



# Heritage Impact Assessment

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Hunters Lodge,  
Friars Lane,  
Richmond, London

March 2024 | Project Ref 8989



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# 1. Introduction

**1.1** This Heritage Impact Assessment has been prepared by Dr Jonathan Edis, Director of HCUK Group, on behalf of Richmond Green Developments Limited. It relates to the proposed redevelopment of a site known as Hunters Lodge, Friars Lane, Richmond, which is within Richmond Green Conservation Area and within the setting of a number of other heritage assets. Richmond Riverside Conservation Area lies immediately to the south-west of the site boundary.

**1.2** Hunters Lodge comprises an unlisted garage block with first-floor residential accommodation which was built in 1960 and originally associated with the terrace of four houses within Hunters Court. The planning history of the site includes refusals of two successive four unit schemes (22/1649/FUL and 23/1319/FUL). HCUK Group provided a Heritage Impact Assessment in support of Application 23/1319/FUL, which was refused in November 2023 for six reasons, of which the sixth related to heritage, as follows:

*"The proposed building, by reason of its combined siting, bulk and mass would result in a dominant, unsympathetic and incongruous form of development that would harm the character and appearance of the conservation area and adjacent listed wall as well as the surrounding site, contrary to the NPPF and policy LP1 and LP3 of the Local Plan (2018), the Publication Local Plan policies 28 and 29, London Plan policy HC1, and the Richmond and Richmond Hill Village Plan as supported by the Richmond Green Conservation Area Statement and Study and Richmond Riverside Conservation Area Statement and Study."*

**1.3** The revised proposal seeks to overcome the allegation of unsympathetic and incongruous form of development by reducing the volume of the replacement building. It is reported that council officers have responded by saying that the proposed massing is much improved by comparison with application 23/1319/FUL, and that, considering the heritage implications of the scheme in the round, with the proposed landscaping, it appears to be acceptable in terms of the planning balance. Specific points relating to the cycle and refuse store are addressed below.

**1.4** This assessment should be read in conjunction with the application drawings and the Design and Access Statement.

- 1.5** The author of this assessment has more than forty years of continuous employment in the heritage sector, including ten years as a conservation officer advising local planning authorities on applications affecting heritage assets. A large number of those cases have involved development within conservation areas, affecting the setting of heritage assets.
- 1.6** Acknowledgement is due to a previous assessment by Heritage Information Limited dated April 2022.

## 2. Relevant Planning Policy Framework

- 2.1** The council is required by section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character and appearance of a conservation area when exercising planning functions relating to land within that area. The council must give considerable importance and weight to the desirability of preserving the significance of the conservation area, and there is a strong presumption against the grant of permission for development that would harm its heritage significance.<sup>1</sup>
- 2.2** There is a broadly similar duty arising from section 66(1) of the Act in respect of planning decisions relating to development affecting listed buildings and the settings of listed buildings. This is primarily relevant to Richmond Palace Wall, a grade II listed structure to the west of the application site.
- 2.3** For the purposes of this assessment, preservation equates to an absence of harm.<sup>2</sup> Harm is defined in paragraph 84 of Historic England’s Conservation Principles as change which erodes the significance of a heritage asset.<sup>3</sup>
- 2.4** The significance of a heritage asset is defined in the National Planning Policy Framework (NPPF) as being made up of four main constituents: architectural interest, historical interest, archaeological interest and artistic interest. The assessments of heritage significance and impact are normally made with primary reference to the four main elements of significance identified in the NPPF.
- 2.5** The setting of a heritage asset can contribute to its significance. Setting is defined in the NPPF as follows:

*“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.”*

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<sup>1</sup> Barnwell Manor Wind Energy Limited v East Northamptonshire District Council and others [2014] EWCA Civ 137.

<sup>2</sup> South Lakeland v SSE [1992] 2 AC 141.

<sup>3</sup> Conservation Principles, 2008, paragraph 84.

**2.6** Historic England has published guidance on development affecting the setting of heritage assets in *The Setting of Heritage Assets* (second edition, December 2017), better known as GPA3. The guidance proposes a stepped approach to assessment in which Step 1 involves the identification of the relevant heritage assets, Step 2 establishes their significance, and Step 3 describes how the change within the setting of the assets might affect their significance. In cases where there is a resultant loss in significance, amounting to harm, Step 4 is engaged, requiring the discussion of mitigation.

**2.7** The NPPF requires the impact on the significance of a designated heritage asset<sup>4</sup> to be considered in terms of either “substantial harm” or “less than substantial harm” as described within paragraphs 207 and 208 of that document. National Planning Practice Guidance (NPPG) makes it clear that substantial harm is a high test, and case law describes substantial harm in terms of an effect that would vitiate or drain away much of the significance of a heritage asset.<sup>5</sup> The Scale of Harm is tabulated at Appendix 1.

**2.8** Paragraphs 207 and 208 of the NPPF refer to two different balancing exercises in which harm to significance, if any, is to be balanced with public benefit. Paragraph 18a-020-20190723 of National Planning Practice Guidance (NPPG) online makes it clear that some heritage-specific benefits can be public benefits. Paragraph 18a-018-20190723 of the same NPPG makes it clear that it is important to be explicit about the category of harm (that is, whether paragraph 207 or 208 of the NPPF applies, if at all), and the extent of harm, when dealing with decisions affecting designated heritage assets, as follows:

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

**2.9** Paragraph 205 of the NPPF states that great weight should be given to the conservation of a designated heritage asset when considering applications that affect its significance, irrespective of how substantial or otherwise that harm might be.

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<sup>4</sup> The seven categories of designated heritage assets are World Heritage Sites, Scheduled Monuments, Listed Buildings, Protected Wreck Sites, Registered Park and Gardens, Registered Battlefield and Conservation Areas, designated under the relevant legislation.

<sup>5</sup> Bedford Borough Council v SCLG and Nuon UK Limited [2013] EWHC 4344 (Admin).

**2.10** Paragraph 209 of the NPPF refers to the approach to be taken towards non-designated heritage assets as follows:

*"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."*

**2.11** Paragraph 209 of the NPPF is relevant to the locally listed buildings known as 3, 4a and 5 Friars Lane, and Friars Lodge.

**2.12** Local heritage policy has been taken into account in the preparation of this assessment, with particular regard to Policies LP1 (Local character and design quality) and LP3 (Impact on designated heritage assets) of the Local Plan (2018).



## 3. Statement of Significance

### Introduction

- 3.1** This chapter of the assessment establishes the significance of the relevant heritage assets in the terms set out in the NPPF, and it comments on the contribution of setting to significance. The identification of the heritage assets equates in part to Step 1 of GPA3, and the assessment of significance equates to Step 2 of GPA3. Steps 2 and 3 of GPA3 are closely connected, so this chapter should be read in conjunction with Chapter 4 (Heritage Impact Assessment).

### Richmond Green Conservation Area

- 3.2** The council's adopted appraisal of Richmond Green Conservation Area, which is now some decades old, appears to be in the process of being updated by way of an online draft which introduces the conservation area as follows:

*"The Richmond Green Conservation Area has at its heart an urban green, which has medieval origins, which Niklaus Pevsner describes in 'Buildings of England' as 'one of the most beautiful urban greens surviving anywhere in England'. It is surrounded by substantial houses of exceptionally high quality and is of great historic importance due to its connections with the long since demolished royal palace and the Old Deer Park.*

*The Green provides a large public open space, an important recreational asset which is a pleasant visual contrast to the dense urban fabric of the town centre.*

*There are three distinct elements: the main part of the Green is complemented by the smaller and more secluded Little Green to the north-east and the small two contained triangles in front of Old Palace Terrace to the south-west. Maids of Honour Row front gardens, Richmond Green and Little Green are included in the London Gardens Trust Inventory as being of historic interest.*

*First impressions are of an elegant urban green entirely enclosed by buildings. Closer inspection reveals that whilst all sides of the Green share characteristics in*

*terms of building materials and scale, each side is quite different in architectural form and townscape. The southern part of the Green tends to be the busiest, with a number of pubs, restaurants and shops in close proximity to one another."*

**3.3** The draft appraisal helpfully contains a statement of significance:

*"Richmond Green is predominantly characterised by the large central green, an open space with a tranquil residential character. The main Green is flanked by two smaller open spaces, Little Green and Old Palace Yard, which contribute to this character. Together, they provide a welcome contrast from the busy town centre and are used year-round by visitors and residents alike. The Green is surrounded by a concentration of properties of particular architectural and historic interest dating from the late-15th century through to the late-20th century, the status of the area established by the construction of Richmond Palace, the remains of which are located to the southwest of Richmond Green.*

*Richmond Theatre, Maids of Honour Row, and Palace Gate House are important architectural contributors to the Green, while Little Green is defined by Richmond Theatre and Richmond Library, which lend a distinct character.*

*Several small lanes, some dating from the early development of Richmond – Brewers Lane, Golden Court, and the Market Passage – provide a refuge from traffic and are spaces of a more intimate nature. The lanes to the southeast of The Green, including Paved Court and Golden Court, are lined with small businesses and boutique shops that add a commercial dimension to the character of the Green. They remain largely residential on the upper floors."*

**3.4** The only specific reference to Friars Lane in the draft appraisal is as follows:

*"Old Palace Lane and Friars Lane are historic routes connecting the river to the Green and both have bends that ensure there are no direct views between either features, which provides a pleasant element of surprise in the townscape. "*

**3.5** It is self-evident that Richmond Green Conservation Area is an area of special architectural and historic interest, and of outstanding heritage significance.

## Richmond Riverside Conservation Area

**3.6** Richmond Riverside Conservation Area, which lies to the south-west of the application site, is evidently a place of special architectural and historic interest, and heritage significance. There is evident overlap in the sense that the setting (surroundings) of both conservation areas wash over each other where they join.

## Richmond Palace Wall

**3.7** First designated on 10 January 2000, and listed at grade II, Richmond Palace Wall (Figures 3 and 4) is officially described as follows:

*"Garden wall, early C16, formerly dividing the Privy Garden and Privy Orchard of Richmond Palace, built 1498 - 1501 for Henry VII, repaired from C18, raised 1938-9. Red brown brick in English bond, c 4.5 m high. Chamfered brick coping above courses of dentil and dog-tooth brick work. Probably C20 inserted round arched and square headed openings, now blocked. Wall raised by 2.3 m in 1938-9 in stock brick with crenellations. Southern end of separate build on different alignment, brown brick, some in Flemish bond, repaired. Northern end, obscured behind lean to garden building, at break in C16 walling.*

*Prince Henry's Richmond, Sabine Eiche, Apollo, Nov. 1998 Richmond Palace Surrey, An Archaeological Post-Excavation Assessment, Museum of London Archaeological Service, June 1998 An Archaeological Survey of Richmond Palace, Surrey, B.Cowie, J.Cloake, Post Mediaeval Archaeology, forthcoming, 2000."*

**3.8** Richmond Palace Wall is a structure of intrinsic special interest. While its setting and surroundings have changed considerably since the 16<sup>th</sup> century, there are abstract and historical group connections with other listed buildings associated with the remains of Richmond Palace, notably The Wardrobe (grade I, and partly contemporary with the wall) and The Gatehouse (grade I, dating from c.1501). The listed wall does not derive any significance from the application site, or the application building.

## Locally listed buildings

**3.9** Four locally listed buildings (3, 4a and 5 Friars Lane, and Friars Lodge) are illustrated in Figures 5 and 6. These buildings make a positive contribution to the character and appearance of Richmond Green Conservation Area, and are non-designated heritage assets for the purposes of paragraph 209 of the NPPF.

## The application building

**3.10** The council's position on the application building (Figures 1 and 2) was first set out in the report for application 22/1649/FUL, as follows:

*"Hunters Lodge itself does not have any particular architectural significance but it does form part of a pleasant traditional-style streetscape in this part of the conservation area, particularly when approached from the Green at the northern end and then in the foreground of the setback residential development as a whole when viewed in front of it more directly from the Lane. Only the top of it and the parapet are visible above the listed boundary wall towards the southern end of Friars Lane. The front boundary wall, which is the height of the side boundary, also appears to contain historic fabric but has been cut down to a dwarf wall on both sides of the main entrance to accommodate a pair of columns on each.*

*Overall, the building on the site make a neutral contribution to the character and significance of this part of the conservation area but are modest in size and of traditional proportions, design and materials so as not to stand out unduly in any way. There is significant amount of hard standing in front of the buildings within the property but a grass verge on the right-hand side helps to soften the appearance."*

**3.11** The report for application 22/1649/FUL went on to say that:

*"There is no in-principle objection to the demolition of the existing garage building in design terms... The building is of no particular architectural merit and its removal will not have a harmful impact on the character of the conservation area. The building's removal will in fact have a positive effect as the listed boundary wall would become more visible again on the side of Hunters Court."*

**3.12** A similar approach was taken by the council in deciding application 23/1319/FUL.

**3.13** The author of the present assessment agrees that the building makes a neutral contribution to the character and appearance of the conservation area, and that there should be no objection to its demolition. For this reason, there is no reason to further invoke the guidance issued by Historic England on the identification of important buildings in conservation areas.<sup>6</sup>

## Summary of significance

**3.14** Richmond Green Conservation Area is an area of special architectural and historic interest, and of outstanding heritage significance. Richmond Riverside Conservation Area, which lies to the south-west of the application site, is also a place of special architectural and historic interest. Richmond Palace Wall is a structure of intrinsic special interest; while its setting and surroundings have changed considerably since the 16<sup>th</sup> century, there are abstract and historical group connections with other listed buildings associated with the remains of Richmond Palace, notably The Wardrobe and The Gatehouse. The locally listed buildings known as 3, 4a and 5 Friars Lane, and Friars Lodge, make a positive contribution to the character and appearance of Richmond Green Conservation Area, and are non-designated heritage assets. Hunters Lodge is a modern building that makes a neutral contribution to the character and appearance of Richmond Green Conservation Area.

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<sup>6</sup> This guidance has been available in various forms for many years, originally expressed in terms of ten questions and is currently contained in a checklist of twelve questions in Table 1 of Conservation Area Designation, Appraisal and Management dated 2019.

## 4. Heritage Impact Assessment

### Introduction

**4.1** This chapter of the assessment describes how the proposed development will affect the setting and significance of the heritage assets identified in the preceding chapter. It equates in part to Step 3 of GPA3. Steps 2 and 3 of GPA3 are closely connected, so this chapter should be read in conjunction with Chapter 3 (Statement of Significance).

### The proposed development

**4.2** The proposed development involves the demolition of Hunters Lodge and the construction of a new building containing four dwellings that has been revised in the following specific respects:

- A reduction in volume, brought about mainly by a reduction in the length of the front elevation (Figure 7).
- The use of conservation rooflights rather than dormer windows .
- Attention to the design of the bin and cycle store, so as to obviate effects on the designated historic wall (Figure 8).
- A revised landscaping and parking scheme (Figure 9).

**4.3** The amendments and improvements are illustrated in the application drawings, and are further discussed in the Design and Access Statement.

### Effect on Richmond Palace Wall

**4.4** There will be no physical harm to the historic part of Richmond Palace Wall, and particular attention has been given to the design of the cycle and bin store. The change will operate on the setting (surroundings) of the wall, and will constitute a material and significant visual and design improvement over what currently exists. There will be no harm to the significance of the wall, and paragraphs 207 and 208 of the NPPF will not be engaged. Similarly, there will be no conflict with local

heritage or design policies. The wall will be preserved for the purposes of the council's duty under section 66(1) of the Act.

- 4.5** The refused applications were met with allegations that there would be harm to the appearance of the wall as a consequence of that proposal. The allegation cannot be levelled at the present (revised) proposal, and the objection is here assessed as being overcome.

## Effect on locally listed buildings

- 4.6** There will be no physical alterations to the locally listed buildings known as (3, 4a and 5 Friars Lane, and Friars Lodge). The change will take place within the setting (surroundings) of the locally listed buildings, and will constitute a material and significant visual and design improvement over what currently exists. There will be no harm to the locally listed buildings, and no conflict with local heritage or design policies. There is no harm to consider for the purposes of paragraph 209 of the NPPF.
- 4.7** There has been no suggestion in previous applications that there would be any effect on the locally listed buildings, or that their significance would be harmed. The present (revised) scheme has further reduced the potential for effects on the locally listed buildings.

## Effect on Richmond Green Conservation Area

- 4.8** The demolition of Hunters Lodge and its replacement with a new building will constitute a material and significant visual and design improvement. There will be no harm to the significance of the conservation area,<sup>7</sup> and paragraphs 207 and 208 of the NPPF will not be engaged. Similarly, there will be no conflict with local heritage or design policies. There will be enhancement for the purposes of the council's duty under section 72(1) of the Act. This enhancement is a material public benefit.
- 4.9** Responses to earlier applications suggested that there would be harm to the appearance of Richmond Green Conservation Area as a result of the siting, design, bulk, mass and fenestration of the then proposed building, which would allegedly

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<sup>7</sup> As identified by the council – see Chapter 3 above.

have resulted in a “dominant, unsympathetic and incongruous form of development.” The allegation cannot be levelled at the present (revised) proposal, and the objection is here assessed as being overcome.

## Effect on Richmond Riverside Conservation Area

**4.10** The proposed development will be within the surroundings (setting) of Richmond Green Conservation Area. The effect of the proposal on the setting of that conservation area will be very slight. Given that the proposals will materially enhance Richmond Green Conservation Area, it follows that there will be no harm to the setting or significance of Richmond Riverside Conservation Area.

**4.11** Responses to earlier applications did not allege that there would be any effect on the setting of Richmond Riverside Conservation Area, or that its significance would be harmed. The present (revised) scheme has further reduced the potential for effects on Richmond Riverside Conservation Area.

## Summary of effects

**4.12** The demolition of Hunters Lodge and its replacement with a new building will constitute a material and significant visual and design improvement. There will be no harm to the significance of the Richmond Green Conservation Area, and paragraphs 207 and 208 of the NPPF will not be engaged. Furthermore, there will be no conflict with local heritage or design policies. There will be enhancement for the purposes of the council’s duty under section 72(1) of the Act.

**4.13** The change will take place within the setting of Richmond Palace Wall, which is listed grade II. Again, the change will constitute a material and significant visual and design improvement over what currently exists. There will be no harm to the wall, and paragraphs 207 and 208 of the NPPF will not be engaged. Similarly, there will be no conflict with local heritage or design policies. The wall will be preserved for the purposes of the council’s duty under section 66(1) of the Act.

**4.14** The proposed change will also take place within the settings of Richmond Riverside Conservation Area, and the locally listed buildings known as 3, 4a and 5 Friars Lane, and Friars Lodge. In no case will there be any harm to the settings of these



heritage assets, a position already established during the consultations and decisions relating to earlier applications.

- 4.15** In circumstances where the significance of all the heritage assets in the vicinity is preserved, and where there is a demonstrable enhancement to a conservation area, there is no heritage-related objection or bar to the grant of planning permission.

## 5. Conclusions

- 5.1** Richmond Green Conservation Area and Richmond Riverside Conservation Areas are places of special architectural and historic interest, and of outstanding heritage significance. Listed grade II, Richmond Palace Wall is a structure of intrinsic special interest; while its setting and surroundings have changed considerably since the 16<sup>th</sup> century, there are abstract and historical group connections with other listed buildings associated with the remains of Richmond Palace. The locally listed buildings known as 3, 4a and 5 Friars Lane, and Friars Lodge are non-designated heritage assets. Hunters Lodge is a modern building that makes a neutral contribution to the character and appearance of Richmond Green Conservation Area.
- 5.2** The proposed development involves the demolition of Hunters Lodge and the construction of a new building containing four dwellings.
- 5.3** The demolition of Hunters Lodge and its replacement with a new building of better architectural quality will constitute a material and significant visual and design improvement. There will be no harm to the significance of Richmond Green Conservation Area, and there will be no conflict with local heritage or design policies. On the contrary, there will be enhancement.
- 5.4** The change to the setting of Richmond Palace Wall, listed grade II, will constitute a material and significant visual and design improvement over what currently exists. There will be no conflict with local heritage or design policies, and the wall will be preserved. The settings of Richmond Riverside Conservation Area, and the locally listed buildings known as 3, 4a and 5 Friars Lane, and Friars Lodge, will be preserved.
- 5.5** In circumstances where the significance of all the heritage assets in the vicinity is preserved, and where there is a demonstrable enhancement to a conservation area, there is no heritage-related objection or bar to the grant of planning permission.

# Appendix 1

## *Scale of Harm*

<b>Scale of Harm</b>	
Total Loss	Total removal of the significance of the designated heritage asset.
Substantial Harm	Serious harm that would drain away or vitiate the significance of the designated heritage asset
Less than Substantial Harm	High level harm that could be serious, but not so serious as to vitiate or drain away the significance of the designated heritage asset.
	Medium level harm, not necessarily serious to the significance of the designated heritage asset, but enough to be described as significant, noticeable, or material.
	Low level harm that does not seriously affect the significance of the designated heritage asset.

HCUK, 2019



Figure 1 - Hunters Lodge in 1972.



Figure 2 - The front (north-east) elevation of Hunters Lodge.



Figure 3 - Hunters Lodge (left) abuts the evidently modern 19<sup>th</sup> and 20<sup>th</sup> century brickwork of the wall, which is behind the car (see Figures 2 and 4).



Figure 4 - The older (possibly Tudor) crenelated brickwork is set away from Hunters Lodge (see Figure 3).



Figure 5 – Numbers 3 (centre) and 4A (right) Friars Lane, opposite the entrance to Hunters Court.



Figure 6 - Number 5 Friars Lane (left), and Friars Lodge (right), to the south-east of the application site.





Figure 7 – Proposed front elevation, showing reduction in volume.



Figure 8 – Indicative bin store design.

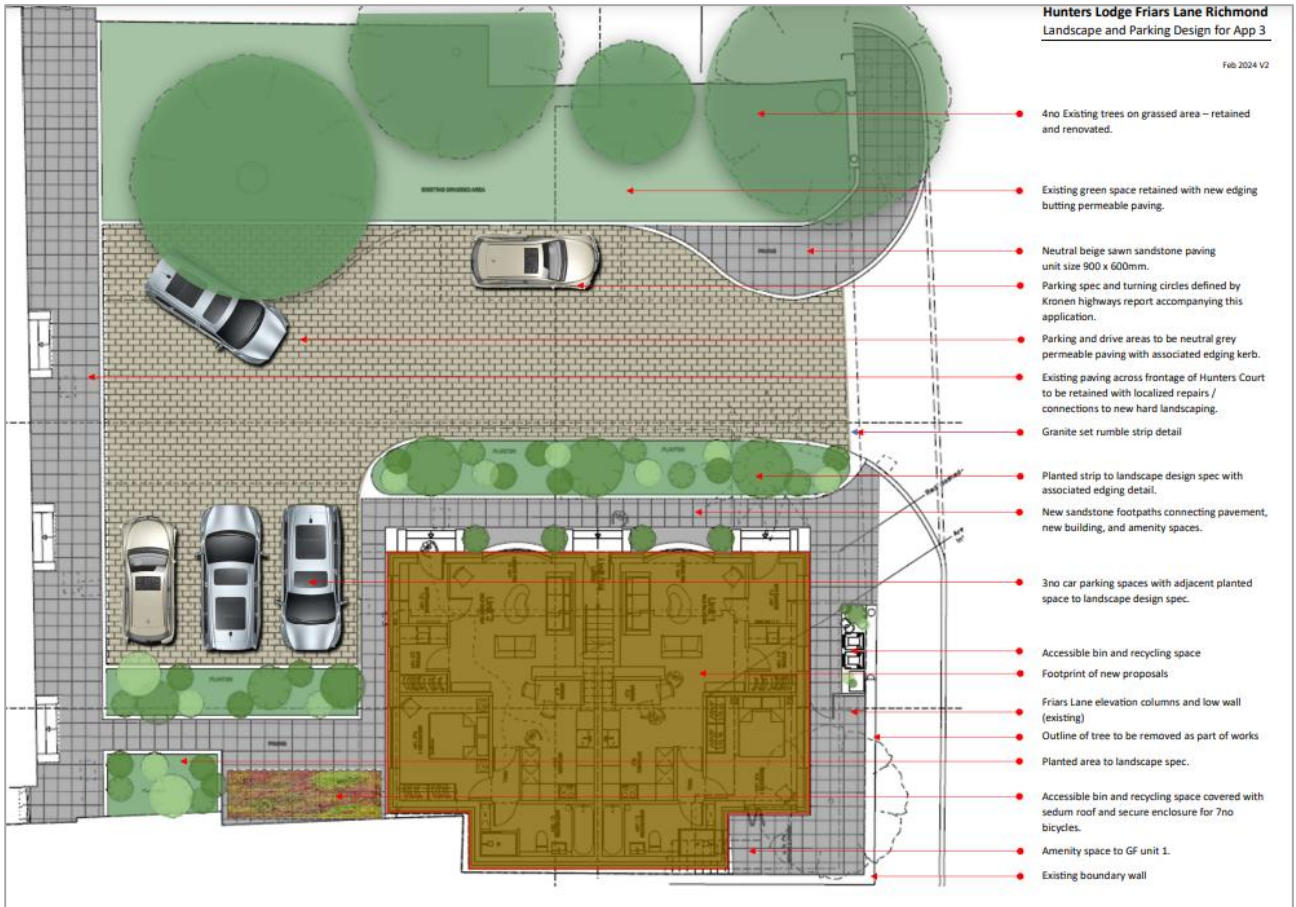


Figure 9 – Landscaping and parking proposals.