

DWD

Planning Statement

Hampton Court House School,
Campbell Road, London KT8
9BS

6 New Bridge Street
London EC4V 6AB

T: 020 7489 0213
F: 020 7248 4743
E: info@dwdllp.com
W: dwdllp.com

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CONTENTS

1.0 INTRODUCTION	1
Report Layout	1
2.0 THE SITE.....	3
The Site	3
Site Context.....	4
3.0 PLANNING HISTORY	5
4.0 DUKES EDUCATION AND HAMPTON COURT HOUSE SCHOOL.....	7
Dukes Education	7
Hampton Court House	7
Public Benefit.....	9
5.0 PROPOSED DEVELOPMENT	10
Science Block (Buildings A and B)	10
Storage Building (Building C).....	11
Former Glasshouse (Building D).....	11
Storage Sheds (Building group E).....	11
WC Shed (Buildings F)	12
North-West Classrooms (Buildings G, H & I).....	12
Ancillary Buildings (Buildings J & K)	12
Building Areas	13
6.0 PLANNING POLICY AND ASSESSMENT	14
Lawful Use and TCPA Enforceability	14
Support for Educational Use.....	15
Design	16
Metropolitan Open Land – Open Space Assessment	17
Other Site of Nature Importance (OSNI)	20
Heritage Significance and Assessment	22
7.0 CONCLUSION	26

TABLES

Table 3.1: Planning History.....	5
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FIGURES

Figure 2.1: Site Location Plan.....	3
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1.0 INTRODUCTION

1.1 This Planning Statement has been prepared by DWD on behalf of Hampton Court House Limited (the Applicant), part of the Dukes Education Group, to support retrospective applications for Listed Building Consent and Full Planning permission at Hampton Court House School, Campbell Road, London KT8 9BS (the 'site').

1.2 Full Planning and Listed Building Consent is sought from the London Borough of Richmond upon Thames (the 'Council' and 'LBR') for the following description of development:

"Retrospective application for erection of single storey educational buildings and sheds."

1.3 Listed Building Consent is sought for all buildings (7no.) and timber storage sheds (10no.). Most of the buildings were built or substantially completed over 4 years ago (see sections 5 and 6 of this document). These buildings are therefore considered to be lawful and immune from enforcement action. Full Planning Permission is therefore sought for a smaller number of buildings (3no.) and the timber storage sheds (10no.).

1.4 The buildings subject to this application, with the exception of some of the small timber storage sheds, were not constructed by the applicant and were undertaken by the previous site owner. However, following Dukes Education's purchase of the site in April 2021, the applicant is now seeking to regularise their status within the school grounds.

Report Layout

1.5 This document describes the Proposed Development and assesses the development with regards to the relevant planning policies of the Development Plan, national policies and other material considerations. This Statement will also outline the material public and educational benefits of the proposal.

1.6 This application is supported by plans and technical reports that should be read in conjunction with the Planning Statement. A full schedule of the accompanying reports and plans is listed within the submitted Cover Letter.

1.7 The remainder of this Statement is set out as follows:

- Section 2 identifies the site's context and surroundings;
- Section 3 reviews the site's planning history;
- Section 4 introduces Dukes Education and Hampton Court House School;
- Section 5 outlines the proposals for the site subject of this planning application;

- Section 6 assesses the Proposed Development against the relevant national and local planning policies and other material considerations; and
- Section 7 sets out our overall conclusions.

2.0 THE SITE

The Site

- 2.1 Hampton Court House School is located on Campbell Road, East Moseley, Surrey, KT8 9BS (the site) and is within the London Borough of Richmond Upon-Thames. A Site Location Plan is shown in Figure 2.1 below.



Figure 2.1: Site Location Plan

- 2.2 The site has a long history; however, most relevant is that it has operated as an educational establishment since 2001, has had a range of development undertaken within the west of the site since 2014, and was purchased by the applicant in April 2021. As well as owning the site, Hampton Court House Limited, which is part of the Dukes Education has operated and managed the school since April 2021.
- 2.3 The site (3.4ha) comprises the Grade II Listed Building of Hampton Court House within its grounds, a Grade II* Registered Park and Garden. Within the grounds there are two other Listed Buildings, a Grade II* listed grotto and Grade II listed ice house. Within the west of the site there are 17no. single-storey non-Listed educational buildings (7no.) and timber storage sheds (10no.), identified as part of this report as buildings A-K.

2.4 This application focuses on the development of the single storey educational buildings and timber storage sheds (A-K) located within the west of the site (circa 0.42ha) (see Section 5 for full details). These buildings were constructed between 2014 and 2022 to support the educational use of the school (see submitted Heritage Statement for full site development history).

Site Context

2.5 The Grade I registered Bushy Park bounds the site to the north/west, with Hampton Court Green to the south and a number of properties to the east.

2.6 In addition to the on-site Listed Buildings referenced above, based upon the adopted LBR policy map, the site is also located within:

- Hampton Court Green Conservation Area.
- Metropolitan Open Land
- Other site of Nature Importance (other than the western part of the site i.e former kitchen garden)

2.7 The site is within Flood Zone 1, and therefore at low risk of fluvial flooding.

2.8 Due to the site's location adjacent to Bushy Park, the prevailing character of the surrounding area is open space. There are however a line of predominantly residential buildings running to the east along Campbell Road and Hampton Court Road, and a carpark to the south which is accessed off of Hampton Court Road (A308).

2.9 The site is not within a town centre but is located approximately 600 metres (7-minute walk) from Hampton Court Village Centre.

2.10 The site has good access to a range of public transport services within walking distance, WITH Hampton Court Station being a 600m walk and bus stops serving routes 111, 216, 411 and 461 being within 300m. These services provide regular connections to locations within the local area including Thames Ditton, Kingston and Central London.

3.0 PLANNING HISTORY

3.1 A summary of the site's planning history taken from LBR's online planning records is included in the below tables.

Table 3.1: Planning History

Application Ref.	Description of Development	Decision and Date
10/1046/DD01	Details pursuant to appeal condition re signage (Appeal decision APP/L5810/C/09/2103366) which created new permission to supersede planning applications 05/2720/COU and 08/2974/FUL.	Withdrawn by the Applicant 08/06/2010
08/4151/FUL	Retention of five caravans for temporary period of two years.	Refused permission 09/01/2009. Appeal Dismissed on 25/09/2009
08/4155/FUL	Retention of temporary classroom for a two year period.	Refused permission 09/01/2009. Appeal Dismissed on 25/09/2009
08/2974/FUL	Variation of condition U08737 of planning permission ref.05/2720/COU to "There shall be no access to Campbell Road by vehicles delivering/collecting children to/from Hampton Court House between 8:00 am and 9:30 am and 2:30 pm and 4:30 pm, Monday - Friday"	Refused permission 06/02/2009. Appeal Allowed on 18/02/2010
05/2720/DD01	Details pursuant [sic] to S106 Agreement	Granted permission 25/07/2007
05/3611/FUL	Retention of temporary classroom for a two year period	Granted permission 31/03/2006
05/2720/COU	Change of use from Class C2 (residential school) with independent theatre use to use as Class D2 (school) with independent theatre use and weddings and corporate events (revised description)	Granted permission 17/07/2007
03/2941/C84	Erection Of Temporary Ice Rink Between 27th November 2003 And 23rd January 2004	Decided as no objection with provisos 11/11/2003
02/0926	Erection Of New Security Railings To The South Side Of The Tijou Screen.	Decided as no objection with provisos 24/05/2002
01/1077	Change Of Use From Residential Nursing Home (class C2) And Theatre To School (class D1) And Theatre.	Decided as no further action be taken 18/06/2004
00/0573	Change Of Use From Residential Nursing Home (use Class C2) To Hotel (use Class C1).	Granted permission 28/06/2000
96/0252/LBC	Demolition Of Existing Cottage And Erection Of Single Storey Staff Cottage	Decided as no further action be taken 28/03/1996
96/0248/FUL	Demolition Of Existing Cottage And Erection Of Single Storey Staff Cottage	Decided as no further action be taken 28/03/1996

95/3940/FUL	Change Of Use Of Existing Theatre To Function Suite (use Class D2) With Retention Of Occasional Theatre Use.	Decided as no further action be taken 28/03/1996
95/3941/FUL	Extension Of Existing Car Park. Removal Of Hardstanding In Front Of Stable Block To Provide Soft Landscaped Area.	Decided as no further action be taken 28/03/1996
95/3127/LBC	Demolition Of Existing Stable Block And Replacement With Two Storey Residential Care Unit And Sitting Room Extension; Reinstatement Of Gate Lodge.	Decided as no further action be taken 28/03/1996
95/3055/FUL	Replacement Of Existing Stable Block With A Two Storey Residential Unit And Sitting Room Extension. Reinstatement Of Gate Lodge And Associated Soft And Hard Landscaping.	Decided as no further action be taken 28/03/1996
95/2112/FUL	Replacement Of Existing Stable Block With 2 Storey Residential Unit And Sitting Room Extension, Reinstatement Of Gate Lodge Associated Soft And Hard Landscaping	Withdrawn by the Applicant 14/09/1995
95/2117/S191	Use Of Property As A Nursing Home (c2 Use Class) With Part Use As A Theatre	Granted permission 09/08/1995
95/2114/LBC	Demolition Of Existing Stable Block And Replacement With 2 Storey Residential Care Unit And Sitting Room Extension	Withdrawn by the Applicant 14/09/1995
90/1890/FUL	Change Of Use To Single Residence With Staff Accommodation.	Granted permission 14/01/1991
89/0328/FUL	Use Of Car Park For Car Boot Sales On 2 Occasions In Any One Year	Granted permission 12/06/1989
85/1428	Resurfacing of car park. (Amended Plan No. TTC/1 received on 6.12.85).	Granted permission 16/12/1985

3.2 The table above confirms that prior to the site being used as a day school that it was a nursing home. An application to secure planning permission for the use of the site as a day school was submitted in September 2005 and secured in July 2007. It is understood that Hampton Court House School opened earlier than this, in September 2001.

4.0 DUKES EDUCATION AND HAMPTON COURT HOUSE SCHOOL

Dukes Education

- 4.1 Hampton Court House is part of the Dukes Education Group, a family of nurseries, schools and colleges united by a common purpose; to give children the foundations for an extraordinary life through education. Founded in 2015 by its chairman Aatif Hassan, Dukes Education has 26 schools and colleges, and 24 nurseries in the UK, with sites across London, Cambridge, Kent, and Cardiff.
- 4.2 Dukes Education also owns and runs wraparound advisory services and summer schools at each stage of the education journey, from academic summer schools to university application consultancy services. Dukes is a dynamic, future-focused organisation committed to providing a gold standard of education for young people in the UK.
- 4.3 Dukes have significant experience operating schools in and restoring listed buildings. This includes:
- Converting a Grade II listed office building in Hackney to a primary school, for The Lyceum School.
 - Converting a Grade I listed building at 106 Piccadilly in Westminster to facilitate occupation by Eaton Square School.
 - Eaton Square School occupy a number of other listed properties within the City of Westminster.
 - Chiswick & Bedford Park Preparatory School occupy a number of listed properties within Hounslow and Ealing.
 - Radnor House School, at Pope's Villa, Twickenham, falls within the Grade II listed Pope's Garden parks and gardens designation.
 - Oliver House School, Nightingale Lane in the London Borough of Wandsworth secured permission for alterations to the Grade II listed building to facilitate continuing education use at the site. This is due to reopen as London Park School next year.

Hampton Court House

- 4.4 Hampton Court House became part of the Dukes Education Group in April 2021, when they acquired the site and they took over operating and managing the school, from the previous owner.
- 4.5 The School caters for pupils from nursery up to sixth form age.

4.6 At present the school has approximately 305 pupils on role, with a capacity of 360. When planning permission was granted at the site for the day school use in 2007 (ref. 05/2720/COU), a condition was also attached to that consent that confirms there is a pupil cap of 360 pupils, unless otherwise agreed by the Council. Whilst the school is not presently at full capacity, the buildings subject to this application play a vital role in the day to day running of the school. They facilitate separation between the younger and older year groups who have different learning needs and requirements and allowing each grouping the required space to learn, circulate and play.

4.7 It is understood that the previous owner introduced the additional buildings on the western part of the site:

- To provide accommodation that meets the needs of the Early Years pupils aged 3 to 5. These pupils are based in Buildings G, H and I. The single storey buildings are more suitable for the younger pupils to use, as opposed to them having to move between different floors which they would need to do in the main building. The location allows younger children have easy access to outside space, which plays a key part in their day-to-day learning. This location also allows for non-clustered parental drop off, using the circular access road.
- To provide science labs to meet the educational needs of the older pupils, with this type of use being less well suited to being accommodated within a listed building, due to the space required and type of lessons that take place in a science lab, with bunsen burners used.
- To provide additional space to enable the school to adapt to the changing standards they have to achieve and the needs of pupils. The additional space ensures the school can provide a wide range of subject choices for pupils and ensures they have access to high quality facilities to enhance their learning.
- For the storage of sports and grounds maintenance equipment, that is needed on the western part of the site and to avoid it needing to be moved between the main building and the western part of the site, which would not be efficient for staff. Since acquiring the site, Dukes/ Hampton Court House Limited has also introduced further small timber storage sheds in close proximity to the playing fields so that these can be used for the storage of sports and other equipment needed on this part of the site. This allows staff to access the equipment and put it away quickly between lessons.

4.8 Following the purchase by Dukes Education, surveys and investigations have been carried out to ascertain maintenance and repair works required to ensure the long term preservation of the listed building and also to bring the site up the required standards and ensure that it can be used safely by all pupils and staff. This includes the regularisation of the buildings subject to this application, as well as a separate Listed Building Consent application for repair works to Hampton Court House (due to be submitted shortly following this application).

Public Benefit

4.9 The site has been in use as a day school for over 15 years. It provides educations for nursery to sixth form aged pupils, providing a high- quality learning environment and education offering for its students. It is considered that an education use at this site continues to be its most viable use. The education use at the site is considered to have a public benefit as it:

- Provides education for over 300 pupils, including nursery, preparatory, senior school and sixth form pupils. The school has been identified as one of the top 50 independent schools nationwide in A-Levels (2022).
- Provides education choice for parents/ carers. The NPPF at paragraph 95 confirms that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities and that planning decisions widen choice in education.
- Provides a learning environment where pupils have access to outside space, for play, learning and sports, to enhance their learning opportunities.
- Provides high quality learning facilities for pupils with a range of facilities available to allow the school to offer a wider curriculum and education choice for pupils and to ensure that all age groups have access to the space and facilities they need to enhancing their learning.
- Provides a wedding venue, allowing people to hire out the site for wedding celebrations, therefore creating direct jobs for the specific events, and additional knock-on revenue for local hotels and restaurants.
- Ensures that there is ongoing investment into the maintenance and upkeep of the Grade II listed building, to ensure it is preserved for future generations and does not fall into disrepair.

5.0 PROPOSED DEVELOPMENT

5.1 This section of the document provides a description of the Proposed Development. This section should be read in conjunction with the submitted plans and Heritage Statement.

5.2 The full description of development is:

“Retrospective application for erection of single storey educational buildings and sheds.”

5.3 Section 171B (Time Limits) of the Town and Country Planning Act 1990 confirms at paragraph 1 that *“Where there has been a breach of planning control consisting in the carrying out without planning permission of building, engineering, mining or other operations in, on, over or under land, no enforcement action may be taken after the end of the period of four years beginning with the date on which the operations were substantially completed.”*

5.4 As stated in the introduction, a number of the buildings were constructed over 4 years ago. In accordance with Section 171B of the 1990 Act it is considered these buildings are now lawful and immune to enforcement action. As such, only some of the buildings and storage sheds now require full planning permission, but all buildings/ sheds require Listed Building Consent. An assessment which confirms the lawfulness is provided in Section 6 of this document.

5.5 Information on each building, its construction timings, and if a full planning application is required is set out in the below sub-sections. For details of building materials and designs, the reader is directed to the submitted plans and elevations and the Design Document prepared by LXA.

5.6 The timings of completion referenced below are based on information provided by the previous site owner and satellite data. Details of this can be identified within the submitted Heritage Statement.

Science Block (Buildings A and B)

5.7 The former cottage, which was understood to have been constructed around the late 1990’s, was replaced by a single storey science block. Aerial images confirm that this building h was completed by June 2015 (Building A). This block was subsequently extended, with completion of the further building by March 2021 (Building B).

5.8 The Science Block was situated outside the main building to allow students to access the equipment required to teach the subject to A Level i.e. bunsen burners. The development of a science block within the main building would be impractical given the size and layout of the rooms, and availability of gas and electric points.

5.9 Building A is not considered to require Planning Permission due to the length of time it has been established.

5.10 Building B is considered to require Planning Permission as aerial photographs show that the construction of this building was completed in March 2021.

Storage Building (Building C)

5.11 Aerial images show that prior to June 2019 a storage building was constructed between buildings A and B.

5.12 This building is used to store school equipment and provides a vital function in keeping classroom space free for education, as well as avoiding the need to store equipment a long distance away in the main building.

5.13 Building C is not considered to require Planning Permission due to the length of time it has been established.

Former Glasshouse (Building D)

5.14 The former glasshouse was redeveloped to provide 2 news classrooms,. Aerial images show that this building was constructed by March 2021 (Building D). Initially rooflights were installed in this building but it was identified that the rooflights made of plastic panels were creating an unsafe heat level in the classrooms for pupils. Therefore these rooflights were infilled in 2022.

5.15 As part of the development of this building the original glasshouse metal pole frame was retained with a timber frame structure built around the existing metal poles. The original metal pole structure remains visible internally (see Heritage Statement for images). The shape of this building also has regard to and echoes the original building form of the former glasshouse.

5.16 Building D is considered to require Planning Permission because construction was completed in 2021.

Storage Sheds (Building group E)

5.17 Along the northern boundary of the site there are 7no. timber storage sheds which are used for the storage of school and grounds equipment. These vary in design and materiality, however the purpose of all of these sheds is to store items to support the functioning and day- to- day operations of the wider site.

5.18 Aerial images show that the storage sheds have been added at different stages over the last circa 10 years, with initially there only being one or two and then further sheds being added. Due to the

lack of evidence of exactly when the storage sheds within group E were constructed (between circa 2014), all buildings are submitted as part of the Full and Listed Building Consent Applications.

WC Shed (Buildings F)

- 5.19 A small building has been erected to provide a staff WC. This separate facility is required as staff and pupils cannot use the same facilities and there are no staff facilities within this part of the wider site.
- 5.20 It is not possible to ascertain from aerial images when this WC facility was constructed and therefore it is submitted as part of the Full and Listed Building Consent Applications.

North-West Classrooms (Buildings G, H & I)

- 5.21 The former lean-to structure, which was constructed sometime in the late 19th century (altered during the early 20th century), was replaced by new 3 single storey classroom buildings. These buildings were completed in 2018, to enable pupils to start using them at the start of the September 2018 autumn term. The maintenance team has provided Dukes with an electrical installation certificate for these buildings, which is dated 27th August 2018, which confirms these buildings were completed in Summer 2018.
- 5.22 This block is used for the Early Years aged 3 to 5. The location allows younger children have free access to outside space, as it is separated from the main school. This location also allows for non-clustered parental drop off using the circular access road.
- 5.23 This collection of buildings is identified within the submitted plans as Buildings G, H and I.
- 5.24 Buildings G, H and I are not considered to require Planning Permission due to the length of time since they were built.

Ancillary Buildings (Buildings J & K)

- 5.25 These two buildings are situated towards the western boundary of the site and were used by the previous owner as an ancillary office and accommodation. These were constructed and in use by 2014, which the aerial images confirm. The structures comprise of a main building, a smaller office type building and an area of decking.
- 5.26 These buildings are identified within the submitted plans as Buildings J and K.
- 5.27 Buildings J and K are not considered to require Planning Permission due to the length of time since they were erected at the site.

Building Areas

5.28 The below table sets out each building and its Gross Internal Area in square metres.

Building	Area (GIA sqm)
Building A	100sqm
Building B	86sqm
Building C	25sqm
Building D	130sqm
Group E: Shed Type 1 (x4)	5.9sqm (23.6sqm total)
Group E: Shed Type 2 (x1)	6.8sqm
Group E: Shed Type 3 (x2)	4.2sqm (8.4sqm total)
Group E: Shed Type 4 (x1)	8.4sqm
Building F	1.6sqm
Building G	111sqm
Building H	63sqm
Building I	120sqm
Building J	56sqm
Building K	13sqm
Total LBC	752.8sqm
Total Planning (B, D, E, F)	264.8sqm

6.0 PLANNING POLICY AND ASSESSMENT

- 6.1 The site is located within the London Borough of Richmond upon Thames. The currently adopted Development Plan Documents for the Council is the Local Plan (2018) and the London Plan (2021).
- 6.2 Between June and July 2023, consultation was undertaken on the Council’s Publication Draft Local Plan (Regulation 19). The next stage will be the submission and examination of the Draft Local Plan to the Secretary of State. In accordance with paragraph 48 of the NPPF, as the Council is at an early stage in the plan preparation, the Draft Plan is not currently considered applicable for Development Management consideration for this submission.
- 6.3 In addition to adopted Development Plan Documents, material consideration must be given to the National Planning Policy Framework (2023) (‘NPPF’) and other Richmond upon Thames Planning Guidance documents.

Lawful Use and TCPA Enforceability

Policy

- 6.4 Section 171B of The Town and Country Planning Act 1990 (‘TCPA’) paragraph 1 states *“Where there has been a breach of planning control consisting in the carrying out without planning permission of building, engineering, mining or other operations in, on, over or under land, no enforcement action may be taken after the end of the period of four years beginning with the date on which the operations were substantially completed.”*
- 6.5 Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (‘LBCAA’) allows for non-time-restricted Listed Building Enforcement Notices. This would be relevant where the Council consider the works *“would affect a Listed Building’s character as a building of special architectural or historic interest”* (Planning (Listed Buildings and Conservation Areas) Act 1990, Section 7).

Assessment

- 6.6 The conclusion derived from section 171B of the TCPA is that buildings A, C, G, H, I, J and K are not able to be enforced upon as they were built prior to September 2019. It is however considered that buildings B, D, E (7 x storage shed) and F require Full Planning Permission, as is proposed as part of this application.
- 6.7 As a result of section 38 of the LBCAA, if the Council considers the works impact the Listed Building and Registered Park and Garden’s character, then Listed Building Enforcement Notices could be issued for all buildings that are the subject of this application. As a result, this application seeks to

regularise the use of the buildings by obtaining Listed Building Consent for all buildings and storage sheds.

Support for Educational Use

Policy

- 6.8 NPPF Paragraph 95 states *“It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.”*
- 6.9 London Plan Policy S3 ‘Education and childcare facilities’ identifies that there is a need to *“ensure there is a sufficient supply of good quality education and childcare facilities to meet demand and offer educational choice”*.
- 6.10 Local Plan Policy LP29 ‘Education and Training’ demonstrates the councils support for education and training facilities for people of all ages. This policy states in part ‘A’ that *“The Council will work with partners to encourage the provision of facilities and services for education and training of all age groups to help reduce inequalities and support the local economy, by the following means: 1. supporting the provision of facilities to meet the needs for primary and secondary school places as well as pre-school and other education and training facilities; [...]; 4. encouraging the potential to maximise existing educational Sites through extensions, redevelopment or refurbishment to meet identified educational needs [...].”*
- 6.11 Paragraph 8.2.10 in the Local Plan recognises that the independent sector makes a contribution to providing education facilities.

Assessment

- 6.12 The Proposed Development complies with the policy aspiration at both the local, London and national level to improve educational facilities and educational choice. In particular, it is in compliance with local policy LP29, which supports the refurbishment of sites.
- 6.13 The location of the proposed science block (Building A and B) is understood to have been chosen, in order to create a separate high-quality learning facility that avoids the construction complications and use risks associated with the need for learning with gas, chemicals and electricity within a listed building, and also the space requirements for this use.
- 6.14 The separate development block (Buildings G, H and I) allow for pupils aged 3-5 to learn and play in a calm space which is located away from older pupils. It also provides learning spaces all at ground

level, allowing pupils to easily move between the spaces and not needing to use staircases to travel between floors, which would be necessary in the main building.

- 6.15 The remaining buildings also support the wider learning environment of the site and enhance the pupils education. They provide additional teaching space and accommodation necessary to ensure pupils are provided with a high quality learning environment and that the school can provide a range of subject choices for pupils and suitable facilities to support their learning.
- 6.16 If the constructed buildings were not permitted to remain in situ, then the school would not be able to support all its pupils needs. It would significantly compromise the teaching facilities that the school provides and compromise the space available to support its pupils from nursery age through to sixth form. The loss of these buildings would likely result in Hampton Court House School needing to alter its curriculum, reducing the learning choices that pupils have. There would also be space constraints accommodating all existing pupils in the main listed building. This would in turn impact the viability of Hampton Court House School, which plays an important role in the provision of local educational facilities.
- 6.17 On the basis of the above, it is considered that the retention of the school buildings will ensure the positive contribution to educational need is retained and continues to provide a high quality learning environment that meets its pupils needs, as such the works are considered significantly beneficial when assessed against educational planning policy.

Design

Policy

- 6.18 NPPF Chapter 12 'Achieving well-designed spaces' focuses on the need to create high quality, beautiful and sustainable buildings and places. Paragraph 130 in particular confirms the need to ensure that developments will *"function well and add to the overall quality of the area"* and *"are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change"*.
- 6.19 Local Plan Policy LP1 'Local Character and Design Quality' requires *"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"*.

Assessment

- 6.20 Local Plan policies relating to design describe a number of ways by which new development can achieve this, including responding to local character and context, providing a healthy and convenient environment for all users, and achieving a resource efficient and climate responsive design.
- 6.21 The Proposed Development has been designed to complement the heritage assets and introduce modern functional teaching buildings to the site. The choice of materials and finishes of the new buildings have been chosen to complement the existing buildings in a contemporary way. Building D has been designed so that its shape echoes the former glasshouse that stood on the same footprint's shape. The building also re-uses the metal poles that formed the glasshouse structure and integrates these into the buildings design, with parts of the metal frame visible internally.
- 6.22 All the buildings are single storey, ensuring that they sit below the boundary wall and are not visible from Bushey Park. The buildings are designed to sit quietly within the site, so as not to impact the openness of this part of the site and to ensure that the main listed building is the primary building on the site.
- 6.23 The location of buildings has been done in a way that removes them from Hampton Court House and located them in discrete and well screened locations on the site. The buildings are also located on parts of the site where there was previously built development to ensure the buildings do not impact the openness of the site. For example, the science block (building A) is located on broadly the same footprint as the former derelict cottage; building D is located on the same footprint as the former glasshouse and buildings G, H and I are located where there was previously lean to structures.
- 6.24 With regards to NPPF paragraph 130, it is considered that the proposed development's massing and design are sympathetic to the context of the Registered Park and Garden and its educational use, whilst allowing for the change needed to support the educational establishment.

Metropolitan Open Land – Open Space Assessment

Policy

- 6.25 Local Plan Policy LP 13 'Green Belt, Metropolitan Open Land and Local Green Space' Part A states that:

"A. The borough's Green Belt and Metropolitan Open Land will be protected and retained in predominately open use. Inappropriate development will be refused unless 'very special

circumstances' can be demonstrated that clearly outweigh the harm to the Green Belt or Metropolitan Open Land."

6.26 London Plan Policy G3 'Metropolitan Open Land' ('MOL') states that "A Metropolitan Open Land (MOL) is afforded the same status and level of protection as Green Belt". The policy confirms that MOL should be protected from inappropriate development in accordance with national planning policy tests that apply to the Green Belt.

6.27 Paragraph 149 of the NPPF states that the construction of new buildings in the Green Belt should be considered as inappropriate development. There are exceptions to this, which include:

"b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;"

Assessment

6.28 Whilst the application seeks permission for a number of buildings / sheds within the western part of the wider Hampton Court House site, it is important to acknowledge that historical maps and aerial images show that there was built development on the western part of the site in the past and that the openness of this part of the site has varied over time (see Figure 6.1 below and Heritage Statement Appendix 2 for full pack of images). The built development which planning permission is sought for should be considered taking into consideration the historical development on this part of the site and acknowledging that it is replacement floorspace, rather than new floorspace.

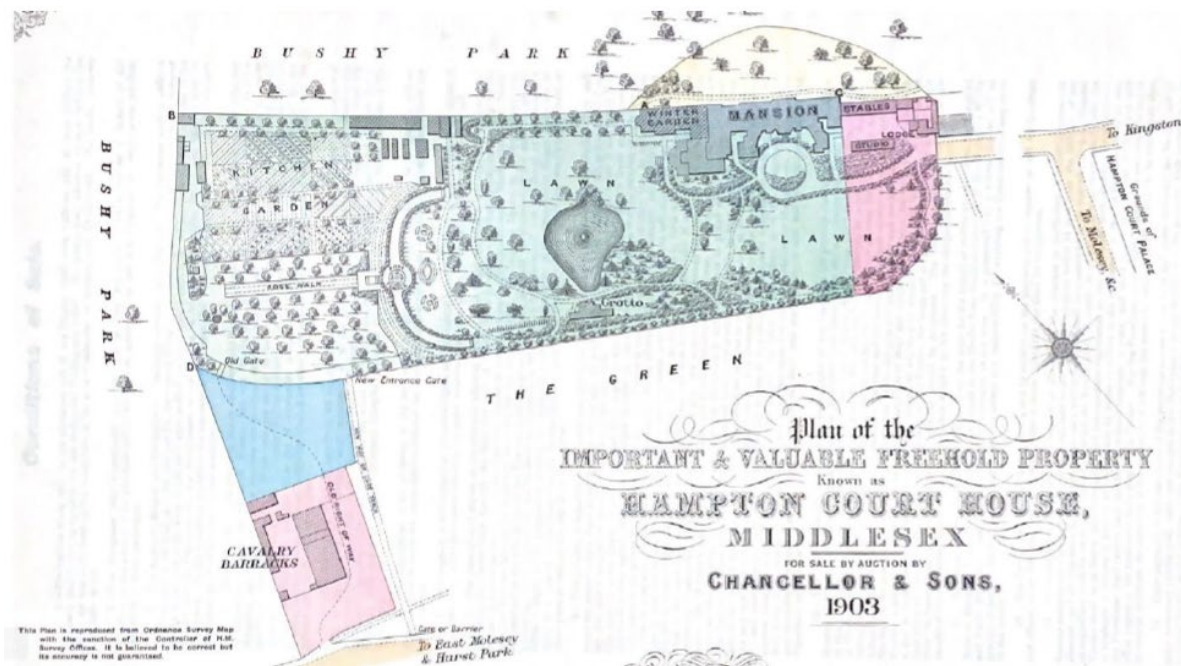


Figure 6.1 - Hampton Court House Plan (1903 sale auction)

- 6.29 It is not possible to provide historical floorspaces and building volumes; however, when regards is given to the exceptions to inappropriate development at NPPF, paragraph 149, part b, these new buildings are not considered to be ‘disproportionate’ compared to the previous amount of development that has in the past been located on this land and the size of the wider site.
- 6.30 It is considered that only the buildings seeking full planning permission should be assessed on the basis of the Metropolitan Open Land policies. An assessment of each of the individual buildings that are subject to the planning application is set out below:
- Building B – Building B is an extension to Building A, which replaced the footprint of the ‘former cottage building’ (see Heritage Statement). It is considered to align with part c) of paragraph 149 of the NPPF. Whilst Building B’s footprint does not replace the footprint of a previous building, the location of the building, its height, its setting and the historical buildings shown in arial images, mean that it is considered to have no unacceptable impact on the openness. This part of the site in the past has been characterised by a number of buildings, associated with the land’s use.
 - Building D – This building is single storey and is a like-for-like replacement of the former greenhouse footprint, which accords with part d) of paragraph 149 of the NPPF. The existing metal frame of the glasshouse has been re-used to ensure that the volume of this building matches the former glasshouse that stood on the same footprint. This building therefore

does not impact the openness of the MOL, when considered in the context of the previous built development on this footprint and on this part of the site.

- Building E (Sheds) – In accordance with part b) of paragraph 149 of the NPPF these buildings are considered ancillary for the function of the school, including supporting outdoor recreation, as they are used for the storage of sports equipment. Given the minimalist functional nature of the sheds and their position close to the boundary wall, these are not considered to impact the openness of the site.
- Building F (toilet) – In accordance with part b) of paragraph 149 of the NPPF this building is necessary for the function of the school and has been kept to the minimum size possible. Given the size and functional nature of the building, as well as its position proximate to other buildings, this is not considered to impact the openness of the site.

6.31 Overall, the proposed development is considered to be in line with national and local policies as they meet the exceptions to inappropriate development set out at paragraph 149 of the NPPF and they do not harm the openness of the site, and any additions are necessary and not disproportionate in scale.

Other Site of Nature Importance (OSNI)

Policy

6.32 Local Plan Policy LP 15 states that *“the Council will protect and enhance the borough's biodiversity, in particular, but not exclusively, the sites designated for their biodiversity and nature conservation value, including ...Other Sites of Nature Importance...”*

Assessment

6.33 Only buildings A, B and C are within the area defined by Richmond Council as being within the ‘Other Site of Nature Importance’, as is shown in the darker eastern shade on Figure 6.2 below.



Figure 6.2 – Richmond Council Interactive Policy Map

- 6.34 As the buildings are currently in place, it is not possible to undertake any retrospective surveys. It is however confirmed that Building A replaced the footprint of the former cottage, and therefore this space would have limited nature value.
- 6.35 For the spaces now occupied by Buildings B and C, the space has been largely hardstanding since before 2013 (see Figure 6.3 below). As such, it is considered there has been no detrimental impact on nature following the development of these buildings. The parts of the site which have historically been open or characterised by trees and vegetation have not been impacted by the development and the wider site continues to provide extensive greening and biodiversity.



Figure 6.3 – Buildings A, B and C satellite photograph July 2013.

6.36 In addition to the above statements on the building's former footprints, it is noted that these buildings ensure the school is able to operate successfully to meet the needs of its pupils and to remain financially viable. In turn, this allows the school to support the quality, landscaping and maintenance of the wider area.

6.37 On the basis of the above, there is considered to be no harm to the site's nature interest, and as such the application is acceptable with regards to Policy LP 15.

Heritage Significance and Assessment

Policy

6.38 NPPF Chapter 16 'Conserving and enhancing the historic environment' identifies at paragraph 194 that *"In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance"*.

6.39 Paragraph 197 states that *"In determining applications, local planning authorities should take account of ... the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation"*.

- 6.40 Paragraph 202 states that *“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.”*
- 6.41 London Plan Policy HC1 ‘Heritage conservation and growth’ states that *“Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets’ significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.”*
- 6.42 Local Plan Policy LP3 requires the retention and preservation of the original structure, layout, architectural features, materials and later features and resist the removal and modification of features both internally and externally that contribute to the significance of the asset.

Assessment

- 6.43 As is set out within the submitted Heritage Statement, the significance of the location is a combination of being within the Hampton Court House registered park and garden (Grade II*) and the grounds of Hampton Court House (Grade II listed). Also within the grounds is the Rustic Gothic Hut (Grade II listed) and Shell Grotto (Grade II* listed). The site is also within Hampton Court Green Conservation Area and adjacent to Bushy Park registered park and garden (Grade I).
- 6.44 The below extracts identify the Heritage Statement’s conclusion on the proposed building’s impacts upon the Registered Park and Garden, which is considered to be the most sensitive given its location. For full information on all relevant impacts, the reader is direction to Section 5 of the Heritage Statement.
- Science Block (A & B) and Storage Building (C) – *“This area is the former kitchen garden which is considered to make a lesser contribution to the overall significance of the registered park and garden. The classrooms are well screened from Wright’s original Georgian garden by the avenue of trees immediately south. As set out above, the design of the science blocks references the design of the former cottage building and are contextual to the garden setting. The demolition of the former cottage and the construction of buildings A-C are therefore considered to **cause no adverse impact to the significance of the Grade II* Hampton Court House registered park and garden.**”*
 - Former Glasshouse Classrooms (D) – *“...was of limited significance due to its later date, the lack of surviving fabric and the utilitarian nature of such structures as a common kitchen*

*feature during this period. Furthermore, the new classroom reused the existing metal pole frame structure, which was incorporated into the building's design. The replacement of the glasshouse is therefore judged to have resulted in **only a very minor adverse impact upon the significance of Hampton Court House registered park and garden.**"*

- Storage Sheds (E) and WC Shed (F) – “The materiality of these structures is sympathetic to their rural and garden surroundings and contextual to the setting of the relevant heritage assets. Furthermore, these structures did not replace any previously extant buildings in this location. The construction of Buildings E and F is therefore considered to have **resulted in no adverse impact on the significance of: the Grade II* listed Hampton Court House registered park and garden...**”
- North-West Classrooms (G, H & I) – “At the time of demolition, the already heavily-altered lean-to structures were in a dilapidated condition, and **their replacement can be considered to provide a heritage benefit with regard to the overall aesthetic of the garden.** As stated above, the design, scale and height of the classroom block is sympathetic to the significance of the registered park and garden. It is therefore judged that the demolition of the former stables and lean-to structure has resulted in **a minor adverse impact to the significance of the Grade II* listed Hampton Court House registered park and garden.**”
- Ancillary Buildings (J & K) – “These buildings are temporary and not attached to the curtilage listed wall, therefore resulting in no material impact on any historic fabric. As shown at Figure 42, Buildings J and K are well-screened from the rest of the garden, Hampton Court House and Bushy Park. Furthermore, these buildings did not replace any previously extant structures in this location, as shown in Figures 18-22. The construction of Buildings J and K **are therefore considered to have resulted in no adverse impact on the significance of: the Grade II* listed Hampton Court House registered park and garden.**”
- Conclusion - “though the unauthorised loss of these curtilage listed structures is regrettable, these works are considered to have resulted in a very limited adverse impact, resulting from the demolition of the former structures rather than the construction of the new classroom blocks.”

6.45 Regardless of the noted ‘minor adverse impact’ of Buildings D, G, H and I, the Heritage Statement confirms that any harm is outweighed by the contribution to the public benefit and long-term viable use of the Listed Building, an important heritage benefit.

- 6.46 There are significant public benefits associated with the buildings and the role they play in the successful day- to day running of Hampton Court House School. Public benefits associated with the buildings as summarised at Section 4 of this report and include providing education places; education choice; a high quality indoor and outdoor learning environment for all age groups; and ensuring the building remains in a viable use, that ensures there is on-going investment into its upkeep and maintenance, to ensure the heritage asset is preserved. The NPPF paragraph 202 requires any less than substantial harm to be balanced against the public benefits of the proposal. It is considered that the public benefits outweigh the harm that has been identified in the Heritage Assessment.
- 6.47 On the basis of the above, it is considered that the proposals comply with both national and local policy and should be considered as acceptable with regards to heritage impacts.

7.0 CONCLUSION

7.1 The application seeks retrospective Full Planning Permission and Listed Building Consent from London Borough of Richmond upon Thames for:

“Retrospective permission for the erection of single storey educational buildings and sheds.”

7.2 The Listed Building Consent is sought for all 17no. buildings/ storage sheds and full planning permission is sought for 10no. buildings (B, D, E and F). Of the 10 no. buildings that planning permission is sought for, 7 are small timber storage sheds.

7.3 All works, with the exception of the introduction of additional small timber storage sheds, were undertaken by the previous owner of the site. Hampton Court House Limited, part of the Dukes Education family of schools took ownership of the site in April 2021 and they are now seeking to regularise these works.

7.4 Dukes Education’s overall aim is to ensure Hampton Court House can continue to meet its educational demand and provide a high-quality learning environment for its pupils. Through achieving this, they are also able to ensure the long-term maintenance and protection of the on-site heritage assets.

7.5 With regards to impacts on heritage assets, the Proposed Development is considered acceptable given the sympathetic single storey designs and locations away from the main Hampton Court House building and also as a result of the public benefits associated with the works and retention of the ongoing education use at the site.

7.6 In summary, this application provides modern educational facilities whilst ensuring only less than substantial harm is done to the site’s heritage value. Significant weight should be afforded to the benefits of the education provision and the ability to ensure the range of on-site heritage assets are protected and maintained. As such, it is considered the retrospective permission for the buildings should be granted.