

## Application reference: 24/1167/FUL SOUTH RICHMOND WARD

Date application received	Date made valid	Target report date	8 Week date
08.05.2024	01.07.2024	26.08.2024	26.08.2024

**Site:**

Lion House, Red Lion Street, Richmond, TW9 1RE

**Proposal:**

Replacement of all fenestration including glazed curtain wall. Replacement of roof coverings.

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

**APPLICANT NAME**

Mr Robinson  
Seymour Mews House  
26-37 Seymour Mews  
London  
Westminster and London  
W1H 6BN  
United Kingdom

**AGENT NAME**

Mr Lewis Harrison  
IF Building Consultancy Ltd  
The White House, Greenalls  
Avenue,  
Warrington  
WA4 6HL  
United Kingdom

**DC Site Notice:** printed on 01.07.2024 and posted on 12.07.2024 and due to expire on 02.08.2024

**Consultations:**

**Internal/External:**

**Consultee**

14D Urban D

**Expiry Date**

15.07.2024

**Neighbours:**

Apartment 1,9 George Street,Richmond,TW9 1JY, - 01.07.2024  
 Apartment 5,9 George Street,Richmond,TW9 1JY, - 01.07.2024  
 10 George Street,Richmond,TW9 1JY, - 01.07.2024  
 28 Lion House,Red Lion Street,Richmond,TW9 1RE, - 01.07.2024  
 27 Lion House,Red Lion Street,Richmond,TW9 1RE, - 01.07.2024  
 26 Lion House,Red Lion Street,Richmond,TW9 1RE, - 01.07.2024  
 25 Lion House,Red Lion Street,Richmond,TW9 1RE, - 01.07.2024  
 24 Lion House,Red Lion Street,Richmond,TW9 1RE, - 01.07.2024  
 23 Lion House,Red Lion Street,Richmond,TW9 1RE, - 01.07.2024  
 22 Lion House,Red Lion Street,Richmond,TW9 1RE, - 01.07.2024  
 21 Lion House,Red Lion Street,Richmond,TW9 1RE, - 01.07.2024  
 20 Lion House,Red Lion Street,Richmond,TW9 1RE, - 01.07.2024  
 19 Lion House,Red Lion Street,Richmond,TW9 1RE, - 01.07.2024  
 18 Lion House,Red Lion Street,Richmond,TW9 1RE, - 01.07.2024  
 17 Lion House,Red Lion Street,Richmond,TW9 1RE, - 01.07.2024  
 16 Lion House,Red Lion Street,Richmond,TW9 1RE, - 01.07.2024  
 15 Lion House,Red Lion Street,Richmond,TW9 1RE, - 01.07.2024  
 14 Lion House,Red Lion Street,Richmond,TW9 1RE, - 01.07.2024  
 13 Lion House,Red Lion Street,Richmond,TW9 1RE, - 01.07.2024  
 8 Red Lion Street,Richmond,TW9 1RW, - 01.07.2024  
 3 Red Lion Street,Richmond,TW9 1RJ, - 01.07.2024  
 First Floor,3 - 5 Red Lion Street,Richmond,TW9 1RJ, - 01.07.2024  
 East Side Shop,4 Red Lion Street,Richmond,TW9 1RW, - 01.07.2024  
 13 George Street,Richmond,TW9 1JY, - 01.07.2024  
 First Floor,4 Red Lion Street,Richmond,TW9 1RW, - 01.07.2024  
 Officer Planning Report – Application 24/1167/FUL Page 1 of 9

7 - 8 George Street, Richmond, TW9 1JU, - 01.07.2024  
 4 Lion House, Red Lion Street, Richmond, TW9 1RE, - 01.07.2024  
 1 Lion House, Red Lion Street, Richmond, TW9 1RE, - 01.07.2024  
 6 Lion House, Red Lion Street, Richmond, TW9 1RE, - 01.07.2024  
 7 Lion House, Red Lion Street, Richmond, TW9 1RE, - 01.07.2024  
 8 Lion House, Red Lion Street, Richmond, TW9 1RE, - 01.07.2024  
 9 Lion House, Red Lion Street, Richmond, TW9 1RE, - 01.07.2024  
 10 Lion House, Red Lion Street, Richmond, TW9 1RE, - 01.07.2024  
 11 Lion House, Red Lion Street, Richmond, TW9 1RE, - 01.07.2024  
 6 George Street, Richmond, TW9 1JY, - 01.07.2024  
 5 George Street, Richmond, TW9 1JY, - 01.07.2024  
 12 Lion House, Red Lion Street, Richmond, TW9 1RE, - 01.07.2024  
 4 Red Lion Street, Richmond, TW9 1RW, - 01.07.2024  
 2 Lion House, Red Lion Street, Richmond, TW9 1RE, - 01.07.2024  
 6 Red Lion Street, Richmond, TW9 1RW, - 01.07.2024  
 5 Lion House, Red Lion Street, Richmond, TW9 1RE, - 01.07.2024  
 3 Lion House, Red Lion Street, Richmond, TW9 1RE, - 01.07.2024

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

Development Management

Status: REF Application:10/2103/ADV  
 Date:06/09/2010 1 x fascia sign with 2 sets of internally illuminated text reading Pizza Express, Richmond, 1 x internally illuminated projection sign, 2 internally illuminated menu box signs, 1 illuminated roundel, 2 non illuminated poster boxes, 1 awning

Development Management

Status: GTD Application:10/2449/ADV  
 Date:19/10/2010 Display of 3 x internally illuminated menu boxes; 1 x internally illuminated projection sign; 1 x internally illuminated roundal; 1 x internally illuminated fascia sign

Development Management

Status: REF Application:10/3530/FUL  
 Date:19/01/2011 Installation of 1 x awning with logo

Development Management

Status: REF Application:10/3531/ADV  
 Date:19/01/2011 Installation of 1 awning with logo's.

Development Management

Status: GTD Application:14/3361/ADV  
 Date:29/09/2014 2 no. internally illuminated fascia signs, 1 internally illuminated projected sign and roundel

Development Management

Status: GTD Application:17/2387/ADV  
 Date:01/09/2017 6 x internally illuminated signs (including poster and menu holders) and 1 x internally illuminated projecting sign. Removal of existing awning.

Development Management

Status: GTD Application:17/3451/FUL  
 Date:13/11/2017 Installation of replacement matt black porcelain tiling to front elevation.

Development Management

Status: WDN Application:21/0330/FUL  
 Date:19/04/2021 Change of use from a restaurant (Class E) to dual use for either a restaurant (Class E) or a public house, wine bar or drinking establishment (sui generis).

Development Management

Status: GTD Application:21/3572/FUL  
 Date:05/09/2022 Change of use from a restaurant (Class E) to dual use for either a restaurant (Class E) or a public house, wine bar or drinking establishment (sui generis).

Development Management

Status: GTD Application:23/1273/FUL  
 Date:27/07/2023 Alteration of one ground floor window to form an openable section

Development Management

Status: REF Application:23/1273/DD01  
 Date:13/10/2023 Details pursuant to condition U0161706 - Noise Management Plan, of planning permission 23/1273/FUL.

Development Management

Status: GTD  
Date:22/12/2023

Application:23/1273/DD02  
Details pursuant to condition U0161706 Noise Management Plan of planning permission 23/1273/FUL.

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Development Management

Status: PCO  
Date:

Application:24/1167/FUL  
Replacement of all fenestration including glazed curtain wall. Replacement of roof coverings.

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Appeal

Validation Date: 12.07.2011  
Reference: 11/0129/AP/REF

Installation of 1 x awning with logo

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<b>Application Number</b>	<b>24/1167/FUL</b>
<b>Address</b>	Lion House Red Lion Street Richmond TW9 1RE
<b>Proposal</b>	Replacement of all fenestration including glazed curtain wall. Replacement of roof coverings
<b>Contact Officer</b>	Roberta Henriques
<b>Legal Agreement</b>	NO

## 1. INTRODUCTION

This application is of a nature where the Council's Constitution delegates the authority to make the decision to Officers rather than it being determined by the Planning Committee.

Before preparing this summary report the planning officer has considered any relevant previous planning applications in relation to the development and considered any comments made by those interested in the application such as consultees with specialist knowledge and nearby residents.

By indicating that the development proposal complies with relevant Local Plan Policies, the planning officer is taking into account the information submitted with the application, any previous relevant applications, any comments received in connection with the application and any other case specific considerations which are material to the decision.

## 2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

The application site comprises of a five storey 1930's residential block located on the northern side of Red Lion Street. The site is a Building of Townscape Merit (BTM) located in the Central Richmond Conservation Area.

The site is also subject to the following planning constraints:

Archaeological Priority	Site: Richmond APA 2.6 Richmond Town - Archaeological Priority Area - Tier II
Area Susceptible To Groundwater Flood - Environment Agency	Superficial Deposits Flooding - >= 50% <75% - SSA Pool ID: 310
Article 4 Direction A1 to A2	Restricting A1 To A2 - Parts Of Richmond TC 01/04/17 / Ref: ART4/A1TOA2/001 / Effective from: 01/04/2017
Article 4 Direction B1 to C3	Restricting B1 To C3 - Richmond 30/11/14 / Ref: ART4/CJ/007 / Effective from: 30/11/2014
Article 4 Direction Basements	Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018
Article 4 Direction Class E (Town Centre) to Class C3 (Residential)	Modified Article 4 Direction Class E (Town Centre) to Class C3 (Residential). Came into effect 29 July 2022.
Community Infrastructure Levy Band	Higher
Community Infrastructure Levy Town Centre Zone	Richmond Town Centre CIL Boundary
Increased Potential Elevated Groundwater	GLA Drain London
Key Office Area	Richmond / Richmond exemption area, as applied for / Status: Key Office Area / Area: 158725.7
Land Use Past Industrial	ironmongers Start: 1920 End: 1925
Land Use Past Industrial	R/240/02. Joinery Manufacturers. Lion House, Red Lion Street, Richmond Start: 1958 End: 1962
Main Centre Boundary	Richmond
Main Centre Buffer Zone	Richmond Town Centre Boundary Buffer Zone - A residential development or a mixed use scheme within this 400 metre buffer area identified within the Plan does not have to apply the Sequential Test (for Flood Risk) as set out in Local Plan policy LP21.

Throughflow Catchment Area (Throughflow and Groundwater Policy Zone)	Adopted: October 2020 , Contact: Local Plan Team
Village	Richmond and Richmond Hill Village
Village Character Area	Central Richmond - Area 15 & Conservation Area 17 Richmond & Richmond Hill Village Planning Guidance Page 56 CHARAREA06/15/01
Ward	South Richmond Ward

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

This application is for alterations including:

- Replacement of existing Crittall windows with new aluminium windows with slimline (16mm) double glazing
- Replacement of doors and windows to top-floor flats
- Replacement glazing to stair core
- Replacement roof covering

There is no relevant planning history.

#### Amendments

The proposal has been amended so that the glass balustrades have been omitted.

### 4. CONSULTATIONS CARRIED OUT

The list of neighbours notified of this application are listed above.

No letters of representation were received.

Neighbour amenity considerations are assessed under Section 6 (impact on neighbour amenity) in the report below.

### 5. MAIN POLICIES RELEVANT TO THE DECISION

#### **NPPF (2023)**

The key chapters applying to the site are:

- 4. Decision-making
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 16. Conserving and enhancing the historic environment

These policies can be found at:

<https://www.gov.uk/guidance/national-planning-policy-framework>

#### **London Plan (2021)**

The main policies applying to the site are:

- D4 Delivering good design
- D12 Fire Safety
- HC1 Heritage conservation and growth

These policies can be found at: <https://www.london.gov.uk/what-we-do/planning/london-plan>

#### **Richmond Local Plan (2018)**

The main planning considerations applying to the site and the associated Local Plan policies are:

Issue	Local Plan Policy	Compliance	
Local Character and Design Quality	LP1,	Yes	No

Impact on Designated Heritage Assets	LP3	Yes	<del>No</del>
Impact on Non-Designated Heritage Assets	LP4	Yes	<del>No</del>
Impact on Amenity and Living Conditions	LP8	Yes	<del>No</del>

These policies can be found at

[https://www.richmond.gov.uk/media/15935/adopted\\_local\\_plan\\_interim.pdf](https://www.richmond.gov.uk/media/15935/adopted_local_plan_interim.pdf)

### **Richmond Publication Local Plan (Regulation 19 version)**

The Richmond Publication Version Local Plan (Regulation 19 version) was published on 9 June 2023 for public consultation which ended on 24 July 2023.

The Publication Version Local Plan, together with all the representations received during the representation period, the plan and its supporting documents were submitted to the Secretary of State for examination on 19 January 2024. The submission documents do not form part of the statutory development plan for the Borough, however, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the Publication Plan.

The Publication Version Local Plan, including its evidence base, are material considerations for decision-making. The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 48 of the NPPF. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below where it is relevant to the application.

Note that it was agreed by Full Council on 27 April, when the Publication Plan was approved, that no weight will be given to Policy 4 in relation to the increased carbon offset rate, and therefore the existing rate of £95 will continue to be used; in addition, no weight will be given to Policy 39 in relation to the 20% biodiversity net gain requirement; all other aspects and requirements of these policies will apply.

Issue	Publication Local Plan Policy	Compliance	
Local character and design quality	28	Yes	<del>No</del>
Designated heritage assets	29	Yes	<del>No</del>
Non-designated heritage assets	30	Yes	<del>No</del>
Amenity and living conditions	46	Yes	<del>No</del>

### **Supplementary Planning Documents**

House Extension and External Alterations  
Richmond and Richmond Hill Village Planning Guidance  
Conservation Areas

These policies can be found at:

[https://www.richmond.gov.uk/services/planning/planning\\_policy/local\\_plan/supplementary\\_planning\\_documents\\_and\\_guidance](https://www.richmond.gov.uk/services/planning/planning_policy/local_plan/supplementary_planning_documents_and_guidance)

### **Other Local Strategies or Publications**

Other strategies or publications material to the proposal are:

Central Richmond Conservation Area Statement and Study

### **Determining applications in a Conservation Area**

In considering whether to grant planning permission with respect to any buildings or other land in a conservation area, Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. In this context, "preserving", means doing no harm.

To give effect to that duty, decisions of the court have confirmed that for development proposed to be carried out by an Officer Planning Report – Application 24/1167/FUL Page 6 of 9

out in a conservation area, a decision-maker should accord “considerable importance and weight” to the desirability of preserving or enhancing the character or appearance of the conservation area, when weighing this factor in the balance with other material considerations which have not been given this special statutory status. This creates a strong presumption against granting planning permission where harm to the character or appearance of a conservation area is identified. The presumption can be rebutted by material considerations powerful enough to do so.

In applications where the decision-maker is satisfied that there will be no harm to the character or appearance of a conservation area, the statutory presumption against granting planning permission described above falls away. In such cases the development should be permitted or refused in accordance with the policies of the development plan and other material considerations.

## 6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Design and Impact on Heritage Assets
- ii Impact on Neighbour Amenity
- iii Fire Safety
- iv Biodiversity

### Issue i – Design and impact on heritage assets

*Policy LP1 of the Local Plan 2018 seeks to maintain and, where possible, enhance the high architectural and urban design quality which contributes to the character and heritage of the area. Proposals should demonstrate an understanding of the site and its context when considering the design including layout, siting and access and the compatibility of the works to the neighbouring uses.*

*Policy LP3 of the Local Plan 2018 covers Designated Heritage Asset and states that proposals should conserve and take opportunity to make positive contribution to the historic environment such as retaining and preserving the original structure, layout, architectural features and materials or reinstatement of heritage assets. Appropriate materials and techniques should be used. There is a requirement to seek to avoid harm or justify for loss and demolition will be resisted. The significance of the asset is taken into consideration when assessing works proposed to a designated heritage asset.*

*Policy LP4 states that development shall preserve the significance, character and setting of non-designated heritage assets.*

Lion House is a 1930s residential block (with retail to the ground floor) within the Central Richmond Conservation Area and is designated as a Building of Townscape Merit (BTM). It is a substantial five-storey building in yellow brick with a flat roof. The fifth storey is set back from the front to reduce the massing of the building, with a white metal balustrade. The ground floor is given over to retail use and is clad in black tiles with Crittall-style glazing. The upper floors are residential and feature original metal Crittall windows. The three central curved bays are typical of 1930s Art Deco design and have retained the original curved glazing. The stair core to the right of the building has a large, glazed curtain wall.

The relatively restrained design, with little architectural detailing, results in the windows being particularly prominent and important features of the overall design of the building. The design and materials contribute greatly to the overall 1930s character of the building. Overall, Lion House is well preserved and makes a positive contribution to the character of the area.

The significance of Lion House as a BTM is defined by its architectural style and surviving original features, prominent position on Red Lion Street, and positive contribution to the character and appearance of the wider area.

### **Replacement of existing Crittall windows with new aluminium windows with slimline (16mm) double glazing**

No objections are raised regarding the replacement windows. The replacement windows would match the originals with regard to design and opening style. Aluminium is considered to be an acceptable material as it would have a similar appearance to the existing Crittall steel.

The 16mm double glazing is an acceptable thickness. It is noted there would be small adjustments in the dimensions of the windows to accommodate this, but these would not be readily apparent or detract from the overall appearance of the windows.

The Heritage Statement/Design & Access Statement makes reference to the replacement of the curved glazing to the three central bays with like-for-like curved glazing (para 2.2) which is appropriate as these are important features of the original glazing. However, no detailed drawings or cross-sections of the curved glazing have been provided to confirm this. As such, detailed drawings of the windows will be secured by condition.

Overall, the proposed replacement windows are considered to be acceptable and would preserve the character and significance of Lion House and the character and appearance of the Conservation Area.

### **Replacement of doors and windows to top-floor flats**

No objections are raised regarding the replacement doors and windows to the top floor flats. These would be replaced like-for-like in matching materials and so would preserve the appearance of the building.

### **Replacement glazing to stair core**

No objections are raised regarding the replacement glazing to the stair core. It would match the existing in design which would preserve the appearance of the building.

### **Replacement roof covering**

No objections are raised regarding the proposed replacement roof covering. This would preserve the appearance of the building and would not be visible from public vantage points within the Conservation Area. In summary, the proposed works are considered to be acceptable and would preserve the appearance, character, and significance of Lion House.

Paragraph 205 of the NPPF states 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 208 of the NPPF states 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal'. In this instance, the proposal would preserve the character and appearance of the Central Richmond Conservation Area.

Paragraph 209 of the NPPF states 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'. In this instance the proposal would preserve the significance of the host BTM.

In view of the above, the proposal is considered to comply with the aims and objectives of policies LP1, LP3 and LP4 of the Local Plan and policies 28, 29 and 30 of the Publication Local Plan as supported by the Central Richmond Conservation Area Statement/Study.

### **Issue ii- Impact on Neighbour Amenity**

Given the nature of the proposals, no impact to neighbour amenity is expected compared to that of the existing. Although there would be a change in glazing, the proposals would not afford new views compared to that of the existing.

Given the proposal seeks to replace existing windows only, no new opportunities for overlooking would be afforded. The replacement roof covering would not impact neighbour amenity. As such, the proposed scheme is considered acceptable in terms of neighbour amenity. The proposal is not considered to detrimentally impact the amenities of any neighbouring occupiers and therefore, is in line with policy LP8 of the Local Plan (2018) and relevant Supplementary Planning Documents/Guidance

### **Issue iii- Fire Safety**

*London Plan policy D12 requires the submission of a Fire Safety Statement on all planning applications.*

A Reasonable Exception Statement has been submitted to the Council - received 13/06/2024.

The submission of this document is considered to satisfy the requirements of policy D12.

The applicant is advised that additions and 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. Overall, the proposal can therefore be considered consistent with Policy D12 of the London Plan.

**Issue iv – Biodiversity**

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

- The application was made before 2<sup>nd</sup> April 2024
- The development impacts habitat of an area below a ‘de minimis’ threshold of 25m<sup>2</sup> or 5m of linear habitat such as hedgerows, and does not impact an onsite priority habitat
- The development is for a small scale self-build or custom house building

**7. LOCAL FINANCE CONSIDERATIONS AND OTHER MATTERS**

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. The weight to be attached to a local finance consideration remains a matter for the decision maker. The Mayor of London's CIL and Richmond CIL are therefore material considerations.

On initial assessment this development is not considered liable for the Mayoral or Richmond CIL however this is subject to confirmation by the CIL Administration Team.

**8. RECOMMENDATION**

This recommendation is made following careful consideration of all the issues raised through the application process. In making this recommendation consideration has been had to the statutory duties imposed by the Planning (Listed Buildings and Conservation Areas) Act 1990 and the requirements set out in Chapter 16 of the NPPF.

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

**Recommendation:**

The determination of this application falls within the scope of Officer delegated powers - YES / NO

**I therefore recommend the following:**

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

This application is CIL liable  YES\*  NO  
(\*If yes, complete CIL tab in Uniform)

This application requires a Legal Agreement  YES\*  NO  
(\*If yes, complete Development Condition Monitoring in Uniform)

This application has representations online (which are not on the file)  YES  NO

This application has representations on file  YES  NO

Case Officer (Initials): .....RHE..... Dated: .....23/08/2024.....

**I agree the recommendation:**

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

Dated: .....GE.....23/08/2024.....