

9-10 GEORGE STREET,  
RICHMOND, TW9 1JY

# HERITAGE AND TOWNSCAPE ASSESSMENT

PREPARED BY PEGASUS GROUP ON BEHALF  
OF SHEEN LANE DEVELOPMENTS

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DESIGN | ENVIRONMENT | PLANNING | ECONOMICS | HERITAGE

# HERITAGE AND TOWNSCAPE ASSESSMENT

**9–10 GEORGE STREET, RICHMOND, TW9 1JY**

**ON BEHALF OF: SHEEN LANE DEVELOPMENTS LTD**

Prepared by: **Claire Gayle B.EnvD, MSc, MA, IHBC**

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# 1. Introduction

1.1 Pegasus Group have been commissioned by Sheen Lane Developments to prepare a Heritage and Townscape Assessment to assess the proposed vertical and rear extensions to the existing building at 9–10 George Street, Richmond, TW9 1JY as shown on the Site Location Plan provided at Plate 1.

1.2 The buildings within the Site are not statutorily Listed Buildings, nor are they Buildings of Townscape Merit (as identified by the Borough of Richmond), but it falls within the Central Richmond Conservation Area.

1.3 The application seeks Planning Permission for the following development:

*"Change of Use of part ground floor and first floor from ancillary retail (Use Class E, formerly A1) to C3 residential and upward extension to provide a total of 6no. self-contained residential units (Use Class C3). Replacement of existing shopfront."*

1.4 This Heritage and Townscape Assessment provides information with regards to the significance the historic environment to fulfil the requirement given in paragraph 189 of the Government's National Planning Policy Framework (the NPPF<sup>1</sup>) which requires:

*"an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting."*<sup>2</sup>

1.5 In order to inform an assessment of the acceptability of the scheme in relation to impacts to the historic environment, following paragraphs 193 to 197 of the NPPF, any harm to the historic environment resulting from the proposed development is also described, including impacts to significance through changes to setting.

1.6 As required by paragraph 189 of the NPPF, the detail and assessment in this Report is considered to be "*proportionate to the asset's importance*".<sup>3</sup>

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<sup>1</sup> Ministry of Housing, Communities and Local Government (MHCLG), *National Planning Policy Framework (NPPF)* (London, February 2019).

<sup>2</sup> MHCLG, *NPPF*, paragraph 189.

<sup>3</sup> MHCLG, *NPPF*, paragraph 189.



Plate 1: Site location plan.

## 2. Site Description and Planning History

- 2.1 The application site includes Nos. 9 and 10 George Street, which historically were two separate buildings, but have now been combined internally. The front, street-facing elevation still has the appearance of two buildings apart from the shopfront at ground level which spans both frontages, albeit maintaining a vertical divide (Plate 2-Plate 5).
- 2.2 No. 9 is three storeys in height with a parapet preventing some street-level views of the tiled pitched roof beyond. The building is brick-built. This can be seen in aerial views and views along George Street from the east. No. 10 has a cream-painted, rendered front elevation with a tiled pitched roof.
- 2.3 To the rear, across both buildings, is a two-storey extension with a flat roof and small pitched area at the very rear.



*Plate 2: Aerial view of the front elevation and roof.*





*Plate 3: Aerial view of the rear elevation and roof.*



*Plate 4: Front elevation from street-level.*

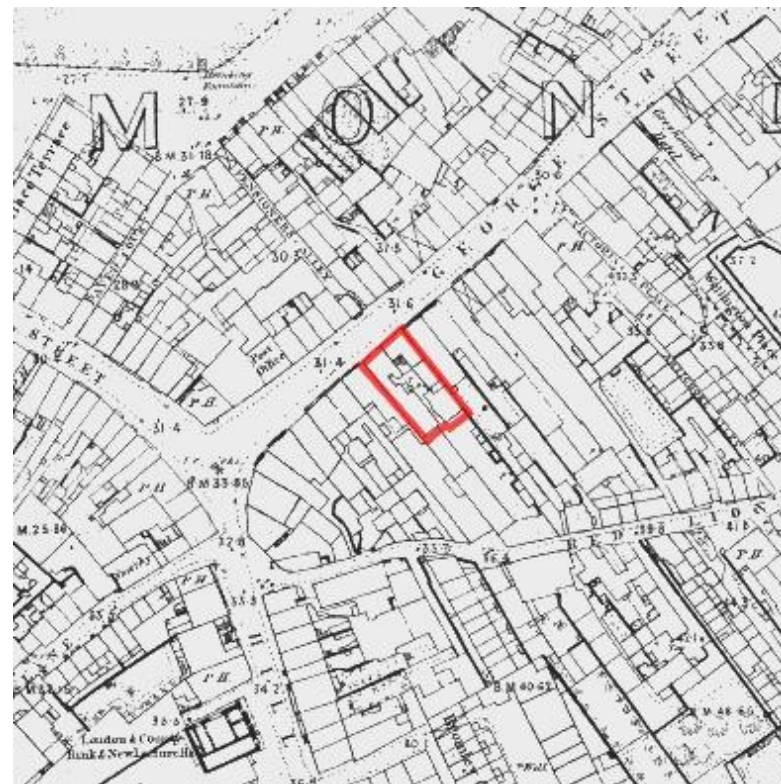


*Plate 5: Front elevation from street-level.*

### **Site Development**

- 2.4 The area is the site of a former medieval village settlement which was in existence by 1350. This village was associated with the nearby royal manor and palace. In later centuries, an important coaching route to London ran through the area. This resulted in successive redevelopment, although the original medieval street pattern survives. Most of the buildings date from the 19<sup>th</sup> and 20<sup>th</sup> centuries.
- 2.5 The 1867 Ordnance Survey Map shows the site as two distinct buildings (Plate 6). The narrowness of the plots in the surrounds demonstrates the early origins of the street pattern and the

dense urban grain. Both buildings have projections to the rear, but it is clear that there is a small yard area in the centre.



*Plate 6: 1867 Ordnance Survey extract.*



2.6 The 1896 Ordnance Survey map shows the same situation as previously albeit clearer in terms of what area is occupied by built form (Plate 7).

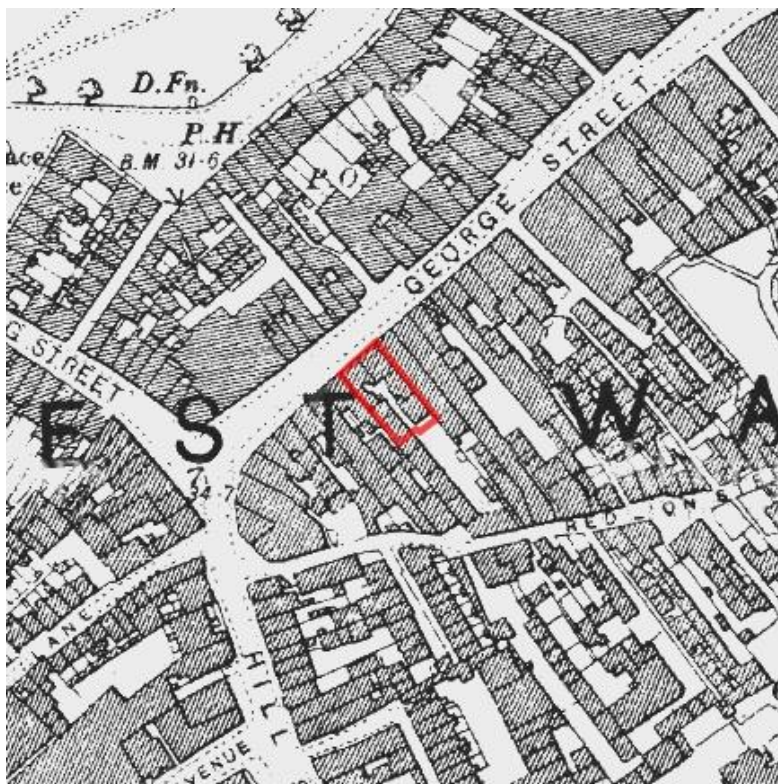


Plate 7: 1896 Ordnance Survey extract.

2.7 By 1936, buildings beyond the rear of the site closer to Red Lion Street were cleared leaving a vacant site (Plate 8). The site itself is still shown as two distinct buildings with the small gap between retained.

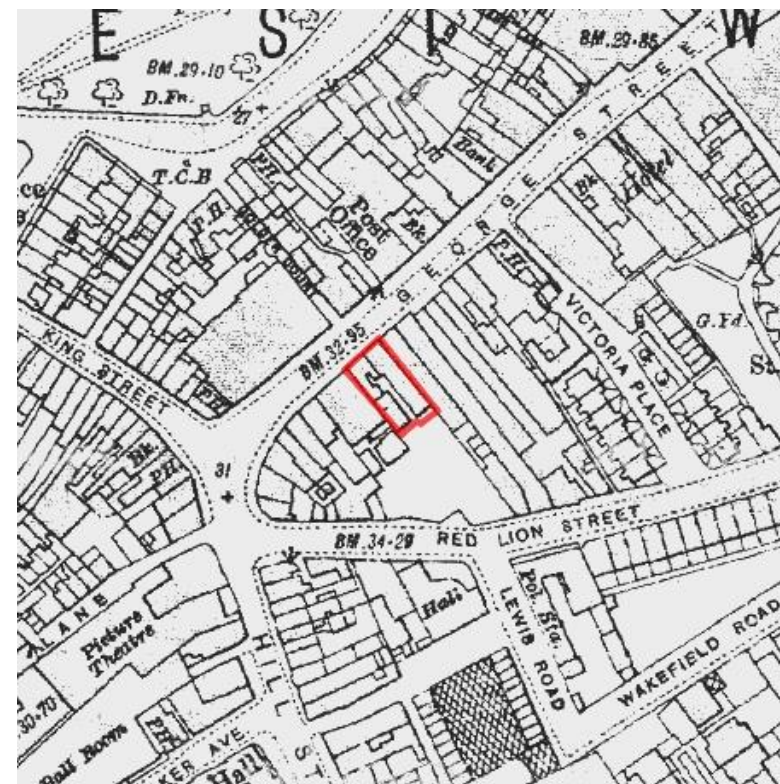


Plate 8: 1936 Ordnance Survey extract.

2.8 Between 1936 and 1960, Lion House was constructed to the rear of the site (Plate 9). The site itself had not seen significant change, apart from the subdivision of No. 9 into 9 and 9a. However, built form remained largely as seen in the previous mapping, with truncation of the rearmost project of No. 9.

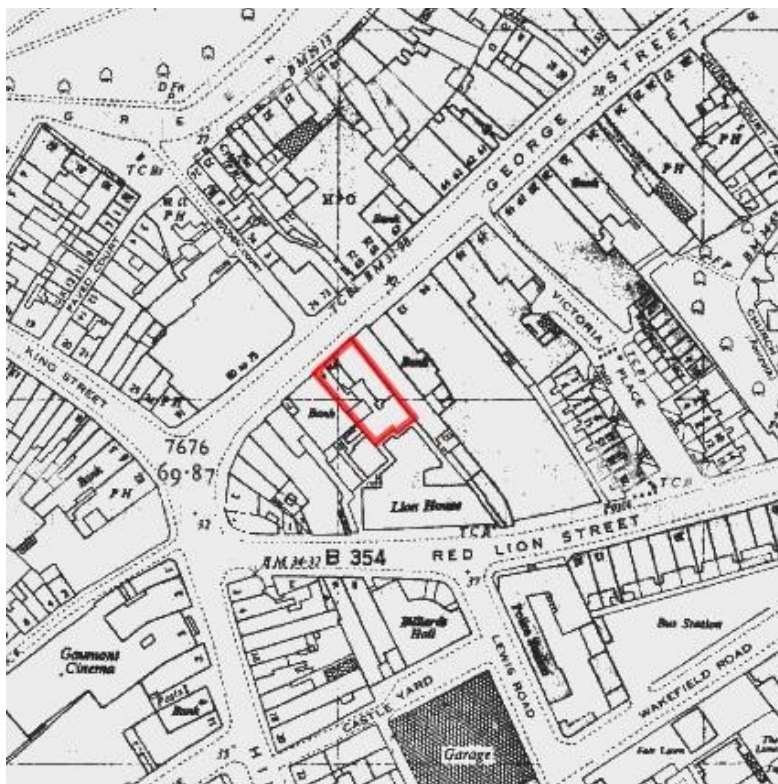


Plate 9: 1960 Ordnance Survey extract.

2.9 Images from 1975 and 1977 show glimpses of No. 9 and No. 10, respectively (Plate 10 and Plate 11). It is clear in the 1975 image that No. 9 retained a different fenestration pattern to the front. There are no significant changes between No. 10 in 1977 and today, but the shopfront is clearly modern and different from that seen on No. 9, demonstrating that the buildings were still two separate entities at this point.





Plate 10: 1975 Image (Collage Ref: 162561).



Plate 11: 1977 Image (Collage Ref: 165740).

### **Planning History**

- 2.10 Whilst the historic mapping described above indicates the development of the local area, a review of the recent planning history records held online by the Borough of Richmond has also indicated a number of applications which are relevant to the current proposals, as follows:
- 2.11 **94/0493/FUL** | Erection of two storey retail development including retention and refurbishment of part of existing structure | Granted | 16<sup>th</sup> June 1994.
- 2.12 **94/0584/CAC** | Demolition of part of existing buildings | Granted | 16<sup>th</sup> June 1994.
- 2.13 **95/1467/CAC** | Partial demolition of existing buildings | Granted | 30<sup>th</sup> June 1995.
- 2.14 **96/0179/FUL** | Erection of a two storey retail development (revised details) | Granted | 24<sup>th</sup> April 1996.
- 2.15 The above applications provide evidence as to when the Borough of Richmond first approved the part demolition of No. 9 and the reconstruction of its front elevation. Whilst the new shopfront application (96/0564/FUL) shows the previous fenestration arrangement at first floor level on No. 9, an application from earlier in 1996 may have amended the proposals, or the new arrangement was simply not shown on these drawings.

2.16 **96/0564/FUL** | New shopfront. | Approved | 17<sup>th</sup> May 1996.

2.17 This above application demonstrates the modern origins of the shopfront, as well noting the site as being a single retail unit. The approved drawings and Decision Notice can be found in Appendix 1.

### **APPENDIX 1: 96/0564/FUL DRAWING AND DECISION NOTICE**

# 3. Proposed Development

3.1 The application seeks Planning Permission for the following development:

*"Change of Use of part ground floor and first floor from ancillary retail (Use Class E, formerly A1) to C3 residential and upward extension to provide a total of 6no. self-contained residential units (Use Class C3). Replacement of existing shopfront."*

3.2 The proposals are detailed on the following plans which form the application package and which this assessment considers:

- **100 - Proposed Ground Floor Plan - Rev A**
- **101 - Proposed First Floor Plan - Rev A**
- **102 - Proposed Second Floor Plan - Rev A**
- **103 - Proposed Third Floor Plan**
- **104 - Proposed Roof Floor Plan**
- **200 - Proposed Section**
- **201 - Proposed Section**
- **400 - Proposed Elevations**
- **401 - Proposed Elevations**
- **402 - Proposed Elevations**
- **403 - Proposed Elevations**

# 4. Methodology

4.1 The aims of this Heritage and Townscape Assessment are to assess the significance of the heritage resource within the site, to assess any contribution that the site makes to the heritage significance of the identified heritage assets, and to identify any harm or benefit to those assets which may result from the implementation of the development proposals, along with the level of any harm caused, if relevant.

## Sources

4.2 The following key sources have been consulted as part of this assessment:

- **The National Heritage List for England for information on designated heritage assets;**
- **The Central Richmond, Richmond Green and Richmond Riverside Conservation Area Study as prepared by the London Borough of Richmond;**
- **Historic Ordnance Survey Maps;**
- **Aerial photographs and documentary sources held at the Historic England Archives, Swindon; and**
- **Online resources including Ordnance Survey Open Source data; geological data available from the British Geological Survey and**

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<sup>4</sup> MHCLG, *NPPF*, p. 71.

**Cranfield University's Soilsmap Viewer; Google Earth satellite imagery; and LiDAR data from the Environment Agency.**

## Site Visit

4.3 A site visit was undertaken by Claire Gayle, Principal Heritage Consultant on 7<sup>th</sup> November 2020, during which the site and its surrounds were assessed. Selected heritage assets were assessed from publicly accessible areas.

## Assessment of significance

4.4 In the NPPF, heritage significance is defined as:

*"The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance."*<sup>4</sup>

4.5 Historic England's *Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice*



*Advice in Planning*: 2<sup>5</sup> (hereafter GPA 2) gives advice on the assessment of significance as part of the application process. It advises understanding the nature, extent, and level of significance of a heritage asset.

4.6 In order to do this, GPA 2 also advocates considering the four types of heritage value an asset may hold, as identified in English Heritage's *Conservation Principles*.<sup>6</sup> These essentially cover the heritage 'interests' given in the glossary of the NPPF<sup>7</sup> and the online Planning Practice Guidance on the Historic Environment<sup>8</sup> (hereafter 'PPG') which are **archaeological**, **architectural and artistic** and **historic**.

4.7 The PPG provides further information on the interests it identifies:

- **Archaeological interest:** "As defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point."
- **Architectural and artistic interest:** "These are interests in the design and general aesthetics of a place. They can arise from conscious design or

<sup>5</sup> Historic England, *Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning: 2* (2<sup>nd</sup> edition, Swindon, July 2015).

<sup>6</sup> English Heritage, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* (London, April 2008). These heritage values are identified as being 'aesthetic', 'communal', 'historical' and 'evidential', see idem pp. 28–32.

<sup>7</sup> MHCLG, *NPPF*, p. 71.

*fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skills, like sculpture."*

- **Historic interest:** "An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history, but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity."<sup>9</sup>

4.8 Significance results from a combination of any, some or all of the interests described above.

4.9 The most-recently issued guidance on assessing heritage significance, Historic England's *Statements of Heritage Significance: Analysing Significance in Heritage Assets*, *Historic England Advice Note 12*,<sup>10</sup> advises using the terminology of the NPPF and PPG, and thus it is that terminology which is used in this Report.

<sup>8</sup> Ministry of Housing Communities and Local Government (MHCLG), *Planning Practice Guidance: Historic Environment (PPG)* (revised edition, 23<sup>rd</sup> July 2019), <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>.

<sup>9</sup> MHCLG, *PPG*, paragraph 006, reference ID: 18a-006-20190723.

<sup>10</sup> Historic England, *Statements of Heritage Significance: Analysing Significance in Heritage Assets*, *Historic England Advice Note 12* (Swindon, October 2019).

4.10 Listed Buildings and Conservation Areas are generally designated for their special architectural and historic interest. Scheduling is predominantly, although not exclusively, associated with archaeological interest.

Setting and significance

4.11 As defined in the NPPF:

*"Significance derives not only from a heritage asset's physical presence, but also from its setting."*<sup>11</sup>

4.12 Setting is defined as:

*"The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral."*<sup>12</sup>

4.13 Therefore, setting can contribute to, affect an appreciation of significance, or be neutral with regards to heritage values.

Assessing change through alteration to setting

4.14 How setting might contribute to these values has been assessed within this Report with reference to *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3*<sup>13</sup> (henceforth referred to as 'GPA 3'), particularly the

checklist given on page 11. This advocates the clear articulation of "what matters and why".<sup>14</sup>

4.15 In GPA 3, a stepped approach is recommended, of which Step 1 is to identify which heritage assets and their settings are affected. Step 2 is to assess whether, how and to what degree settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated. The guidance includes a (non-exhaustive) checklist of elements of the physical surroundings of an asset that might be considered when undertaking the assessment including, among other things: topography, other heritage assets, green space, functional relationships and degree of change over time. It also lists aspects associated with the experience of the asset which might be considered, including: views, intentional intervisibility, tranquillity, sense of enclosure, accessibility, rarity and land use.

4.16 Step 3 is to assess the effect of the proposed development on the significance of the asset(s). Step 4 is to explore ways to maximise enhancement and minimise harm. Step 5 is to make and document the decision and monitor outcomes.

4.17 A Court of Appeal judgement has confirmed that whilst issues of visibility are important when assessing setting, visibility does not necessarily confer a contribution to significance and also that

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<sup>11</sup> MHCLG, *NPPF*, p. 71.

<sup>12</sup> MHCLG, *NPPF*, p. 71.

<sup>13</sup> Historic England, *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3* (2<sup>nd</sup> edition, Swindon, December 2017).

<sup>14</sup> Historic England, *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3* (2<sup>nd</sup> edition, Swindon, December 2017), p. 8.

factors other than visibility should also be considered, with Lindblom LJ stating at paragraphs 25 and 26 of the judgement (referring to an earlier Court of Appeal judgement)<sup>15</sup>:

*Paragraph 25 – “But – again in the particular context of visual effects – I said that if “a proposed development is to affect the setting of a listed building there must be a distinct visual relationship of some kind between the two – a visual relationship which is more than remote or ephemeral, and which in some way bears on one’s experience of the listed building in its surrounding landscape or townscape” (paragraph 56)”.*

*Paragraph 26 – “This does not mean, however, that factors other than the visual and physical must be ignored when a decision-maker is considering the extent of a listed building’s setting. Generally, of course, the decision-maker will be concentrating on visual and physical considerations, as in Williams (see also, for example, the first instance judgment in R. (on the application of Miller) v North Yorkshire County Council [2009] EWHC 2172 (Admin), at paragraph 89). But it is clear from the relevant national policy and guidance to which I have referred, in particular the guidance in paragraph 18a-013-20140306 of the PPG, that the Government recognizes the potential relevance of other considerations – economic, social and historical. These other considerations may include, for example, “the historic relationship between places”. Historic England’s advice in GPA3 was broadly to the same effect.”*

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<sup>15</sup> *Catesby Estates Ltd. v. Steer* [2018] EWCA Civ 1697, para. 25 and 26.

#### Levels of significance

- 4.18 Descriptions of significance will naturally anticipate the ways in which impacts will be considered. Hence descriptions of the significance of Conservation Areas will make reference to their special interest and character and appearance, and the significance of Listed Buildings will be discussed with reference to the building, its setting and any features of special architectural or historic interest which it possesses.
- 4.19 In accordance with the levels of significance articulated in the NPPF and the PPG, three levels of significance are identified:
- **Designated heritage assets of the highest significance**, as identified in paragraph 194 of the NPPF, comprising Grade I and II\* Listed buildings, Grade I and II\* Registered Parks and Gardens, Scheduled Monuments, Protected Wreck Sites, World Heritage Sites and Registered Battlefields (and also including some Conservation Areas) and non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to Scheduled Monuments, as identified in footnote 63 of the NPPF;
  - **Designated heritage assets of less than the highest significance**, as identified in paragraph 194 of the NPPF, comprising Grade II Listed buildings and Grade II Registered Parks and Gardens (and also some Conservation Areas); and
  - **Non-designated heritage assets**. Non-designated heritage assets are defined within the PPG as “buildings, monuments, sites, places, areas or

*landscapes identified by plan-making bodies as having a degree of significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets”.*<sup>16</sup>

4.20 Additionally, it is of course possible that sites, buildings or areas have **no heritage significance**.

Assessment of harm

4.21 Assessment of any harm will be articulated in terms of the policy and law that the proposed development will be assessed against, such as whether a proposed development preserves or enhances the character or appearance of a Conservation Area, and articulating the scale of any harm in order to inform a balanced judgement/weighting exercise as required by the NPPF.

4.22 In order to relate to key policy, the following levels of harm may potentially be identified for designated heritage assets:

- **Substantial harm or total loss.** *It has been clarified in a High Court Judgement of 2013 that this would be harm that would “have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced”;*<sup>17</sup> and
- **Less than substantial harm.** *Harm of a lesser level than that defined above.*

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<sup>16</sup> MHCLG, PPG, paragraph 039, reference ID: 18a-039-20190723.

<sup>17</sup> *Bedford Borough Council v Secretary of State for Communities and Local Government* [2013] EWHC 2847 (Admin), para. 25.

4.23 With regards to these two categories, the PPG states:

*“Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated.”*<sup>18</sup>

4.24 Hence, for example, harm that is less than substantial would be further described with reference to where it lies on that spectrum or scale of harm, for example low end, middle of the spectrum and upper end of the less than substantial harm scale.

4.25 With regards to non-designated heritage assets, there is no basis in policy for describing harm to them as substantial or less than substantial, rather the NPPF requires that the scale of any harm or loss is articulated. As such, harm to such assets is articulated as a level of harm to their overall significance, with levels such as negligible, minor, moderate and major harm identified.

4.26 It is also possible that development proposals will cause **no harm or preserve** the significance of heritage assets. A High Court Judgement of 2014 is relevant to this. This concluded that with regard to preserving the setting of a Listed building or preserving the character and appearance of a Conservation Area, ‘preserving’ means doing ‘no harm’.<sup>19</sup>

<sup>18</sup> MHCLG, PPG, paragraph 018, reference ID: 18a-018-20190723.

<sup>19</sup> *R (Forge Field Society) v Sevenoaks District Council* [2014] EWHC 1895 (Admin).



4.27 Preservation does not mean no change; it specifically means no harm. GPA 2 states that “*Change to heritage assets is inevitable but it is only harmful when significance is damaged*”.<sup>20</sup> Thus, change is accepted in Historic England’s guidance as part of the evolution of the landscape and environment. It is whether such change is neutral, harmful or beneficial to the significance of an asset that matters.

4.28 As part of this, setting may be a key consideration. For an evaluation of any harm to significance through changes to setting, this assessment follows the methodology given in GPA 3, described above. Again, fundamental to the methodology set out in this document is stating “what matters and why”. Of particular relevance is the checklist given on page 13 of GPA 3.

4.29 It should be noted that this key document also states that:

*“Setting is not itself a heritage asset, nor a heritage designation...”<sup>21</sup>*

4.30 Hence any impacts are described in terms of how they affect the significance of a heritage asset, and heritage values that contribute to this significance, through changes to setting.

4.31 With regards to changes in setting, GPA 3 states that:

*“Conserving or enhancing heritage assets by taking their settings into account need not prevent change”.*<sup>22</sup>

4.32 Additionally, it is also important to note that, as clarified in the Court of Appeal, whilst the statutory duty requires that special regard should be paid to the desirability of not harming the setting of a Listed Building, that cannot mean that any harm, however minor, would necessarily require Planning Permission to be refused.<sup>23</sup>

#### Benefits

4.33 Proposed development may also result in benefits to heritage assets, and these are articulated in terms of how they enhance the heritage values and hence the significance of the assets concerned.

4.34 As detailed further in [Section 4](#), the NPPF (at Paragraphs 195 and 196) requires harm to a designated heritage asset to be weighed against the public benefits of the development proposals.

4.35 High Court judgements<sup>24</sup> have confirmed that enhancement to the historic environment should be considered as a public benefit

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<sup>20</sup> Historic England, *GPA 2*, p. 9.

<sup>21</sup> Historic England, *GPA 3*, p. 4.

<sup>22</sup> Historic England, *GPA 3.*, p. 8.

<sup>23</sup> *Palmer v Herefordshire Council & Anor* [2016] EWCA Civ 1061.

<sup>24</sup> *Kay, R (on the application of) v Secretary of State for Housing Communities and Local Government & Anor* [2020] EWHC 2292 (Admin); *City & Country Bramshill Ltd v Secretary of State for Housing, Communities* [2019] EWHC 3437 (Admin)

under the provisions of Paragraphs 195, 196 and 197.

4.36 The PPG provides further clarity on what is meant by the term 'public benefit', including how these may be derived from enhancement to the historic environment ('heritage benefits'), as follows:

*"Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.*

*Examples of heritage benefits may include:*

- *sustaining or enhancing the significance of a heritage asset and the contribution of its setting*
- *reducing or removing risks to a heritage asset*
- *securing the optimum viable use of a heritage asset in support of its long term conservation.*<sup>25</sup>

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<sup>25</sup> MHCLG, PPG, paragraph 020, reference ID: 18a-020-20190723.

4.37 Any 'heritage benefits' arising from the proposed development, in line with the narrative above, will be clearly articulated in order for them to be taken into account by the Decision Maker.

# 5. Planning Policy Framework

5.1 This section of the Report sets out the legislation and planning policy considerations and guidance contained within both national and local planning guidance which specifically relate to the site, with a focus on those policies relating to the protection of the historic environment.

## Legislation

5.2 Legislation relating to the built historic environment is primarily set out within the *Planning (Listed Buildings and Conservation Areas) Act 1990*,<sup>26</sup> which provides statutory protection for Listed Buildings and Conservation Areas.

5.3 With regards to development within Conservation Areas, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

*"In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."*

5.4 Section 72(1) of the Act does not make reference to the setting of a Conservation Area. This makes it plain that it is the

character and appearance of the designated Conservation Area that is the focus of special attention.

5.5 In addition to the statutory obligations set out within the Planning (Listed Buildings and Conservation Area) Act 1990, Section 38(6) of the *Planning and Compulsory Purchase Act 2004* requires that all planning applications, including those for Listed Building Consent, are determined in accordance with the Development Plan unless material considerations indicate otherwise.<sup>27</sup>

## National Planning Policy Guidance

### The National Planning Policy Framework (February 2019)

5.6 National policy and guidance is set out in the Government's National Planning Policy Framework (NPPF) published in February 2019. This replaced and updated the previous NPPF 2018 which in turn had amended and superseded the 2012 version. The NPPF needs to be read as a whole and is intended to promote the concept of delivering sustainable development.

5.7 The NPPF sets out the Government's economic, environmental and social planning policies for England. Taken together, these policies articulate the Government's vision of sustainable

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<sup>26</sup> UK Public General Acts, *Planning (Listed Buildings and Conservation Areas) Act 1990*.

<sup>27</sup> UK Public General Acts, *Planning and Compulsory Purchase Act 2004*, Section 38(6).

development, which should be interpreted and applied locally to meet local aspirations. The NPPF continues to recognise that the planning system is plan-led and that therefore Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application, including those which relate to the historic environment.

5.8 The overarching policy change applicable to the proposed development is the presumption in favour of sustainable development. This presumption in favour of sustainable development (the 'presumption') sets out the tone of the Government's overall stance and operates with and through the other policies of the NPPF. Its purpose is to send a strong signal to all those involved in the planning process about the need to plan positively for appropriate new development; so that both plan-making and development management are proactive and driven by a search for opportunities to deliver sustainable development, rather than barriers. Conserving historic assets in a manner appropriate to their significance forms part of this drive towards sustainable development.

5.9 The purpose of the planning system is to contribute to the achievement of sustainable development and the NPPF sets out three 'objectives' to facilitate sustainable development: an economic objective, a social objective, and an environmental objective. The presumption is key to delivering these objectives, by creating a positive pro-development framework which is underpinned by the wider economic, environmental and social provisions of the NPPF. The presumption is set out in full at

paragraph 11 of the NPPF and reads as follows:

*"Plans and decisions should apply a presumption in favour of sustainable development.*

*For plan-making this means that:*

- a. plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;*
- b. strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or*
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.**

*For decision-taking this means:*

- a. approving development proposals that accord with an up-to-date development plan without delay; or*
- b. where there are no relevant development plan policies, or the policies which are most*



*important for determining the application are out-of-date, granting permission unless:*

- i. the application policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”<sup>28</sup>*

5.10 However, it is important to note that footnote 6 of the NPPF applies in relation to the final bullet of paragraph 11. This provides a context for paragraph 11 and reads as follows:

*“The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change.”<sup>29</sup> (our emphasis)*

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<sup>28</sup> MHCLG, *NPPF*, para. 11.

<sup>29</sup> MHCLG, *NPPF*, para. 11, fn. 6.

5.11 The NPPF continues to recognise that the planning system is plan-led and that therefore, Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application.

5.12 Heritage Assets are defined in the NPPF as:

*“A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).”<sup>30</sup>*

5.13 The NPPF goes on to define a Designated Heritage Asset as a:

*“World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under relevant legislation.”<sup>31</sup> (our emphasis)*

5.14 As set out above, significance is also defined as:

*“The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site’s Statement of*

<sup>30</sup> MHCLG, *NPPF*, p. 67.

<sup>31</sup> MHCLG, *NPPF*, p. 66.

*Outstanding Universal Value forms part of its significance.*<sup>32</sup>

5.15 Section 16 of the NPPF relates to 'Conserving and enhancing the historic environment' and states at paragraph 190 that:

*"Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal."*<sup>33</sup>

5.16 Paragraph 192 goes on to state that:

*"In determining planning applications, local planning authorities should take account of:*

- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*

*c. the desirability of new development making a positive contribution to local character and distinctiveness."*<sup>34</sup>

5.17 With regard to the impact of proposals on the significance of a heritage asset, paragraphs 193 and 194 are relevant and read as follows:

*"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."*<sup>35</sup>

*"Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:*

- a. grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b. assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional."*<sup>36</sup>

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<sup>32</sup> MHCLG, *NPPF*, p. 71.

<sup>33</sup> MHCLG, *NPPF*, para. 190.

<sup>34</sup> MHCLG, *NPPF*, para. 192.

<sup>35</sup> MHCLG, *NPPF*, para. 193.

<sup>36</sup> MHCLG, *NPPF*, para. 194.

5.18 Section b) of paragraph 194, which describes assets of the highest significance, also includes footnote 63 of the NPPF, which states that non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to Scheduled Monuments should be considered subject to the policies for designated heritage assets.

5.19 In the context of the above, it should be noted that paragraph 195 reads as follows:

*"Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:*

- a. the nature of the heritage asset prevents all reasonable uses of the site; and*
- b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c. conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d. the harm or loss is outweighed by the benefit of bringing the site back into use."<sup>37</sup>*

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<sup>37</sup> MHCLG, *NPPF*, para. 195.

<sup>38</sup> MHCLG, *NPPF*, para. 196.

5.20 Paragraph 196 goes on to state:

*"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 including, where appropriate, securing its optimum viable use."<sup>38</sup>*

5.21 The NPPF also provides specific guidance in relation to development within Conservation Areas, stating at paragraph 200 that:

*"Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably."<sup>39</sup>*

5.22 Paragraph 201 goes on to recognise that *"not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance"*<sup>40</sup> and with regard to the potential harm from a proposed development states:

*"Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its*

<sup>39</sup> MHCLG, *NPPF*, para. 200.

<sup>40</sup> MHCLG, *NPPF*, para. 201.

*contribution to the significance of the Conservation Area or World Heritage Site as a whole.*<sup>41</sup> (our emphasis)

- 5.23 With regards to non-designated heritage assets, paragraph 197 of NPPF states that:

*"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."*<sup>42</sup>

- 5.24 Overall, the NPPF confirms that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent it. Local Planning Authorities should approach development management decisions positively, looking for solutions rather than problems so that applications can be approved wherever it is practical to do so. Additionally, securing the optimum viable use of sites and achieving public benefits are also key material considerations for application proposals.
- 5.25 As set out later in this Report, it can be demonstrated that the proposals would serve to enhance the Central Richmond Conservation Area. Thus, Planning Permission should be granted

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<sup>41</sup> Ibid.

<sup>42</sup> MHCLG, *NPPF*, para. 197.

as per the requirements of paragraph 38 which state that:

*"Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decisions-makers at every level should seek to approve applications for sustainable development where possible."*<sup>43</sup>

#### National Planning Practice Guidance

- 5.26 The then Department for Communities and Local Government (now the Ministry for Housing, Communities and Local Government (MHCLG)) launched the planning practice guidance web-based resource in March 2014, accompanied by a ministerial statement which confirmed that a number of previous planning practice guidance documents were cancelled.
- 5.27 This also introduced the national Planning Practice Guidance (PPG) which comprised a full and consolidated review of planning practice guidance documents to be read alongside the NPPF.
- 5.28 The PPG has a discrete section on the subject of the Historic Environment, which confirms that the consideration of 'significance' in decision taking is important and states:

<sup>43</sup> MHCLG, *NPPF*, para. 38.



*"Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals."*<sup>44</sup>

- 5.29 In terms of assessment of substantial harm, the PPG confirms that whether a proposal causes substantial harm will be a judgement for the individual decision taker having regard to the individual circumstances and the policy set out within the NPPF. It goes on to state:

*"In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.*

*While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later inappropriate additions to historic buildings which harm their significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However,*

<sup>44</sup> MHCLG, PPG, paragraph 007, reference ID: 18a-007-20190723.

*even minor works have the potential to cause substantial harm."*<sup>45</sup> (our emphasis)

### **Local Planning Policy**

- 5.30 Planning applications within Richmond are currently considered against the policy and guidance set out within the Richmond Local Plan (adopted 3<sup>rd</sup> July 2018) and the London Plan (adopted January 2017).
- 5.31 The relevant policies relating to the Historic Environment and referenced in the Decision Notice comprise the following:

#### ***Policy LP 1 Local Character and Design Quality***

*"A. The Council will require all development to be of high architectural and urban design quality. The high quality character and heritage of the borough and its villages will need to be maintained and enhanced where opportunities arise. Development proposals will have to demonstrate a thorough understanding of the site and how it relates to its existing context, including character and appearance, and take opportunities to improve the quality and character of buildings, spaces and the local area.*

*To ensure development respects, contributes to and enhances the local environment and character, the following will be considered when assessing proposals:*

- 1. compatibility with local character including the relationship to existing townscape, development patterns, views, local grain and frontages as well as scale, height, massing,*

<sup>45</sup> MHCLG, PPG, paragraph 018, reference ID: 18a-018-20190723.

*density, landscaping, proportions, form, materials and detailing;*

*2. sustainable design and construction, including adaptability, subject to aesthetic considerations;*

*3. layout, siting and access, including making best use of land;*

*4. space between buildings, relationship of heights to widths and relationship to the public realm, heritage assets and natural features;*

*5. inclusive design, connectivity, permeability (as such gated developments will not be permitted), natural surveillance and orientation; and*

*6. suitability and compatibility of uses, taking account of any potential adverse impacts of the colocation of uses through the layout, design and management of the site.*

*All proposals, including extensions, alterations and shopfronts, will be assessed against the policies contained within a neighbourhood plan where applicable, and the advice set out in the relevant Village Planning Guidance and other SPDs relating to character and design."*

### **Policy LP 3 Designated Heritage Asset**

*"A. 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 (including the settings) of the borough's designated heritage assets, encompassing Conservation Areas, listed buildings, Scheduled Monuments as well as the Registered Historic Parks and Gardens, will be conserved and enhanced by the following means:*

*1. Give great weight to the conservation of the heritage asset when considering the impact of a proposed development on the significance of the asset.*

*2. Resist the demolition in whole, or in part, of listed building. Consent for demolition of Grade II listed buildings will only be granted in exceptional circumstances and for Grade II\* and Grade I listed buildings in wholly exceptional circumstances following a thorough assessment of the justification for the proposal and the significance of the asset.*

*3. Resist the change of use of listed buildings where their significance would be harmed, particularly where the current use contributes to the character of the surrounding area and to its sense of place.*

*4. Require the retention and preservation of the original structure, layout, architectural features, materials as well as later features of interest within listed buildings, and resist the removal or modification of features that are both internally and externally of architectural importance or that contribute to the significance of the asset.*

5. Demolitions (in whole or in part), alterations, extensions and any other modifications to listed buildings should be based on an accurate understanding of the significance of the heritage asset.

6. Require, where appropriate, the reinstatement of internal and external features of special architectural or historic significance within listed buildings, and the removal of internal and external features that harm the significance of the asset, commensurate with the extent of proposed development.

7. Require the use of appropriate materials and techniques and strongly encourage any works or repairs to a designated heritage asset to be carried out in a correct, scholarly manner by appropriate specialists.

8. Protect and enhance the borough's registered Historic Parks and Gardens by ensuring that proposals do not have an adverse effect on their significance, including their setting and/or views to and from the registered landscape.

9. Protect Scheduled Monuments by ensuring proposals do not have an adverse impact on their significance.

*B. Resist substantial demolition in Conservation Areas and any changes that could harm heritage assets, unless it can be demonstrated that:*

*1. in the case of substantial harm or loss to the significance of the heritage asset, it is necessary to achieve substantial public benefits that outweigh that harm or loss;*

*2. in the case of less than substantial harm to the significance of the heritage asset, that the public benefits, including securing the optimum viable use, outweigh that harm; or*

*3. the building or part of the building or structure makes no positive contribution to the character or distinctiveness of the area.*

*C. All proposals in Conservation Areas are required to preserve and, where possible, enhance the character or the appearance of the Conservation Area.*

*D. Where there is evidence of intentional damage or deliberate neglect to a designated heritage asset, its current condition will not be taken into account in the decision-making process.*

*E. Outline planning applications will not be accepted in Conservation Areas. The Council's Conservation Area Statements, and where available Conservation Area Studies, and/or Management Plans, will be used as a basis for assessing development proposals within, or where it would affect the setting of, Conservation Areas, together with other policy guidance, such as Village Planning Guidance SPDs."*

#### The London Plan

5.32 Policy 7.8 of The London Plan (2017) concerns **Heritage Assets and Archaeology** and states:

"Strategic

*A. London's heritage assets and historic environment, including listed buildings, registered historic parks and gardens and other natural and historic landscapes, conservation areas, World Heritage Sites, registered battlefields, scheduled*

*monuments, archaeological remains and memorials should be identified, so that the desirability of sustaining and enhancing their significance and of utilising their positive role in place shaping can be taken into account.*

*B. Development should incorporate measures that identify, record, interpret, protect and, where appropriate, present the site's archaeology.*

*Planning decisions*

*C. Development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate.*

*D. Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.*

*E. New development should make provision for the protection of archaeological resources, landscapes and significant memorials. The physical assets should, where possible, be made available to the public on-site. Where the archaeological asset or memorial cannot be preserved or managed on-site, provision must be made for the investigation, understanding, recording, dissemination and archiving of that asset."*



# 6. The Historic Environment

## Central Richmond Conservation Area

6.1 Nos. 9–10 George Street are located within the Central Richmond Conservation Area. This was first designated on 14<sup>th</sup> January 1969 and successively extended on 5<sup>th</sup> July 1977, 14<sup>th</sup> June 1988, 17<sup>th</sup> January 2000, 23<sup>rd</sup> September 2003, and 7<sup>th</sup> November 2005.

6.2 The following assessment has considered the suite of appraisal and management documents that have been prepared and adopted for the Central Richmond Conservation Area.

### Character Areas

6.3 Three distinct character areas have been identified within the Central Richmond Conservation Area. These are:

- **The main shopping core, comprising Hill Street, George Street (including the site), The Quadrant, Kew Road, and the associated alleys and side streets;**
- **Parkshot, which leads to Richmond Green; and**
- **The edge of centre streets, namely Sheen Road, Paradise Road and Red Lion Street, which support a wider, less concentrated mix of uses.**

### Height

6.4 Building heights within the Conservation Area typically vary between two and five storeys, and there is variety in roof

treatments. According to the Conservation Area Statement:

*"In general, the greatest virtue and benefit of the existing townscape is that no one building dominates and that the larger buildings do not spoil the appearance of the centre, although the scale of modern office buildings to the west end of Paradise Road is unsympathetic to the churchyard area and St. James Cottages."*

6.5 Within the commercial core, and specifically along George Street, new buildings of the 19<sup>th</sup> and 20<sup>th</sup> centuries were actively designed to compete for prominence, thus resulting in taller buildings.

### Urban Grain

6.6 The area is predominantly a commercial shopping centre with some terraced residential development along Parkshot and Church Terrace. This is reflected in a fine grain of many different buildings set along closely spaced streets.

6.7 In residential pockets of the Conservation Area, such as Church Terrace and Parkshot, there is greater uniformity, formality and also openness, as characterised by the terraces of townhouses.

### Styles

6.8 The Central Richmond Conservation Area is characterised by the eclectic variety of architectural forms and styles.

- 6.9 Most of the buildings within the Conservation Area are mid-19<sup>th</sup>-to early 20<sup>th</sup>-century replacements, erected largely in response to the urban and commercial expansion of the Industrial Revolution, although some 18<sup>th</sup>-century buildings survive.
- 6.10 There are important groups of early 18<sup>th</sup>-century brick terraced townhouses on Church Terrace and Parkshot, while St Mary’s church is an important example of Georgian ecclesiastical architecture, predominantly constructed in 1750 but retaining a late medieval tower.
- 6.11 Important commercial and residential Victorian buildings are found across the area, including on George Street, The Square, The Quadrant, Larkfield Road and St Johns Road. Notable buildings include the Dome Building, built in 1843, which possesses an unusual zinc fish-scale tiled roof and is the focal point of the junction at the east end of George Street, and the Old Town Hall, which is an important late Victorian building designed in a ‘mixed renaissance’ style. Generally, Victorian buildings in the area exhibit a diverse array of styles, consistent with the architectural eclecticism of the era.
- 6.12 Important later buildings include the Art Deco Odeon cinema, the former Dickens and Jones department store (an important local landmark on George Street), and the Christian Science Church, and the classical revival architecture of Hill Street.

Materiality

- 6.13 Buildings within the Conservation Area have a variety of external finishes, including red and yellow (stock) bricks, stucco

(decorative and plain), and stone facings. Some buildings exhibit high-quality architectural ornament, such as neo-classical stone sculpture.

- 6.14 Timber-framed sash windows proliferate, although other types of fenestration are in evidence, including examples of stone mullion windows.

Approaches

- 6.15 Bridge Street to the south-west, Kew Road to the north-east and Sheen Road to the east are identified as important gateways to the Conservation Area.
- 6.16 Ultimately, it is possible to approach the Conservation Area from all directions on foot, by vehicle and by train, with passengers being able to alight at Richmond Station in the northern part of the Conservation Area. Easterly approaches to the Conservation Area from Richmond Green via King Street, Brewers Lane and Duke Street are also of note.

Key views

- 6.17 Key views within, towards and out from Richmond are illustrated on the Conservation Area Study for Central Richmond, Richmond Green and Riverside. This is reproduced at Appendix 2.

**APPENDIX 2: CONSERVATION AREA STUDY FOR CENTRAL RICHMOND, RICHMOND GREEN AND RIVERSIDE**

- 6.18 This is not a comprehensive analysis as no key views are identified within the Central Richmond Conservation Area. Based

on an independent assessment, key views include:

- **Views into the Conservation Area from Bridge Street;**
- **Sequential views along Hill Street and George Street, especially those that take in important local landmarks such as the Dome Building (Plate 12), the former Dickens and Jones department store and the Odeon cinema;**
- **Sequential views along Paradise Road, particularly those that include St Mary's Church and the Christian Science Church;**
- **Views to the early 18<sup>th</sup>-century terraced townhouses along Church Terrace; and**
- **Sequential views along Parkshot, including views to the early 18<sup>th</sup>-century townhouses.**

- **The winding, sometimes narrow, street patterns which are of historic interest in illustrating the area's origin as a medieval settlement;**
- **The senses of enclosure and hustle and bustle, especially within the commercial centre, with tall buildings that front directly on the street and relatively narrow thoroughfares which are shared by cars and pedestrians; and**
- **The key views identified above which enable the historic, architectural and artistic interest of the Conservation Area to be appreciated.**

#### Statement of Significance

6.19 Based on the adopted appraisal and management documents, and an independent assessment, it is clear that the special character, appearance and interest (and hence heritage significance) of the Central Richmond Conservation Area is derived from the following key elements:

- **The eclectic variety of architecture, with many buildings being designated in their own right, which contributes to the historic, architectural and artistic interest of the Conservation Area;**
- **The variety of building materials, with brickwork, stucco, and stone facings being most common, which contribute to the architectural interest of the Conservation Area;**

6.20 Elements of the setting of the Central Richmond Conservation Area also contribute to its heritage significance. These elements largely comprise the surrounding (and adjoining) Conservation Areas of Richmond Green, Richmond Riverside, Richmond Hill, St Matthias, Sheen Road, Kew Foot Road and Old Deer Park.

6.21 The River Thames is a particularly important element of the Central Richmond Conservation Area's setting, being visible from the southern boundary and shaping the topography of the area.

6.22 It should be noted, however, that many of the important green spaces and landmarks surrounding the Central Richmond Conservation Area, such as Richmond Green, the Old Deer Park and Richmond Palace, are not readily visible or perceptible owing to the densely concentrated townscape.

#### The Contribution of the Site

- 6.23 Nos. 9–10 George Street are not classified as buildings of 'Townscape Merit' within the Central Richmond Conservation Area appraisal and management documents.
- 6.24 The Site is located within the 'main shopping core' character area of the Conservation Area, and is inter- and co-visible with the former Dickens and Jones department store which has been identified as an important local landmark (although it is not Listed).
- 6.25 More generally, the Site is a component of sequential views along George Street, including long-range glimpsed views to the dome of the Dome Building (located at the opposite end of George Street)(Plate 12).



*Plate 12: View from one end of George Street terminating with the Dome Building at the opposite end.*



- 6.26 Whilst the shopfronts of Nos. 9 and 10 have separate entrances, the shopfront itself has been designed to be the same across the two buildings. This type of feature is identified within the Conservation Area Appraisal as a negative element as it disrupts the original architectural proportions and articulation of the two buildings. However, the shopfront has been designed utilising traditional features such as a timber, stallriser, fascia and a pilaster with a decorative console bracket. It is clear that the shopfront is a contemporary interpretation of these traditional elements, but it was found acceptable by officers in 1997. Moreover, few original shopfronts within this area have survived.
- 6.27 The materiality of the two street frontages in the site (i.e. brick and render) are in keeping with the overall appearance of the Conservation Area, which comprises various materials.
- 6.28 However, with regard to the appearance and style of the buildings, No. 9, which previously had a different fenestration pattern on its front elevation, as seen in Plate 10, currently has a small, squat window at second floor level, and a tall parapet above. Whilst this parapet, including the string cornice above the window are like that seen in the historic photo, the building overall has an awkward appearance in the streetscene with the large amount of brickwork at second floor level and above. It is considered that this elevation makes a slightly negative contribution to the streetscene.
- 6.29 No. 10, on the other hand, has a generally traditional appearance, with the exception of the modern shopfront. The first floor windows have appropriate proportions and the cornice under the eaves and roof pitch suggest more historic origins. It is considered that this elevation makes a neutral contribution.
- 6.30 The rear comprises a large two-storey extension with a large area of flat roof and a small, pitched portion with dormers at the very rear of the site. Extensions to the rear with flat roofs such as this are common throughout the Conservation Area. Therefore, this element is considered to make a neutral contribution to the significance of the Conservation Area.
- 6.31 Whilst the odd fenestration arrangement on No. 9 creates a frontage with non-traditional proportions, No. 10 has a more traditional appearance. Therefore, the site overall is considered to make a neutral contribution to the streetscape by virtue of its use of traditional features and materials and inoffensive overall appearance in the streetscape.

# 7. Assessment of Harm or Benefits

- 7.1 This Section addresses the heritage planning issues that warrant consideration in the determination of the application for Planning Permission in line with the proposals set out in Section 3 of this Report.
- 7.2 The Planning and Compulsory Purchase Act (2004) requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The policy guidance set out within the NPPF is considered to be a material consideration which attracts significant weight in the decision-making process.
- 7.3 The statutory requirement set out within the Planning (Listed Buildings and Conservation Areas) Act 1990, at Section 66 confirms that considerable weight should be given to the preservation of the historic and architectural interest of Listed Buildings and their settings. In addition, the NPPF states that the impact of development proposals should be considered against the particular significance of heritage assets such as Conservation Areas, and therefore this needs to be the primary consideration when determining the proposed application. It is also important to consider where the proposals cause harm. If they do, then one must consider whether any such harm

represents 'substantial harm' or 'less than substantial harm' in the context of paragraphs 195 and 196 of the NPPF. With regard to non-designated heritage assets, potential harm should be considered within the context of paragraph 197 of the NPPF.

- 7.4 The PPG clarifies that within each category of harm ('less than substantial' or 'substantial'), the extent of the harm may vary and should be clearly articulated.<sup>46</sup>
- 7.5 The guidance set out within the PPG states that substantial harm is a high test, and that it may not arise in many cases. The PPG makes it clear that it is the degree of harm to the significance of the asset rather than the scale of development which is to be assessed.<sup>47</sup> In addition, it has been clarified in both a High Court Judgement of 2013<sup>48</sup> that substantial harm would be harm that would *"have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced"*.
- 7.6 The proposals include the addition of an extra storey to No. 9. This would include the removal of the existing pitched roof towards the street-facing elevation, its replacement with a mansard roof and the upward extension of the existing parapet.

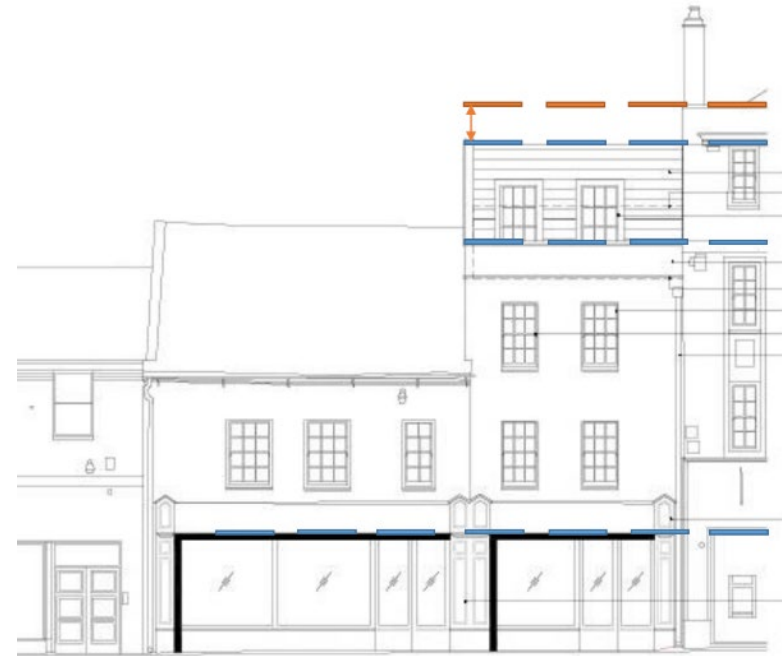
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<sup>46</sup> MHCLG, Planning Practice Guidance, Paragraph: 018 (ID: 18a-018-20190723 Revision date: 23.07.2019)

<sup>47</sup> Ibid

<sup>48</sup> EWHC 2847, R DCLG and Nuon UK Ltd v. Bedford Borough Council

- 7.7 Mansard roofs with dormer windows are seen throughout the Conservation Area, including on Nos. 5 and 6, as seen in Plate 12. Therefore, the incorporation of this type of roof form would be in keeping with the variety found throughout the Conservation Area.
- 7.8 The increase in height of the proposals would only be by 1.6m from the existing ridgeline with the various elements of the site aligning with elements of the adjacent No. 8. For example, the height of the parapet would now line up with the string course on the adjacent building. This would create a more discernible second storey, compared to the existing with its central, squat window. Furthermore, the height of the mansard will line up with the base of the narrow canopy over the third floor windows on the adjacent building, No. 8 (Plate 13). In order to break up the appearance of the brickwork above the second floor level windows, an additional string course will be incorporated.



*Plate 13: Proposed front elevation.*

- 7.9 As part of the mansard roof, which will be set back from the extended parapet, two dormer windows are proposed to the front elevation. These will line up with the windows below. Moreover, at second floor level, in place of the existing central squat window, the fenestration will be altered to create two windows to match those seen at first floor level. This new overall fenestration pattern on the front elevation will have a more regular appearance and will be better suited to its largely 19<sup>th</sup> and 20<sup>th</sup> century surroundings. The new second floor windows themselves will be timber-framed sash windows to match the

existing at first floor level.

- 7.10 The proposed mansard has been revised following Officer comments over the course of the application to have a more traditional materiality and appearance. A brick side return was incorporated to create an appropriate termination for the new roof and the dormer windows will also be timber framed to match those below.
- 7.11 The pilasters of the modern shopfronts are also proposed to be retained and the rest of the shopfront upgraded to accommodate the proposals and their new distinct separation as one retail unit and one entrance to the residential units above. Both will also be repainted to emphasise their distinct uses, as well as differentiate themselves by their host buildings (Plate 14).



*Plate 14: Proposed materiality.*

- 7.12 Plate 16 demonstrates how the building would sit within the streetscape in comparison with the existing (Plate 15). It would create more consistency on the frontages, allowing for a better understanding of storey heights, whilst also providing an appropriate vertical termination for the building in the form of a clearly distinguishable mansard roof. Nos. 9 and 10 will be better read as separate properties again, thus improving the streetscene and the ability to understand the historic narrow plots of the Richmond town centre.



*Plate 15: Existing view from the west.*



*Plate 16: Proposed view from the west.*

- 7.13 Similarly, views from the east will allow for the roof form of No. 10 to still be appreciated against the flank wall of No. 9 (Plate



17 and Plate 18). No. 8 will still be the tallest element on this part and side of the street, and the upward extension of No. 9 will not obscure any features of interest on the side elevation of No. 8 (which simply comprises stock brickwork).



*Plate 17: Existing view from the east.*



*Plate 18: Proposed view from the east.*

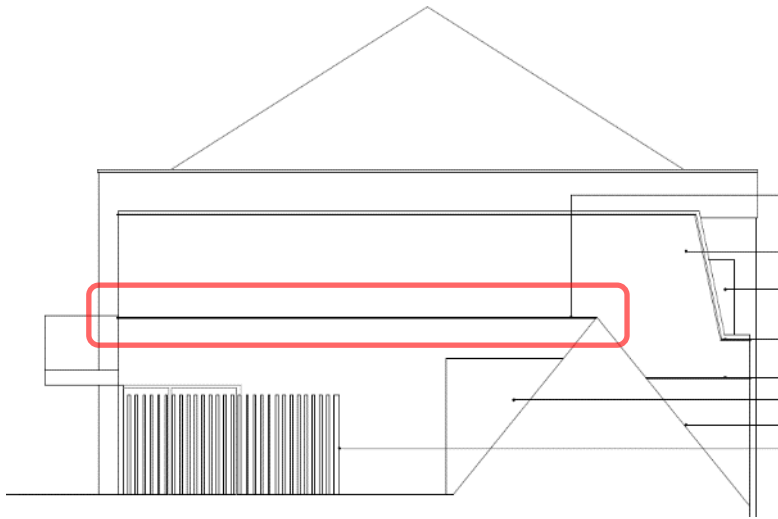
7.14 The changes to the front elevation will also have no impact on views from important pedestrian thoroughfares such as Golden

Court (Plate 19).



*Plate 19: Proposed view from Golden Court.*

7.15 To the rear, the building will be altered to incorporate a dormer opening on No. 10 and rooflights and courtyards for the proposed flats. Flat roofs to the rear of street-facing buildings within the Conservation Area are common, and alterations to the existing extensions incorporate rooflights would not change the impact this part of the building currently has on the character and appearance of the Conservation Area. There are no public views to this part of the site, with private views being limited to those in Lion House. However, the incorporation of rooflights and courtyards will create more variety to this large expanse of roof within these views. The increase in the height of the street-facing building would not alter the appreciation of any particular elements of the townscape either. And additional string course has been proposed on the side elevation of No. 9 in order to break up the expanse of brickwork when viewed from the east (Plate 20).



*Plate 20: Proposed side elevation.*

- 7.16 Overall, the proposals are considered to have a positive impact on the surrounding Conservation Area through the renewal of the existing dual frontage shopfront which runs across the two buildings and the regularisation of the front elevation of No. 9. Therefore, with reference to the levels of harm in the NPPF, the proposals will result in 'no harm' to the character and appearance and thus significance of the Conservation Area, rather resulting in a positive enhancement as set out above .

## 8. Conclusions

- 8.1 The Site falls within the boundaries of the Central Richmond Conservation Area, which comprises a variety of building, types, heights, styles and materials. The application site is in keeping with the predominant height and materiality of the Conservation Area, but has been altered in the past to be combined internally, a large extension constructed to the rear and for No. 9 to be reconstructed. At second floor and above, the street-facing elevation of No. 9 has odd proportions, and this combined with the shopfront running across both buildings, but the overall traditional features and materiality results in the building making a neutral contribution to the character and appearance of the wider Conservation Area.
- 8.2 The proposals include the upward extension of No. 9 in order to allow for a full storey at second floor level and a new mansard roof. The fenestration pattern on No. 9 will be regularised and the shopfronts will be articulated to be read as separate entities once again. The proposals to the front elevation of the site would thus have a positive impact.
- 8.3 The proposals also include the incorporation of rooflights and courtyards within the existing large, modern flat roof extension to the rear of the properties. However, this will have no impact on the character and appearance and thus significance of the Conservation Area.
- 8.4 Overall, given the improvements to the front elevation and the reinstatement of the ability to read the shopfronts as separate entities, as well as the incorporation of a rational fenestration pattern to No. 9, the proposals will positively enhance the character and appearance and thus significance of the Conservation Area.
- 8.5 Therefore, the proposals will satisfy the requirements of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and *enhance* the character and appearance of the Central Richmond Conservation Area. The proposals will also satisfy relevant local policies, including LP1 And LP3 of the Local Plan.

# Appendix 1: 96/0564/FUL Drawing and Decision Notice





# London Borough of Richmond upon Thames

TOWN AND COUNTRY PLANNING ACT 1990

Reference No. 96/0564/FUL

Date: 16th May, 1996

The Disney Store  
c/o K Kaczynski  
Fitch  
Commonwealth House  
1 New Oxford Street  
London, WC1A 1WW

WHEREAS in accordance with the provisions of the Town and Country Planning Act, 1990 and the Orders made thereunder you have made an application received on 23rd February, 1996 and illustrated by plans for the permission of the Local Planning Authority to develop land situated at:

9-10 GEORGE STREET, RICHMOND  
for  
NEW SHOPFRONT

NOW THEREFORE WE THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF RICHMOND UPON THAMES acting by the Council of the said Borough, the Local Planning Authority, HEREBY GIVE YOU NOTICE pursuant to the said Act and the Orders made thereunder that permission to develop the said land in accordance with the said application is hereby GRANTED subject to the following condition(s) and/or informative(s):

CONDITIONS:

AC01 DEVELOPMENT BEGUN WITHIN 5 YRS      SH02 FORECOURT KEPT CLEAR

INFORMATIVES:

IF16 DAMAGE TO PUBLIC HIGHWAY                      IF30 NOISE CONTROL - BUILDING SITES  
IF70 BUILDING REGULATIONS REQUIRED              IF72 APPROVED DRAWING NUMBERS  
NI01 NON-STANDARD

The full text of the condition(s) and/or informative(s) is shown on the attached sheet(s).

Planning and Building Control Division  
Planning, Transport and Client Services  
Civic Centre, 44 York Street  
Twickenham, TW1 3BZ  
Tel: 0181 891 1411

Signature   
PRINCIPAL PLANNING OFFICER

(SEE ATTACHED NOTES)

The Disney Store  
c/o K Kaczynski  
Fitch  
Commonwealth House  
1 New Oxford Street  
London, WC1A 1WW

The condition(s) and/or informative(s) applicable to this application are as follows:

**CONDITIONS:**

**AC01 DEVELOPMENT BEGUN WITHIN 5 YRS**

The development to which this permission relates must be begun not later than the expiration of five years beginning with the date of this permission.

**REASON:** To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

**SH02 FORECOURT KEPT CLEAR**

The forecourt shall be kept free from the outside display of goods, obstructions, erections and structures and no trading shall take place from it.

**REASON:** In the interest of visual amenity and to ensure no obstruction is caused on the adjoining highway.

**INFORMATIVES:**

**IF16 DAMAGE TO PUBLIC HIGHWAY**

Care should be taken to ensure that no damage is caused to the public highway adjacent to the site during demolition and/or construction. The Council will seek to recover any expenses incurred in repairing or making good such damage from the parties responsible.

**IF30 NOISE CONTROL - BUILDING SITES**

Attention is drawn to the noise control provisions of the Control of Pollution Act 1974. Any enquiries for further information should be made to the Environmental Health Division, 4 Waldegrave Road, Teddington, TW11 8LA. 0181 891 3011.

**IF70 BUILDING REGULATIONS REQUIRED**

The applicant is advised that the erection of new buildings or alterations to existing buildings should comply with the Building Regulations. This permission is NOT a consent under the Building Regulations for which a separate application should be made. For application forms and advice please contact the Building Control Section of the Planning, Transport and Client Services Department, Civic Centre, 44 York Street, Twickenham, TW1 3BZ. Tel: 0181 891 1411.

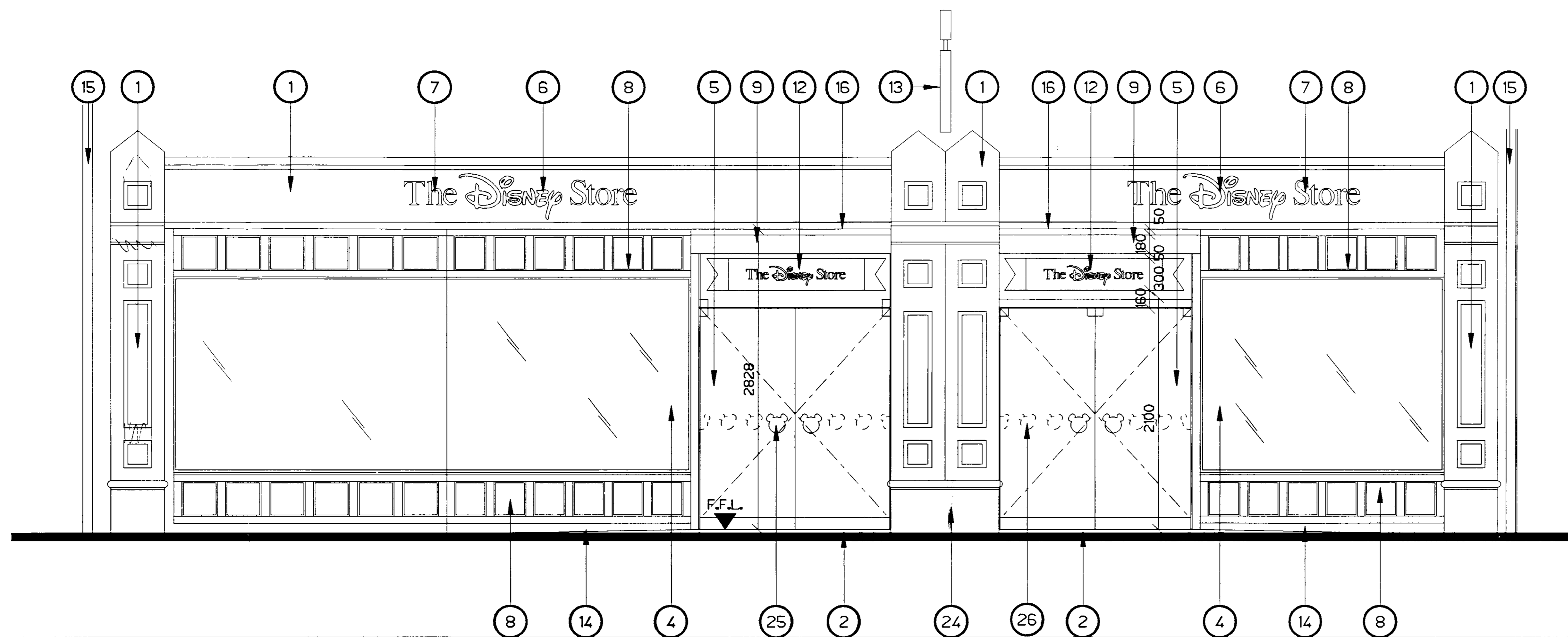
IF72      **APPROVED DRAWING NUMBERS**

For the avoidance of doubt the drawing numbers to which this decision refers are as follows: location map received on 23 February 1996 and A210A received on 10 April 1996.

If you alter your proposals in any way, including to comply with the Building Regulations, a further planning application may be required. If you wish to deviate in any way from the proposals shown on the above drawings you should contact the Development Control Section of the Planning, Transport and Client Services Department, Civic Centre, 44 York Street, Twickenham, TW1 3BZ. Tel: 0181 891 1411.

NI01      **Non Standard**

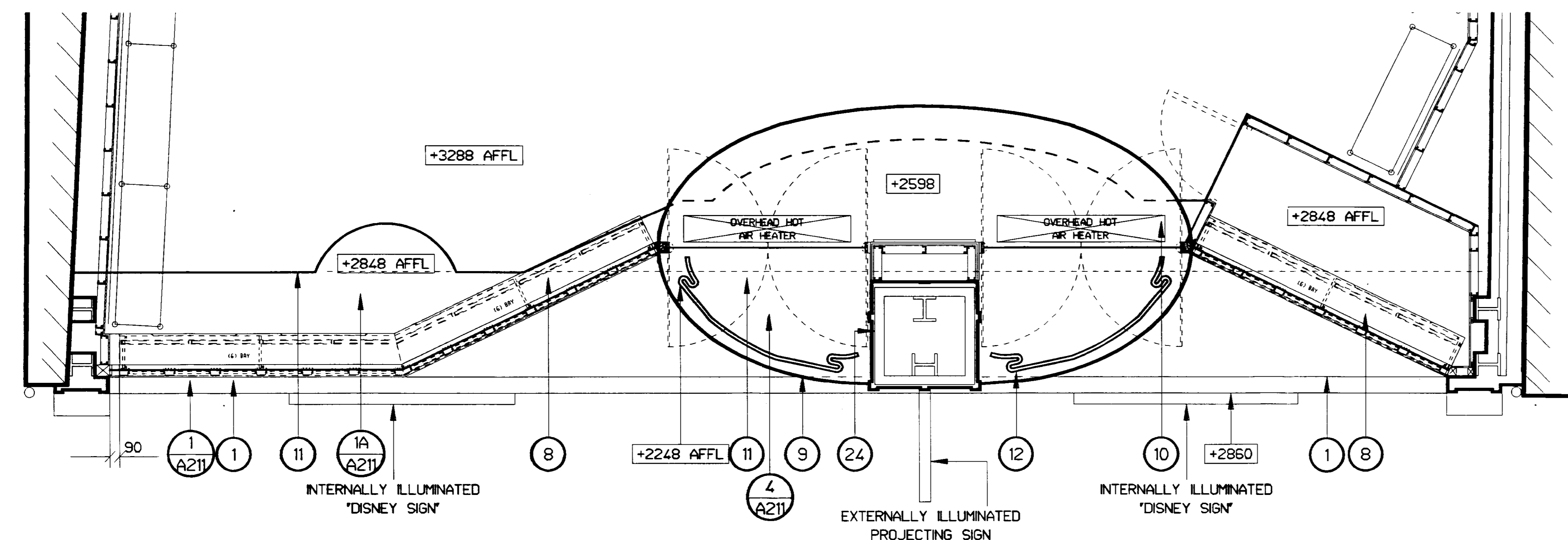
The applicant is advised that this permission in no way implies consent for the pilaster detail as shown on drawing No. A210A. For this detail, refer to approved drawing No. 1629/18D received on 11 February 1996 and the subject of planning approval ref: 96/0179/FUL dated 23 April 1996.



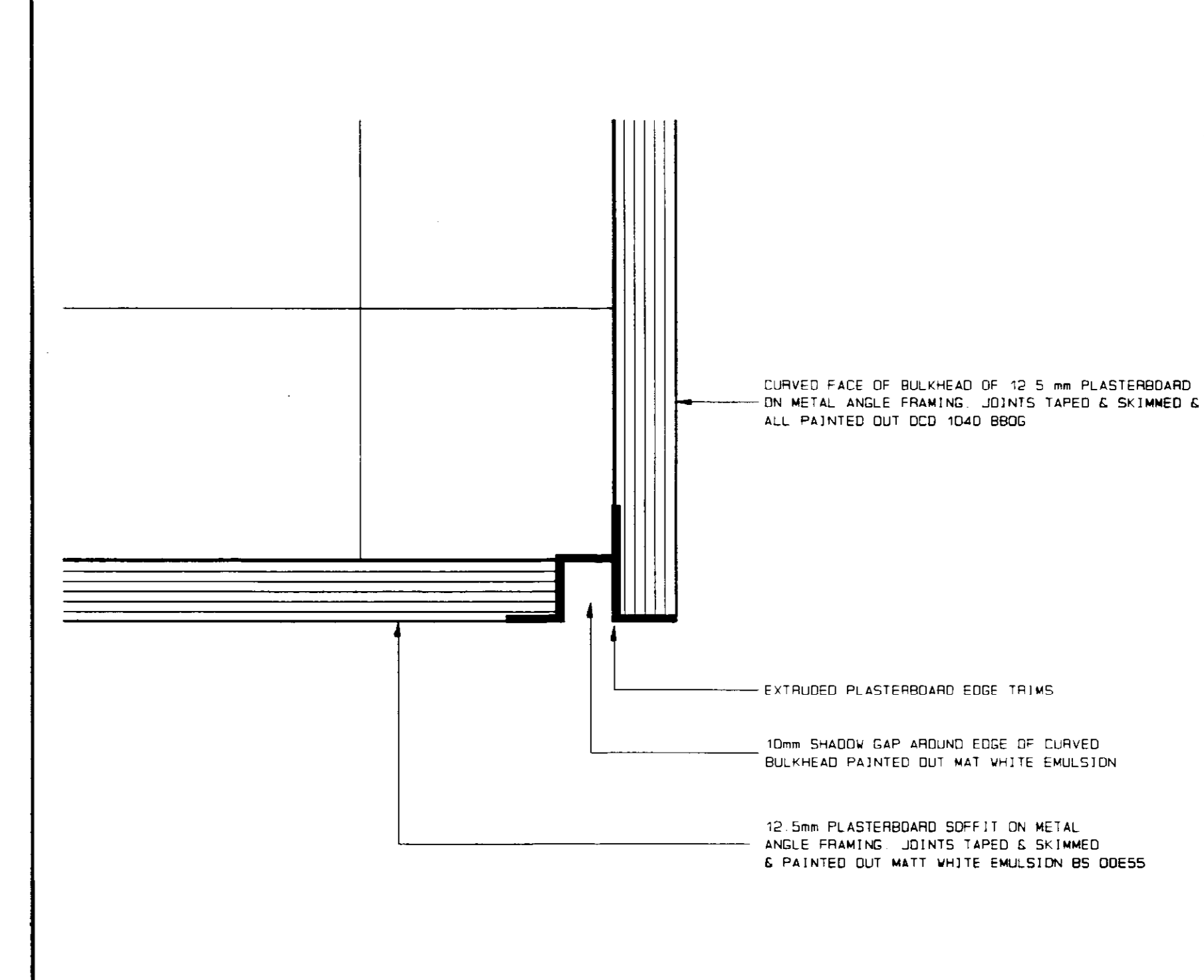
SHOPFRONT ELEVATION (1:50)

1. FASCIA AND PLASTER IN EXTERNAL QUALITY MDF PAINTED DARK BLUE CD 3060 R70B BY LANDLORD.
2. NON SLIP CERAMIC TILES ON ADHESIVE TO MATCH BRICK PAVERS OF PAVEMENT IN SIZE AND COLOUR.
3. NUJAY COLOUR GUARD 17mm THICK ENTRANCE MATTING WITH BLUE UVPC SCRAPER STRIPS AND GREY PILE COLOUR.
4. 15.5mm LAMINATED GLASS WITH SILICON JOINT SET TIMBER FRAME PAINTED DARK BLUE CD 3060 R70B.
5. 12mm LAMINATED GLASS DOORS ON DOUBLE SWING ACTION FLOOR SPRINGS WITH STEEL BOTTOM RAIL, POLISHED STAINLESS STEEL.
6. INTERNALLY ILLUMINATED 'DISNEY' BOX LETTERS WITH YELLOW PERSPEX FACE AND 120mm YELLOW STORE ENAMELLED MS RETURNS.
7. THE AND 'STORE' FRET-CUT LETTERS FROM MS FINISHED TO MATCH BRASS FINED 10mm OFF FASCIA.
8. INTERNALLY ILLUMINATED 'FILM STRIPS' BOX FRAMEWORK IN HARDWOOD PAINTED DARK BLUE DFI C65200 R70B WITH WHITE PERSPEX INFILL PANELS.
9. CURVED CANOPY FASCIA IN EXTERNAL QUALITY PLYWOOD PAINTED AURORA YELLOW DP2L.
10. CANOPY UNDERSIDE IN EXTERNAL QUALITY PLYWOOD PAINTED AURORA YELLOW DP2L.
11. BULKHEAD FASCIA AND UNDERSIDE IN PLASTERBOARD ON SECTION FRAMING PAINTED DARK BLUE CD 3060 R70B.
12. CURVED AND SHAPED METAL RIBBON POWDER COATED RED TO MATCH CD 1808R WITH CUT-OUT LETTERS BACKED WITH YELLOW PERSPEX, INTERNALLY ILLUMINATED, BY TENANT.
13. PROJECTING SIGN WITH FRET-CUT 'MICKEY' IN 20mm EXTERNAL QUALITY PLYWOOD, PLYWOOD PAINTED BOTH SIDES IN BLACK AND WHITE WITH YELLOW SHOES AND RED TROUSERS, SIGN EXTERNALLY ILLUMINATED.
14. EXTERNAL PLINTH IN EXTERNAL QUALITY PLYWOOD WITH APPLIED BLACK STOVE ENAMELLED/MS STEEL FACE.
15. RAINWATER PIPE BY LANDLORD.
16. RECESS IN EXTERNAL QUALITY PLYWOOD PAINTED DARK BLUE CD 3060R70B.
17. STEEL BRACKETS LIGHTING HOUSING AND STEEL ROOF POWDER COATED BLACK.
18. HANDLE BY LANDLORD, COVER AND FRAME SET DOWN WITHIN ENTRANCE MAT TO BE RECESSED SO AS TO BE FULLY CONCEALED.
19. EXTENT OF ENTRANCE MAT FOR DETAIL SEE A600.
20. EXTENT OF BULKHEAD.
21. THE WINDOW HEAD AND BASE SUPPLIED BY F.C.
22. VITRINE WINDOW HEAD AND BASE SUPPLIED BY F.C.
23. DOWNLIGHTS FOR DETAILS REFER TO E200.
24. EXISTING SIDE & INTERNAL CLADDING PANELS REMOVED & REPLACED.
25. NEW MOULDING CLADDING TO MATCH IN PROFILE EXISTING BUT CENTRALISED ON NEW COLUMN DEPTH PAINTED DARK BLUE CD 3060 R 70B.
26. MICKEY DOOR HANDLES IN BLUE - SEE DWG NO A510 FOR DETAILS.
27. OPAL SCOTCHCAL MICKEYS FIXED TO INTERIOR TO FACE OF DOORS.

96/0564 FUL

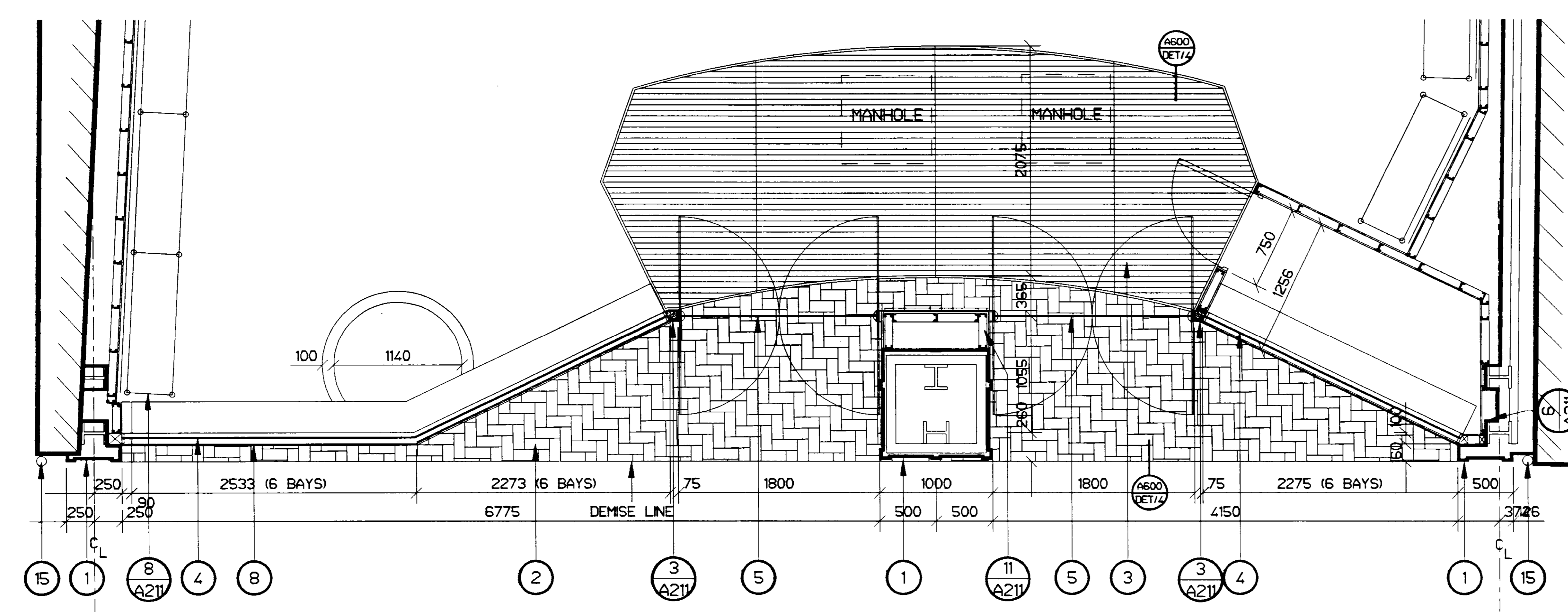


REFLECTED CEILING PLAN

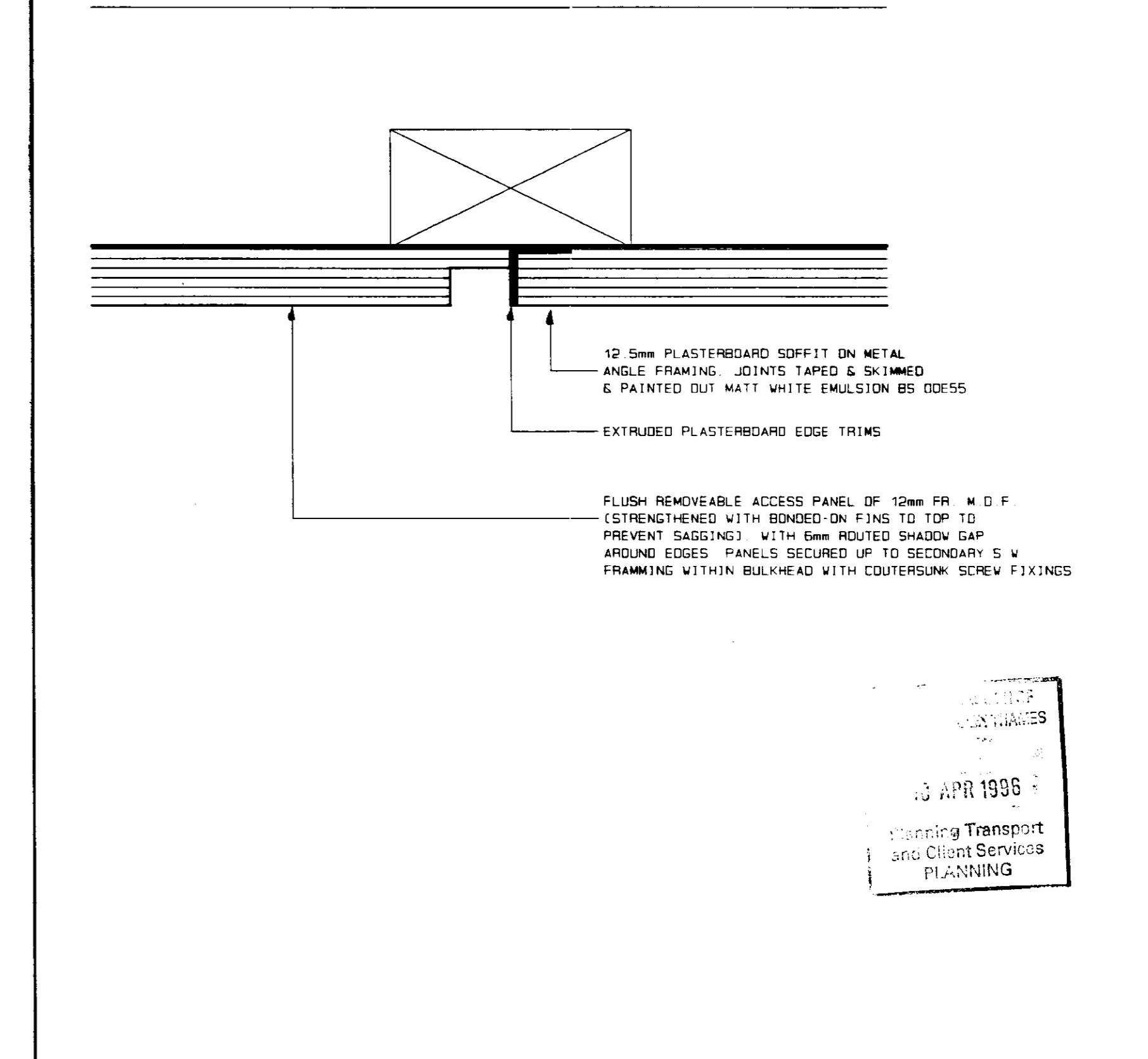


DETAIL THROUGH EDGE OF WINDOW BULKHEAD SCALE 1:1

NOTE:  
SUBJECT TO APPROVAL OF BUILDING CONTROL AND PLANNING CONSENT.



GEORGE STREET PLAN



DETAIL THROUGH ACCESS PANEL SCALE 1:1

REVISIONS

NO.	DATE	DESCRIPTION

APPROVED FOLLOWING MEETS WITH TALK ON 26/04/95

TELEGRAPH LINE REVIEW: GOOD

FRAME HEAD REMOVED: CHECKERS

THROUGHT

9-10 GEORGE STREET  
RICHMOND  
LONDON

**FITCH**

THE DISNEY STORE  
FINAL DESIGN APPROVALS

SNR. UP  
U.P. OPS  
UP MERCH.

Job No. DS 001 Date: 01/05/95  
Drawn By CJK Scale: 1:25  
Checked By

Project No.

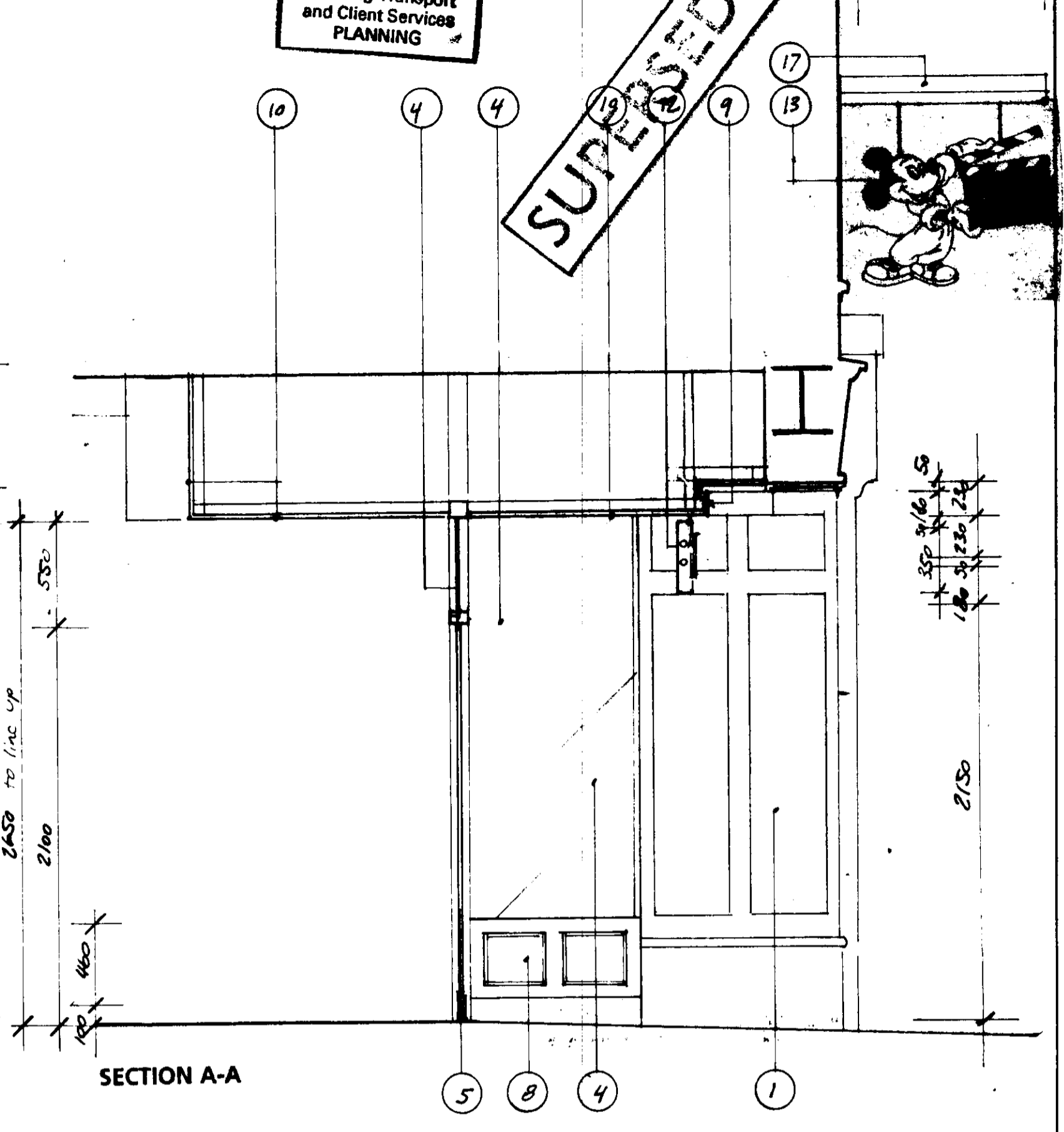
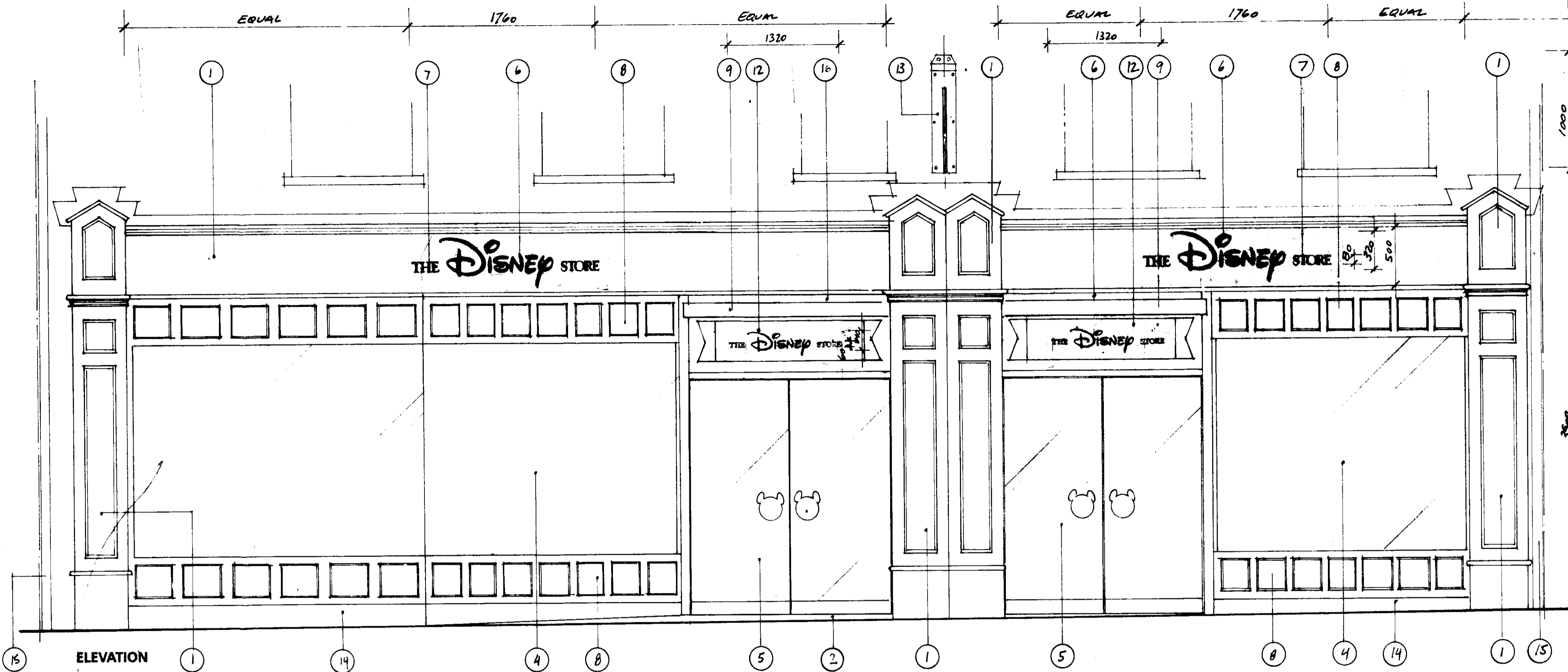
Title: STOREFRONT  
PLANS & ELEVATIONS  
(ENTRANCE)

Sheet No. A210 A

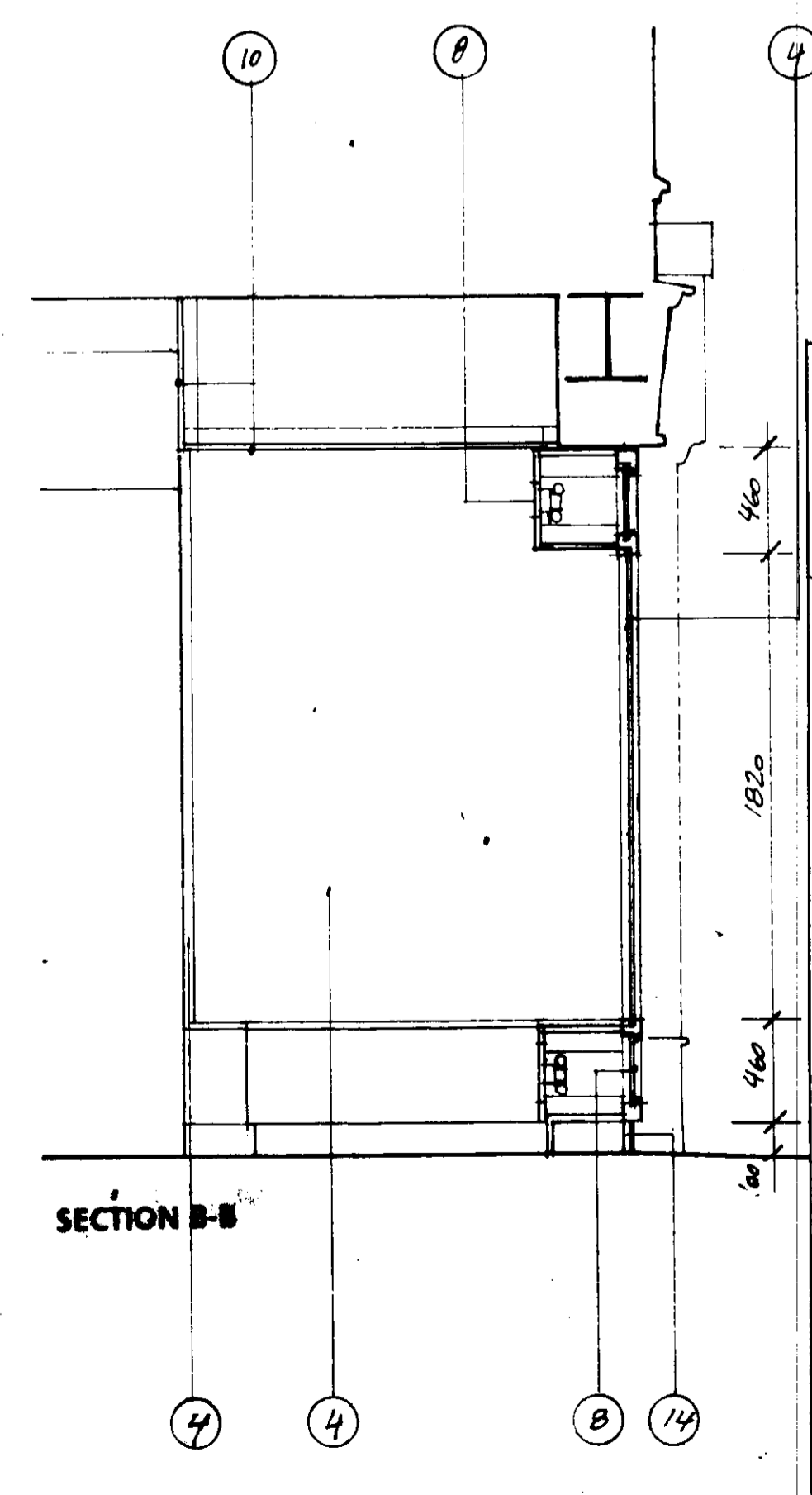
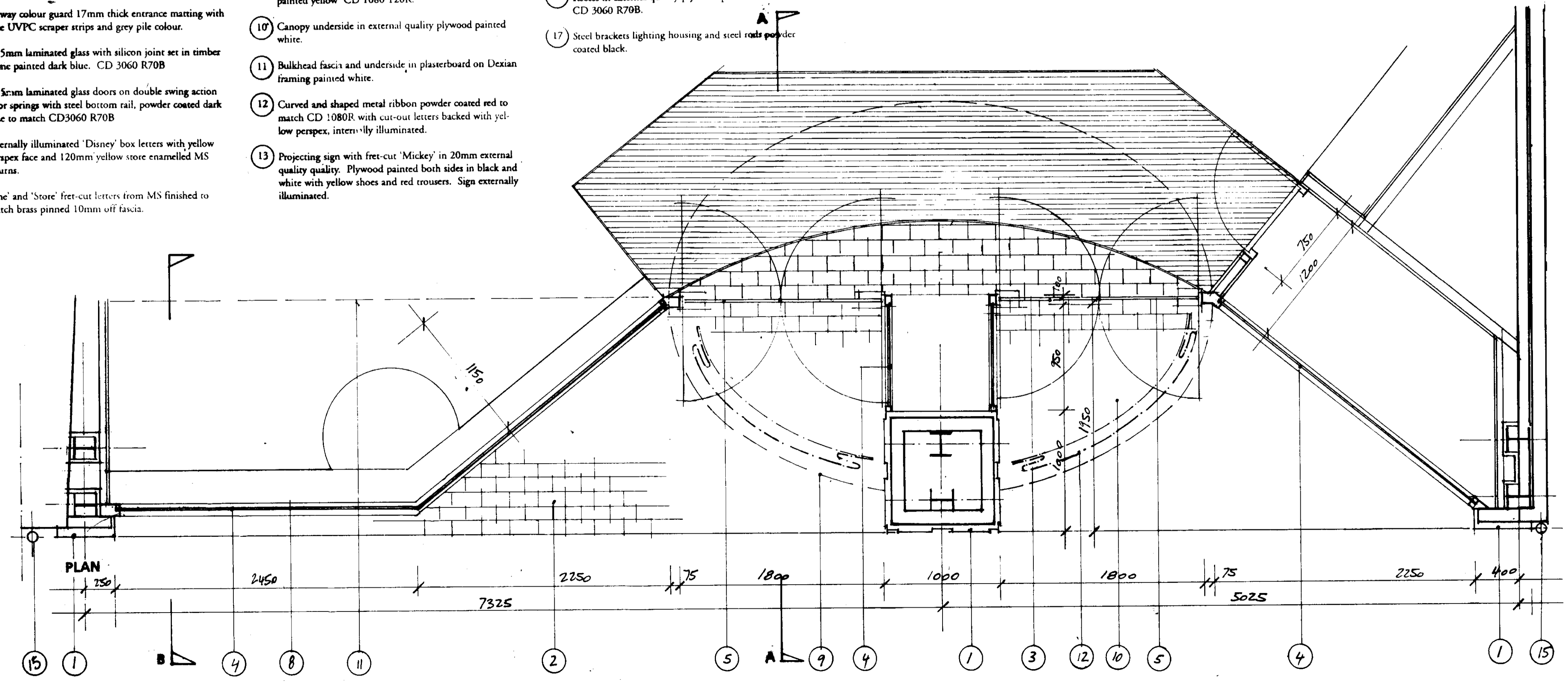
TENDER

LONDON BOROUGH OF RICHMOND UPON THAMES  
23 FEB 1996  
Planning Transport and Client Services  
PLANNING

16/05/96  
**SUPERSEDED**



- 1 Fascia and pilaster in external quality MDF painted dark blue CD 3060 R70B by Landlord.
- 2 New screed to ramp with brick pavers to match pavement.
- 3 Nurway colour guard 17mm thick entrance matting with blue UVPC scraper strips and grey pile colour.
- 4 13.5mm laminated glass with silicon joint set in timber frame painted dark blue. CD 3060 R70B
- 5 13.5mm laminated glass doors on double swing action floor springs with steel bottom rail, powder coated dark blue to match CD3060 R70B
- 6 Internally illuminated 'Disney' box letters with yellow perspex face and 120mm yellow store enamelled MS returns.
- 7 'The' and 'Store' fret-cut letters from MS finished to match brass pinned 10mm off fascia.
- 8 Internally illuminated 'film strips' box. Framework in hardwood painted dark blue CD3060 R70 with white perspex infill panels.
- 9 Curved canopy fascia in external quality plywood painted yellow CD 1080 Y20R.
- 10 Canopy underside in external quality plywood painted white.
- 11 Bulkhead fascia and underside in plasterboard on Dexian framing painted white.
- 12 Curved and shaped metal ribbon powder coated red to match CD 1080R with cut-out letters backed with yellow perspex, internally illuminated.
- 13 Projecting sign with fret-cut 'Mickey' in 20mm external quality quality. Plywood painted both sides in black and white with yellow shoes and red trousers. Sign externally illuminated.
- 14 External plinth in external quality plywood with applied black stove enamelled mild steel face.
- 15 Rainwater pipe by Landlord.
- 16 Recess in external quality plywood painted dark blue CD 3060 R70B.
- 17 Steel brackets lighting housing and steel rods powder coated black.



REV: C Projecting sign moved to centre of building 16-2-96

**FITCH :**

Client  
**DISNEY**  
Project  
**9-10 GEORGE STREET RICHMOND**  
Description  
**SHOPFRONT**

Scale 1:25  
Drawn by  
Date 72.96

Drawing no. DIS 001-100 C  
Revision

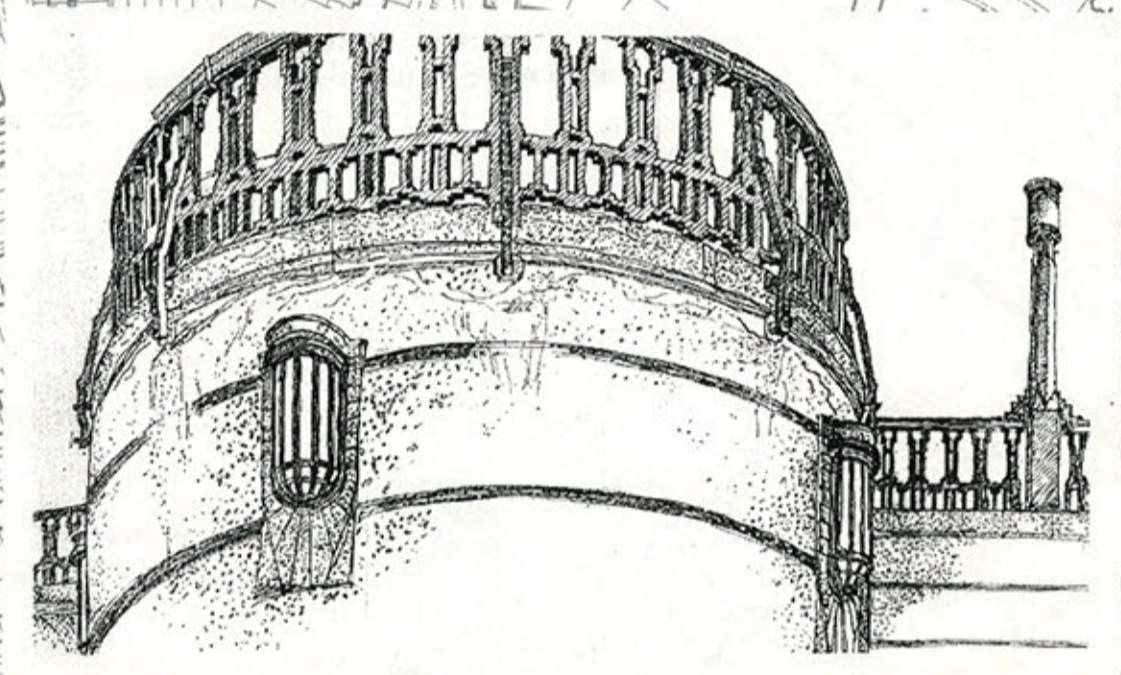
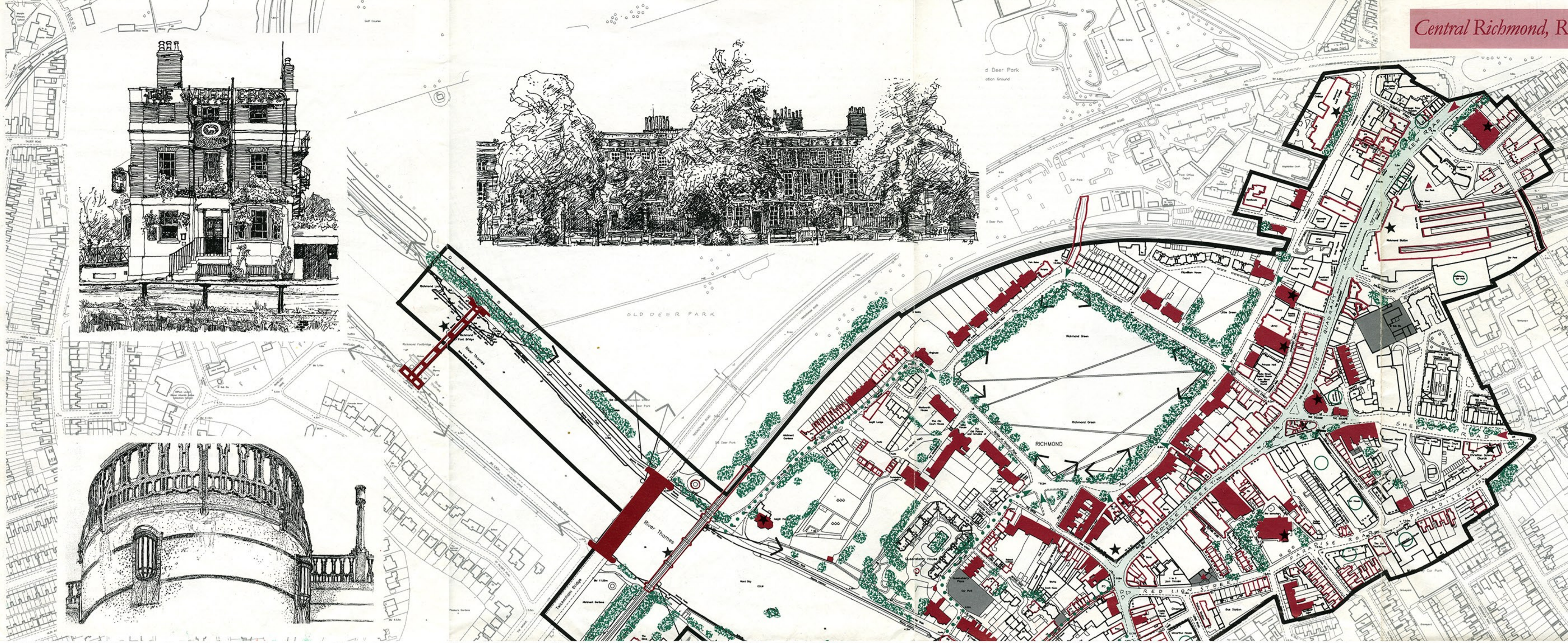
Dimensions to be verified on site. Figured dimensions to be taken in preference to those scaled.  
This drawing is the copyright of Fitch. This drawing cannot be copied, reproduced, retained or disclosed to any unauthorised person.  
Fitch, Commonwealth House,  
1 New Oxford Street, London WC1A 1WW  
Tel: (0171) 208 8000 Fax: (0171) 208 0200



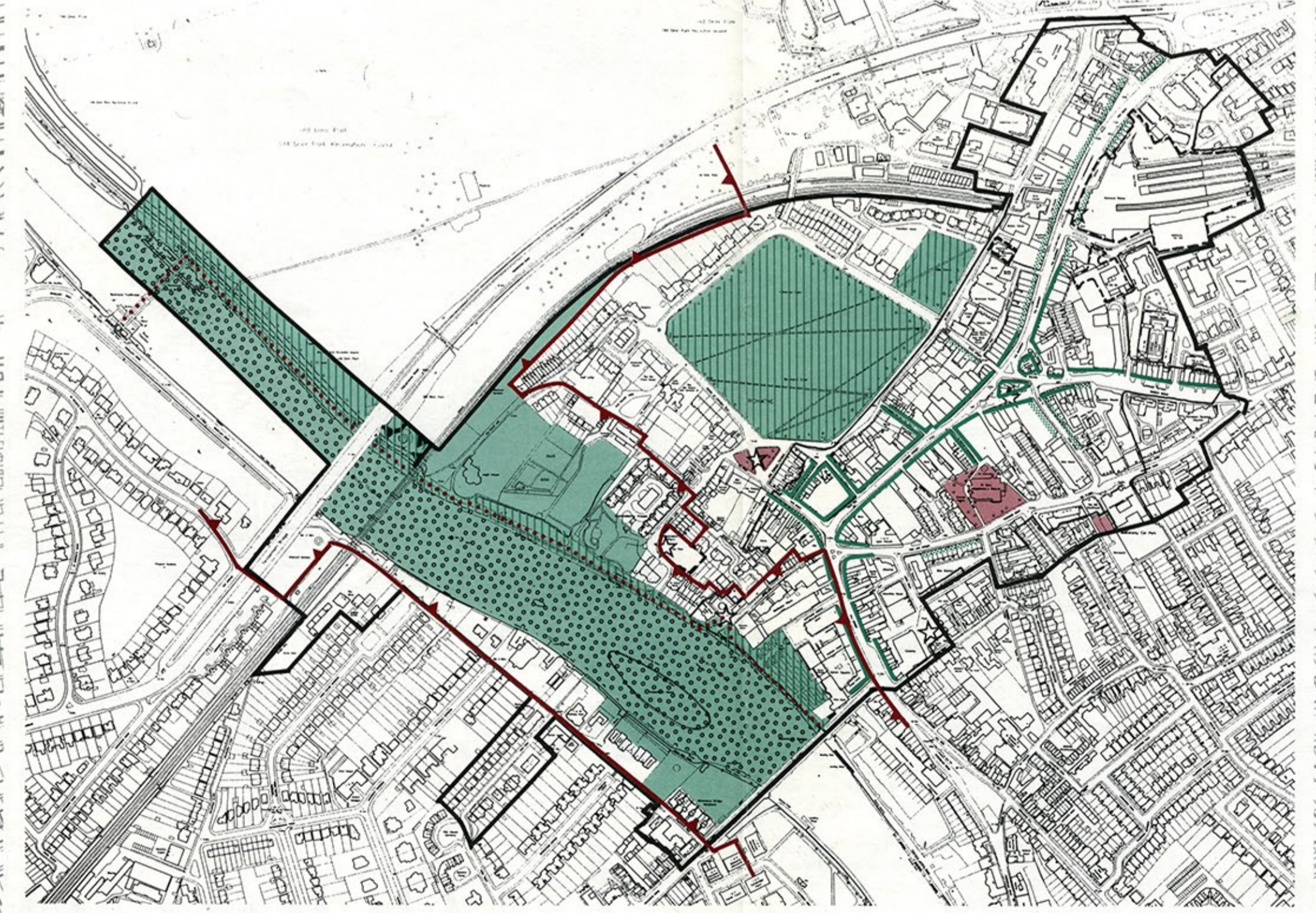
# **Appendix 2: Conservation Area Study for Central Richmond, Richmond Green and Riverside**



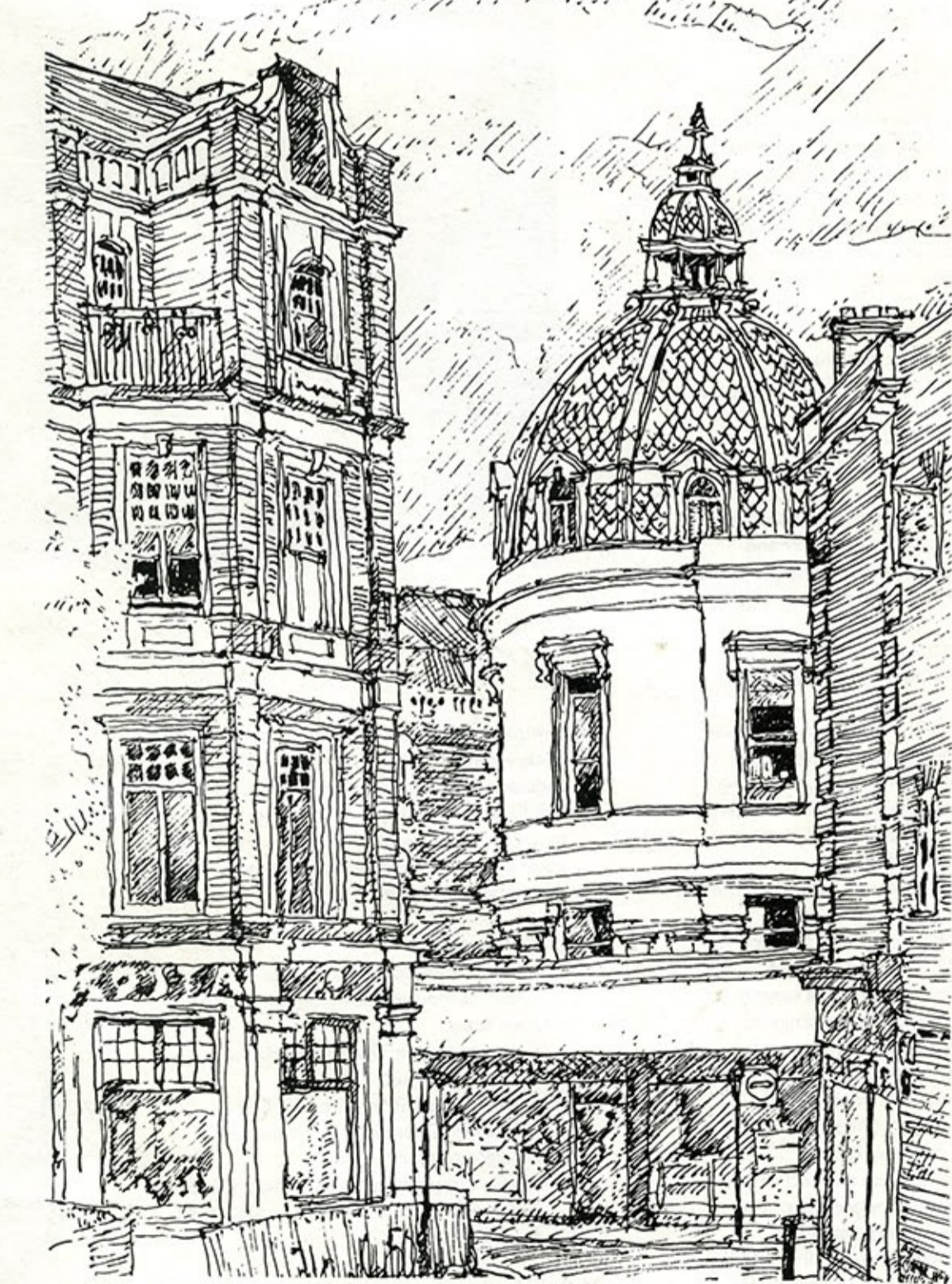
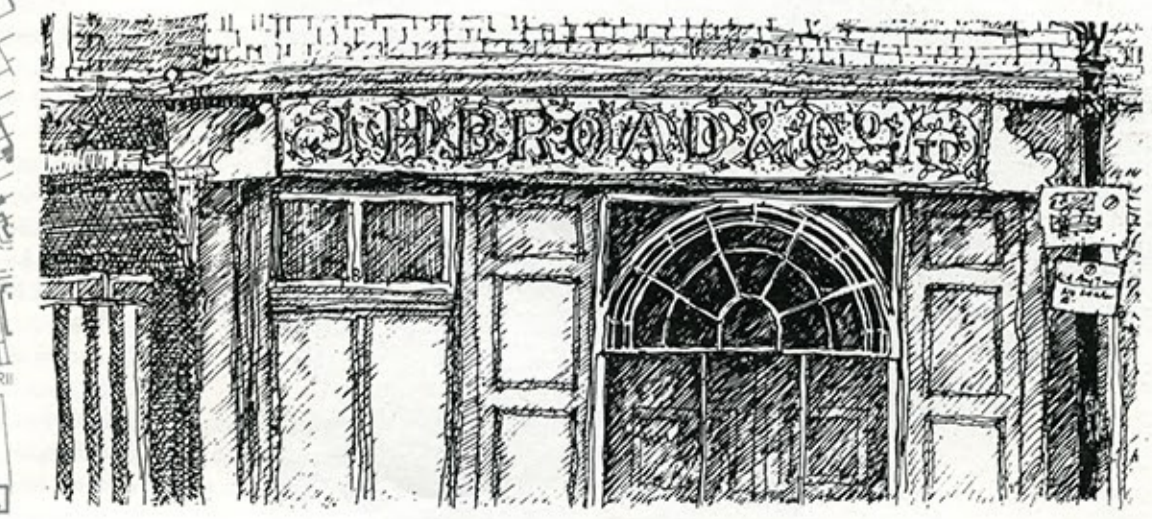
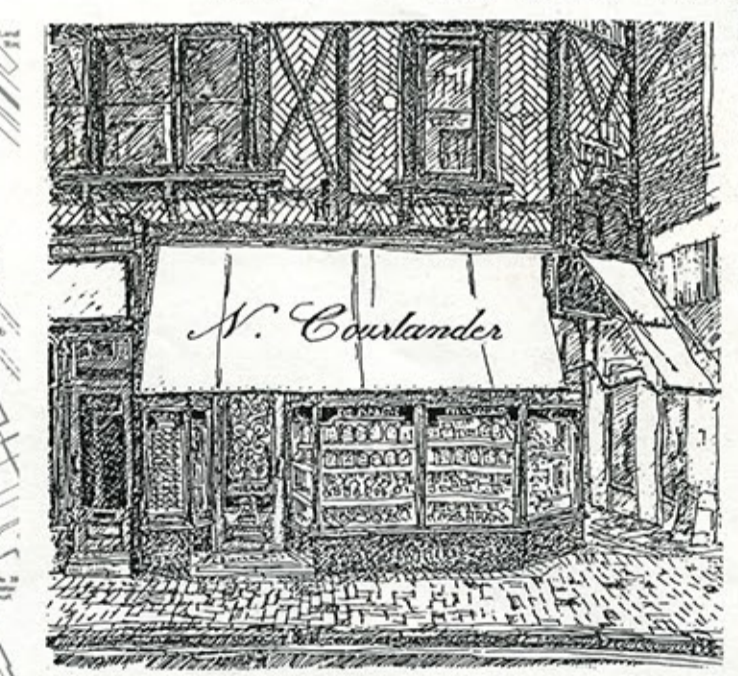
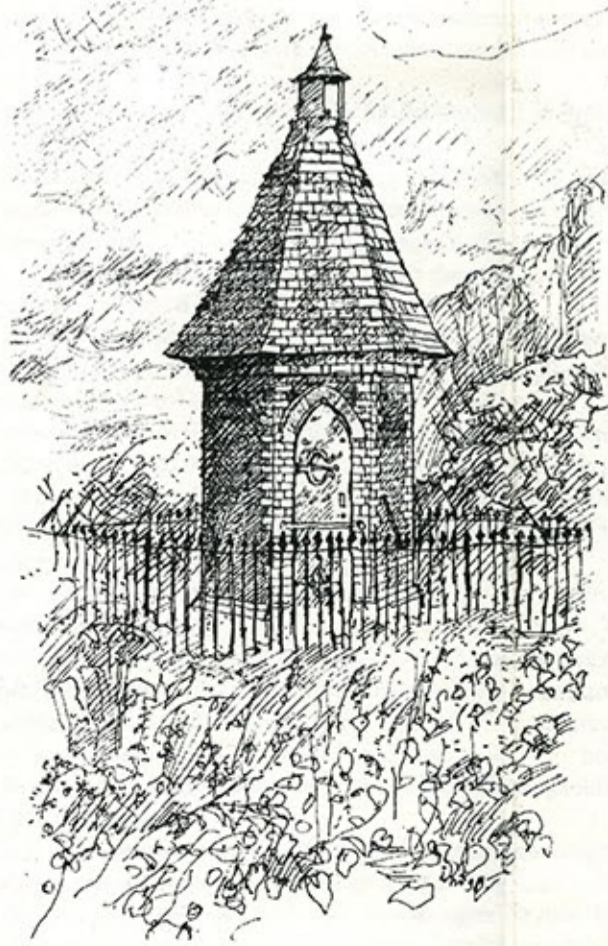
- KEY**
- Conservation area boundary
- OTHER DESIGNATIONS**
- Listed building
  - Building of Townscape Merit
- ANALYSIS**
- Key tree group
  - Local view/vista
  - Eyesore building
  - ▲ Eyesore site
  - ▼ Important gateway into the town
  - ▶ Gateway into The Green
  - Spaces which would benefit from improvement
  - Underused site
  - ★ Local landmark
  - Link between town/Green & riverfront
  - Dead frontage  
Cinema annexe  
Castle Yard House  
Glovers Lodge  
Victoria Place  
Eton Street (west side)
- ↑
- scale 1:2500



Extract from:  
London Borough of Richmond upon Thames Unitary Development Plan First Review: May 1999



- KEY**
- Conservation area
  - Thames policy area
  - Metropolitan open land
  - Public open space
  - Other open land of townscape importance
  - Other site of nature importance
  - Area of mixed use
  - Key shopping frontage
  - Secondary shopping frontage
  - Route (footpath/cycle route/bridleway)
  - Proposal site
  - ★ Proposed area for environmental improvement
  - Area at risk from flooding



Conservation Area  
*Analysis*

*This map outlines the key problems & pressures and provides an urban design analysis of the conservation areas*



[www.pegasusgroup.co.uk](http://www.pegasusgroup.co.uk)



DESIGN



ENVIRONMENT



PLANNING



ECONOMICS



HERITAGE

Pegasus Group  
Pegasus House  
Querns Business Centre  
Whitworth Road  
Cirencester  
Glos  
GL7 1RT

Telephone: 01285 641717

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