2588/DD01  
Date:17/01/2005 Details pursuant to listed building consent 03/2588/LBC (plastering and underpinning).

Development Management

Status: GTD Application:04/2812/LBC  
Date:19/01/2005 Revision of position of staircase and shower room to lower ground floor.

Development Management

Status: GTD Application:03/2588/DD02  
Date:17/01/2005 Details of Archaeological Watching Brief pursuant to listed building consent

03/2588/LBC.

<u>Development Management</u> Status: WNA Date:07/01/2005	Application:03/2588/DD03 Details of wall finishes pursuant to listed building consent 03/2588/LBC.
<u>Development Management</u> Status: GTD Date:12/01/2005	Application:03/2588/DD04 Details of wall finishes pursuant to listed building consent 03/2588/LBC.
<u>Development Management</u> Status: GTD Date:12/01/2005	Application:03/2588/DD05 Details of panelling in proposed basement pursuant to listed building consent 03/2588/LBC.
<u>Development Management</u> Status: RNO Date:05/03/2013	Application:13/T0042/TCA T1 - Magnolia grandiflora - Cut back 1.5 metres from wall and windows, reduce in height by 2 metres. T2 - Magnolia soulangiana - Reduce by 30%
<u>Development Management</u> Status: GTD Date:20/06/2013	Application:13/1398/LBC Retrospective application to retain air conditioning plant in external basement area of front garden. Retrospective application to retain stone fire surround and built-in kitchen units in ground floor kitchen.
<u>Development Management</u> Status: GTD Date:19/09/2013	Application:13/2776/LBC Proposed internal remodelling of second floor to create two bathrooms.
<u>Development Management</u> Status: GTD Date:13/01/2014	Application:13/T0900/TPO T1 - Magnolia grandiflora - Fell and remove. URGENT. 5 DAY NOTICE Roots lifting patio and water ingress into house. Damaging oak flooring on Grade ii listed building. Lifting foul water drains and causing blockages. Replant with semi-mature specimen.
<u>Development Management</u> Status: WDN Date:09/10/2014	Application:14/0816/LBC Removal of internal wall and re-alignment of internal steps to create kitchen/living space on basement level; replacement of external door
<u>Development Management</u> Status: GTD Date:07/04/2015	Application:15/0719/LBC Internal alterations on basement level. Re-alignment of internal steps to create kitchen / Utility Room. Replacement of external door
<u>Development Management</u> Status: GTD Date:12/08/2015	Application:15/0719/DD01 Details pursuant to condition (PART OF) U82321 (Archaeological Work) of Listed Building Consent 15/0719/LBC
<u>Development Management</u> Status: RNO Date:28/04/2017	Application:17/T0196/TCA T1 - Carpinus - Prune to lift & reduce crown by 25% T2 - Magnolia - Prune to lift crown & reduce density & spread by 35% (Note: anchoring root spread restricted within raised bed, top growth must be reduced to prevent tree becoming unstable) T3 - Quercus Ilex - Prune to lift crown & reduce overall spread by 30% T4 - Cedrus Atlantica Glauca - Fell T5 - Carpinus - Prune to lift crown & reduce density & overall spread by 25% T6 - Betula Pendula - Prune to lift crown & reduce density & overall spread by 25% T7 - Apple - Prune to lift crown & reduce density & overall spread by 30% T8 - Cherry - Fell T9 - Apple - Prune to lift crown & reduce density & overall spread by 30% & cut out diseased, dying left hand trunk back to base
<u>Development Management</u> Status: RNO Date:10/04/2019	Application:19/T0174/TCA Hedge - Remove and replace with a Yew hedge
<u>Development Management</u> Status: RNO Date:10/01/2020	Application:20/T0016/TCA T2 - (Magnolia) Prune to lift crown and reduce density and spread by 35%, 2m crown reduction leaving final height of 5m and final width 6m
<u>Development Management</u> Status: PDE Date:	Application:20/2525/HOT One new air conditioning unit to replace existing unit. Single storey rear glass extension. Tanking works to the modern basement slab and retaining

walls

---

Development Management

Status: PDE

Date:

Application:20/2526/LBC

One new air conditioning unit to replace existing unit. Single storey rear glass extension. Tanking works to the modern basement slab and retaining walls

---

Building Control

Deposit Date: 02.07.2004

Underpinning of basement to form family room

Reference: 04/1325/BN

---

Building Control

Deposit Date: 17.02.2015

Internal alterations to dwelling

Reference: 15/0358/IN

---

Building Control

Deposit Date: 09.03.2015

Circuit alteration or addition in a special location

Reference: 15/NIC00631/NICEIC

---

Building Control

Deposit Date: 09.03.2015

Circuit alteration or addition in a special location

Reference: 15/NIC00694/NICEIC

---

Building Control

Deposit Date: 09.03.2015

Circuit alteration or addition in a special location

Reference: 15/NIC00744/NICEIC

---

**Planning Application reference: 20/2525/HOT and 20/2526/LBC**

**Address: 2 Old Palace Place, The Green, Richmond, TW9 1NQ**

<b>Proposal</b>	One new air conditioning unit to replace existing unit. Single storey rear glass extension. Tanking works to the modern basement slab and retaining walls.
<b>Site description / key designations</b>	<p>The application site is located to the south of Richmond Green where King Street, The Green, Old Palace Terrace and Friars Lane all intersect. The property is Grade II* listed, visibly 3 stories in height but it is understood that the property also benefits from a basement level. The front elevation is formed of dark brick with red brick detailing and sash windows with glazing bars.</p> <p>The application site is subject to the following constraints:</p> <ul style="list-style-type: none"><li>• Archaeological priority area</li><li>• Flood Zone 3a but area benefitting from flood defences</li><li>• Conservation Area: Richmond Green</li><li>• Article 4 restricting basement development</li><li>• Listed Buildings in close proximity</li><li>• Main Centre Buffer Zone</li><li>• Tree Protection Orders</li><li>• Richmond and Richmond Hill Village Planning Guidance: Character Area 3</li></ul>
<b>Planning history</b>	<p>15/0719/LBC – Internal Alterations on basement level. Re-alignment of internal steps to create kitchen/utility room. Replacement of external door. Granted: 07.04.2015</p> <ul style="list-style-type: none"><li>• DD01 – Details pursuant to condition (Part Of) U82321 (Archaeological work). Granted: 12.08.2015</li></ul> <p>14/0816/LBC – Removal of internal wall and re-alignment of internal steps to create kitchen/living space on basement level. Replacement of external door. Withdrawn: 09.10.2014</p> <p>13/2776/LBC – Proposed internal remodelling of second floor to create two bathrooms. Granted: 19.09.2013</p>

	<p>13/1398/LBC – Retrospective application to retain air conditioning plant in external basement area of front garden. Retrospective application to retain stone fire surrounding and built-in kitchen units in ground floor kitchen. Granted: 20.06.2013</p> <p>04/2812/LBC – Revision of position of staircase and shower room to lower ground floor. Granted: 19.01.2005</p> <p>03/2588/LBC – Lowering of basement floor, new stairs to lower level and shower/wc. Granted: 07.11.2003</p> <ul style="list-style-type: none"> <li>• DD01 – plastering and underpinning. Granted: 17.01.2005</li> <li>• DD02 – Archaeological watching brief. Granted: 17.01.2005</li> <li>• DD03 – details of wall finishes. Withdrawn: 07.01.2005</li> <li>• DD04 – details of wall finishes. Granted: 12.01.2005</li> <li>• DD05 – Details of panelling in proposed basement. Granted: 12.01.2005</li> </ul> <p>86/1585/LBC – Repair of existing railings and gate, including rebuilding low level support wall as detailed. Granted: 12.01.1987</p> <p>86/1584 – Alterations to existing railings and gate. Granted: 12.01.1987</p>
<b>Policies</b>	<p>The proposal has been considered having regard to the policies within the Council's Local Plan, in particular:</p> <p><b>Local Plan (2018):</b></p> <ul style="list-style-type: none"> <li>• LP1 Local character and Design quality</li> <li>• LP3 Designated Heritage Assets</li> <li>• LP4 Non-designated Heritage Assets</li> <li>• LP8 Amenity and Living Conditions</li> <li>• LP11 Subterranean developments and basements</li> <li>• LP16 Trees, Woodland and Landscaping</li> </ul> <p><b>Supplementary Planning Documents / Guidance:</b></p> <ul style="list-style-type: none"> <li>• House extensions and external alterations</li> <li>• Richmond and Richmond Hill Village Planning Guidance</li> <li>• Conservation Area Statement: Richmond Green</li> </ul>
<b>Material representations</b>	One letter of representation has been received in support of the application.
<b>Amendments</b>	None.
<b>Professional comments</b>	<p>The application site has been visited and the proposal assessed in relation to the following issues:</p> <ul style="list-style-type: none"> <li>• Design and Heritage Assets</li> <li>• Neighbour amenity</li> <li>• Archaeology</li> </ul> <p><b>Design and Heritage Assets</b></p> <p>The proposal involves alterations to a Listed Building and as such, regard shall be had to the additional protections afforded to such Listed Building within the relevant policies.</p> <p>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.</p> <p>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,</p>

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.

The application site itself is a Grade II\* Listed Building registered as 'Old Palace Place' together with No.1 to the east. Several other properties in the surrounding area also benefit from Grade II\* Listing such as the Gate and Railing to Old Friars to the West and the gates and railings to Oak House, 18 King Street and Old Palace Terrace (1-6). There are also a number of Grade II Listed Buildings in the area. The application site and the surrounding buildings form part of Richmond Green Conservation Area. These designations demonstrate the site to be highly sensitive in heritage terms and as such, great weight shall be given to the conservation of these heritage assets and their settings.

While in this instance there are a number of Grade II\* Listed features in close proximity, this does not diminish the importance of the Grade II\* listing classification which places the building within the top 5.8% of all listed buildings in England. In this instance, 2 Old Palace Place is given this designation as a building of more than special interest due to its age, rarity and architectural quality. Therefore, care should be taken to preserve the significant of the building when considering the proposed works.

The proposed replacement air conditioning units are considered acceptable in that these are replacements of existing features which reduces the loss of historic fabric as a result of these works. This, in combination with their siting within lightwells ensures they do not become prominent features and instead have a minimal impact on the character the building. Given this, no objection is raised to this element of the works.

The proposed tanking of the basement is understood from the submitted information to be a membrane system. The impact on the listed building will be limited to the basement floor which is understood to have been subject to alteration within the last few years as demonstrated within the planning history of the site. This part of the works will therefore have a minimal impact given that it will affect more modern fabric and will be easily reversible. As such, there will be no long term harm to the significance of the listed building and so no objection is raised to this part of the works.

The proposed rear extension is to be roughly 4m deep, 4.1m wide and the height is proposed to finish just above the framing of the decorative doorway of which the extension is to be sited around. It is appreciated that the design has a lightweight appearance as a result of the use of glazing which would form a modern design, overtly contrasting with the historic fabric of the building. However, there is concern in regard to the proposed siting of the extension on the rear elevation which encloses a decorative timber doorcase.

The form of the existing rear elevation reflects the visual and physical development of the building over time such as the fenestration pattern demonstrating where the building has previously been subdivided into different parts. The rear decorative timber doorcase is now an important focal point of this rear façade. While the submitted Heritage Statement has demonstrated through historic photos that the door is not part of the original fabric of the building, the doorway does appear to be of some age in its own right dating from between 1930-1944. While the detailing is unusually extravagant for the rear elevation, the design draws from the appearance of the front door to No.1 Old Palace Place and so is not an alien feature to the building as a whole. The classical detailing, considered proportions and generally character means the existing rear elevation door forms a pleasing and architecturally harmonious element of the rear elevation. Therefore, this rear doorcase is considered to positively contribute to the character of the building, in particular the rear elevation.

The proposed extension would result in the enclosure of this feature. While steps have been taken such as via the use of glazing, to ensure the doorcase is still visible, its full enclosure as a result of the extension would inevitably detract from the doorway as the focal point of the rear extension and, so lessen the features contribution to the special interest of the listed building. The proposed enclosure of this element with a modern extension would create an incongruous aesthetic and unsympathetic juxtaposition with the traditional form of the host building, causing some harm to the significance of the host building.

The Heritage Statement also demonstrates that a rear extension did previously exist in a similar location on the rear elevation and it is argued that this provides some justification for the siting of the proposed extension. The historic photographs of the previous rear extension demonstrate that it did not enhance the rear elevation and so is not considered a feature which would be encouraged to be replicated or reinstated, albeit it is appreciated the current design differs from that previously existing.

The historic photos also demonstrate a different circumstance in that the previous extension appears to show the extension along what is now the shared boundary between No.1 and No. 2 Old Palace Place and as such suggests the building was in use at one property at the time which differs from the current circumstances. Given the composition of the current rear façade, and its relationship to its neighbours of which it once formed a part, the proposed projection would appear as an alien and awkward element which does not sit comfortably in the proposed location when viewed from the garden or when viewing the terrace as a whole.

Overall, while there is not an in-principle objection to some form of rear extension, there is an objection to the form of the proposed rear extension around the pedimented doorcase. While a glazed and lightweight appearance is proposed, the extension would, by way of its enclosure of the doorcase and by its contrasting appearance, draw prominence away from the pedimented doorcase which is considered a positive attribute of the building's rear elevation. This is considered to result in harm to the significance of this Grade II\* Listed Building.

The NPPF requires harm to have clear and convincing justification. In this instance, the harm from the proposed extension is considered to be less than substantial given the affected area in comparison with No.2 Old Palace Place as a whole and given that the doorcase itself would not be removed or altered as part of the proposed works. While it is the LPA's duty to assess the scheme as proposed, it is noted that more sympathetic alternatives were discussed at pre-application stage and that there is no evidence put forward within this application that other less sensitive locations or alternative designs have been explored. As such, the application has not demonstrated that the extension is justified as a result of it being in the least intrusive location. The proposal is also not justified in public benefits, of which none have been identified.

Therefore, the proposed extension, by reason of its enclosure of the pedimented doorcase and contemporary design would detract from the doorway composition which would be harmful to the character and appearance of the garden façade of the host Grade II\* Listed Building which is one of the oldest and most important on this part of Richmond Green. The proposed extension would also be harmful to the setting of neighbouring listed buildings, in particular No.1 Old Palace Place from which the extension would be clearly visible.

#### **Neighbour Amenity**

Policy LP8 sets out that all development will be required to protect the amenity and living conditions of neighbour occupiers with particular regard to daylight and sunlight standards, overlooking, noise disturbance, sense of enclosure, overbearing and visual intrusion.

The two neighbouring properties with the most potential to be impacted by the proposal are No. 1 Old Palace Place to the east and Old Friars to the west which are both understood to be residential properties.

The proposal is not considered to have a detrimental impact on daylight and sunlight afforded to neighbouring properties. The shared boundary treatment to the west with Old Friars is formed of a tall wall which finishes above the ground floor windows and so the proposed extension would not block any additional light above the existing boundary wall. While the shared boundary with No.1 Old Palace Lane is lower, the proposed rear extension is limited to single storey in height, does not abut this shared boundary and is proposed to be formed of glazing which will allow light to pass through which limits the associated impacts. As such, the extension will not have a detrimental impact on light afforded to these two neighbouring properties.

The proposal will not result in overlooking or loss of privacy. The shared boundary treatment with Old Friars is taller than the ground floor windows and so will block lines

	<p>of sight from the proposed extension into this neighbouring property and associated garden space. While the boundary treatment shared with No.1 Old Palace Place is lower than that with Old Friars, it is appreciated that lines of sight will not be increased more than those existing from the current patio area in the rear garden. As such, the proposal does not result in loss of privacy to either neighbouring property.</p> <p>The SPD on House Extension and External Alterations sets out that the effect of a single storey rear extension is usually acceptable if the projection is no further than 3m for a terrace property. In this instance, the proposed extension seeks to have a depth of roughly 4m. Given the single storey height, the high boundary wall shared with Old Friars, the lightweight glazed appearance and that it does not abut either shared boundary, the proposed extension, while 1m deeper than the SPD advice, is not considered to result in a sense of enclosure, overbearing or visual intrusion to either neighbouring property.</p> <p>The proposal is not considered to be detrimental to neighbours in regard to noise disturbance. The extension will continue to be in residential use and so the noise from its associated use is not considered to be significantly more than the existing use of the house and garden. In regard to the proposed air conditioning unit, it is appreciated that this will replace the existing and that a noise report has been submitted demonstrating the noise generated will not have a detrimental impact on neighbouring occupiers.</p> <p>Given the proposed tanking works are to be located internally, this element of the proposed works will not be detrimental to the daylight and sunlight afforded to neighbouring properties, will not cause overlooking, and will not result in sense of enclosure, visual intrusion or overbearing, nor will it result in noise disturbance.</p> <p>Therefore, no objection is raised to the proposal in regard to the impact on neighbour amenity.</p> <p><b>Archaeology</b> The application site is located within an archaeological priority area and Policy LP7 sets out that the Council will seek to protect, enhance and promote the archaeological heritage of the borough. In this instance, the works do not involve excavation of any previously undisturbed land and as such, are unlikely to have a detrimental impact on any surviving archaeological remains.</p> <p>Therefore, no objection is raised to the proposal in this regard.</p>
<b>Recommendation</b>	Refusal

**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): .....SGR.....

Dated: .....15/12/2020.....

**I agree the recommendation:** 

Team Leader/~~Head of Development Management~~/Principal Planner

Dated: .....15.12.2020.....



The following table will populate as a quick check by running the template once items have been entered into Uniform

**SUMMARY OF CONDITIONS AND INFORMATIVES**

---

**CONDITIONS**

---

---

**INFORMATIVES**

---

U0047609	Decision Documents
U0047608	NPPF Refusal