

## Application reference: 24/1903/HOT SOUTH RICHMOND WARD

Date application received	Date made valid	Target report date	8 Week date
24.07.2024	25.07.2024	19.09.2024	19.09.2024

### Site:

4A Friars Lane, Richmond, TW9 1NL,

### Proposal:

Installation of 3no. conservation style roof lights.

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

### APPLICANT NAME

Mr Ben Stevens  
4A Friars Lane  
Richmond  
TW9 1NL

### AGENT NAME

Mr Alex O Connor  
6 Turnlake Road  
Chagford  
TQ13 8FF

**DC Site Notice:** printed on 26.07.2024 and posted on 02.08.2024 and due to expire on 23.08.2024

### Consultations:

#### Internal/External:

#### Consultee

14D Urban D

#### Expiry Date

09.08.2024

### Neighbours:

4C Friars Lane, Richmond, TW9 1NL, - 26.07.2024

4B Friars Lane, Richmond, TW9 1NL, - 26.07.2024

4D Friars Lane, Richmond, TW9 1NL - 26.07.2024

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

#### Development Management

Status: GTD

Date: 15/01/2024

Application: 23/3027/FUL

Infilling of existing external stair case including addition of balustrade and formation of new entrance door and realignment of existing staircase

#### Development Management

Status: GTD

Date: 11/03/2024

Application: 23/3027/DD01

Details pursuant to condition U0172530 (Details of Balustrade) of planning permission 23/3027/FUL.

#### Development Management

Status: PDE

Date:

Application: 24/1903/HOT

Installation of 3no. conservation style roof lights.

#### Building Control

Deposit Date: 26.04.2006

Heating (central heating/ room heating/ hot water/ boiler/ controls) Dwelling house Main/ supplementary equipotential bonding Dwelling house

Reference: 06/80085/BRECECA

#### Building Control

Deposit Date: 24.04.2006

Installed a Gas Boiler

Reference: 07/94249/CORGI

---

Building Control

Deposit Date: 23.02.2008          6 Windows

Reference: 08/FEN00585/FENSA

---

Building Control

Deposit Date: 20.03.2008          Extension to circuit (in kitchen special location/ installation) Special location  
(room containing bath or shower swimming pool sauna)

Reference: 08/ELE00120/ELECSA

---

Building Control

Deposit Date: 26.07.2008          1 Window

Reference: 08/FEN01484/FENSA

---

Building Control

Deposit Date: 07.05.2009          2 Windows

Reference: 09/FEN00876/FENSA

---

Building Control

Deposit Date: 29.06.2009          1 Window

Reference: 09/FEN01191/FENSA

---

Building Control

Deposit Date: 06.03.2010          2 Windows

Reference: 10/FEN00445/FENSA

---

Building Control

Deposit Date: 07.03.2023          Internal alterations to include structural works and thermal upgrades

Reference: 23/0349/IN

---

Building Control

Deposit Date: 21.09.2023          Rewire of all circuits

Reference: 23/NIC02320/NICEIC

---

Building Control

Deposit Date: 15.03.2024          Install a gas-fired boiler

Reference: 24/FEN01785/GASAFE

---

Building Control

Deposit Date: 01.08.2024          Reconstruction and alteration of external staircase providing access to  
dwelling house

Reference: 24/0922/IN

---

Building Control

Deposit Date: 01.08.2024          Loft conversion

Reference: 24/0923/IN

---

<b>Application Number</b>	<b>24/1903/HOT</b>
<b>Address</b>	<b>4A Friars Lane, Richmond, TW9 1NL</b>
<b>Proposal</b>	<b>Installation of 3no. conservation style roof lights and associated access to roofspace.</b>
<b>Contact Officer</b>	<b>Kerry McLaughlin</b>

## 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 is 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 - $\geq 50\%$ $< 75\%$ - SSA Pool ID: 310
Article 4 Direction Basements	Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018
Building of Townscape Merit	Site: 4A Friars Lane Richmond Surrey TW9 1NL
Conservation Area	CA3 Richmond Green
Increased Potential Elevated Groundwater	GLA Drain London
Protected View (Indicative Zone)	N_View_006 View from Richmond Hill to Asgill House
Village	Richmond and Richmond Hill Village
Village Character Area	Richmond Green - Area 14 & Conservation Area 3 Richmond & Richmond Hill Village Planning Guidance Page 52 CHARAREA06/14/01
Ward	South Richmond Ward

## 3. RELEVANT PLANNING HISTORY

The comprehensive list of planning history can be found above however the most relevant planning history is as follows:

There is no relevant planning history associated with the site.

## 4. CONSULTATIONS CARRIED OUT

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

No letters of representation have been received.

## 5. AMENDMENTS

None.

## 6. MAIN POLICIES RELEVANT TO THE DECISION

### NPPF (2023)

The key chapters applying to the site are:

- 4 - Decision-making
- 12 - Achieving well-designed places

## 16 - Conserving and enhancing the historic environment

These policies can be found at:

[https://assets.publishing.service.gov.uk/media/65819679fc07f3000d8d4495/NPPF\\_December\\_2023.pdf](https://assets.publishing.service.gov.uk/media/65819679fc07f3000d8d4495/NPPF_December_2023.pdf)

**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/new-london-plan/london-plan-2021>

**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
Designated Heritage Assets	LP3	Yes	No
Non-Designated Heritage Assets	LP4	Yes	No
Views and Vistas	LP5	Yes	No
Archaeology	LP7	Yes	No
Amenity and Living Conditions	LP8	Yes	No

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.

Where relevant to the application under consideration, this is addressed in more detail in the assessment below.

Issue	Local Plan Policy	Compliance	
Local Character and Design Quality	LP28	Yes	No
Designated Heritage Assets	LP29	Yes	No
Non-Designated Heritage Assets	LP30	Yes	No
Views and Vistas	LP31	Yes	No
Archaeology	LP33	Yes	No
Amenity and Living Conditions	LP46	Yes	No

These policies can be found at [https://www.richmond.gov.uk/draft\\_local\\_plan\\_publication\\_version](https://www.richmond.gov.uk/draft_local_plan_publication_version)

**Supplementary Planning Documents**

Buildings of Townscape Merit  
House Extension and External Alterations  
Richmond and Richmond Hill Village Plan

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:

CA3 Richmond Green Conservation Area Statement  
CA3 Richmond Green Conservation Area Appraisal

### **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 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.

## **7. EXPLANATION OF OFFICER RECOMMENDATION**

The key issues for consideration are:

- i Design/Visual Amenity
- ii Neighbour Amenity
- iii Protected View
- iv Archaeology
- v Biodiversity

### **Issue i - Design/Visual Amenity**

*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.*

*The 'House Extensions and External Alterations' SPD states "Roof lights - Excessive use of roof lights and an excessive number of roof lights can appear visually disruptive. It is preferable that roof lights are flush with the existing roof (conservation type) and that they are carefully placed to line up with the windows on the floor below."*

4A Friars Road is housed within a Building of Townscape Merit, comprising a former workshop building which has been converted into flats, located to the eastern side of Friars Lane, to the north of the junction with Retreat  
Officer Planning Report – Application 24/1903/HOT Page 5 of 8

Road.

The site is within the Richmond Green Conservation Area. The conservation area is characterised by a collection of buildings which range in date and character, centred around the historic open space of Richmond Green (itself laid out at the time of the construction of Richmond Palace in the late fifteenth century). The Green features fine examples of buildings for all periods, illustrating the gradual development of the Green as well as its important social status as a high-class residential area due to its associations with royalty. Friars Lane is one of the historic routes connecting the river to the Green, with a winding route that prevents direct views between either feature, which provides a pleasant element of surprise in the townscape. The built environment of the lane has a diverse townscape character, with wide variety of building styles and scale. The workshops at the north end (including the site) are an interesting group with their own distinct character and make a positive contribution to the area's character and appearance.

The roof of this property is made up of two gabled ranges running parallel to the street. The proposed skylights are located to the rear facing roofslope within the gully, facing away from the street. As such they would not have significant wider visibility from the surrounding conservation area.

The proposed rooflights are appropriately located and of an acceptable scale, therefore, subject to condition to ensure that the rooflights are conservation type only (as confirmed within the application), they are considered an acceptable addition to the conservation area, streetscape and host dwelling.

The works are in accordance with the Statutory Duties of the 1990 Act as the proposals will preserve the setting and special interest of the building and will preserve the character and appearance of the conservation area. It is also in accordance with para 205 of the NPPF. The proposals will not cause harm to the heritage assets and thus the policy tests of the NPPF do not apply. Proposals are also in accordance with local plan (2018) policies LP1, LP3 and LP4, these policy objectives are taken forward in publication local plan policies LP28, LP29 & LP30.

#### **Issue ii - Neighbour Amenity**

*Policy LP8 states that development must protect the amenity and living conditions of existing, adjoining and neighbouring occupants. Design must allow for good daylight standards, avoid overlooking or noise disturbance, avoid visual intrusion, overbearing impacts or harm to the reasonable enjoyment of the uses of buildings and gardens. Harm may arise from various impacts such as noise, air pollution, odours or vibration.*

The rooflights are on the south-eastern part of the building forming part of an existing valley roof. Given siting, the rooflights would not result in any new onerous viewing angles into neighbouring properties, with the line of sight being predominantly onto the adjacent sloped roof. Thus, the proposal will not result in an increase in overlooking or raise any issues with regard to privacy on any neighbouring properties.

The property would remain solely in residential use as a result of the proposal. An undue increase in noise or pollution would not occur as a result of the proposal.

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), these policy objectives are taken forward in publication local plan policy LP46 and relevant Supplementary Planning Documents/Guidance.

#### **Issue iii - Protected View**

*Policy LP5 of the local plan states 'The council will protect the quality of the views, vistas, gaps and the skyline, all of which contribute significantly to the character, distinctiveness and quality of the local and wider area'.*

Due to the nature and proposed height of the scheme being lower than that of the surrounding built form, it is considered this proposal will have a neutral impact on the '006 View from Richmond Hill to Asgill House' protected view. Therefore, the scheme is compliant with the aims and objectives of LP5 of the Local Plan (2018), these policy objectives are taken forward in publication local plan policy LP31.

#### **Issue iv - Archaeology**

*Policy LP7 of the Local Plan states 'The Council will seek to protect, enhance and promote its archaeological heritage and will encourage its interpretation and presentation to the public.*

The application site is located within an archaeological priority area. Due to the nature of proposal the construction works will not result in excavation of any land and so will not detrimentally impact upon any archaeological remains. As such, no objection is raised to the proposal in this regard. The scheme is in line with the aims and objectives of policy LP7 of the Local Plan (2018), these policy objectives are taken forward in publication local plan policy LP33.

**Issue v - 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 is a householder application.

**Other Matters**

**Fire Safety**

The applicant has submitted a 'Fire Safety Strategy' as required under policy D12 of the London Plan (2021).

The applicant is advised that 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.

**8. 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.

**9. 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.

**Grant planning permission with conditions**

**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): KM

Dated: 04/09/2024

**I agree the recommendation:**

Official

Team Leader/Head of Development Management/Principal Planner

VAA

Dated: 04.09.24