

## Application reference: 24/1672/LBC HAMPTON WARD

Date application received	Date made valid	Target report date	8 Week date
02.07.2024	09.07.2024	03.09.2024	03.09.2024

**Site:**

Hampton Court House, Campbell Road, East Molesey,

**Proposal:**

Internal repair works to existing drama hall ceiling and external works to drama hall roof (part retrospective).

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

**APPLICANT NAME**

Hampton Court House Ltd  
C/o agent  
C/o agent  
C/o agent

**AGENT NAME**

Connor Hall  
69 Carter Lane  
London  
EC4V 5EQ  
United Kingdom

**DC Site Notice:** printed on 10.07.2024 and posted on 19.07.2024 and due to expire on 09.08.2024

**Consultations:****Internal/External:****Consultee**

English Heritage 1st Consultation  
21D Urban D  
21D Urban D

**Expiry Date**

07.08.2024  
31.07.2024  
02.09.2024

**Neighbours:**

-

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

Status: GTD Application:00/0573  
Date:28/06/2000 Change Of Use From Residential Nursing Home (use Class C2) To Hotel (use Class C1).

Development Management

Status: WNA Application:01/1077  
Date:18/06/2004 Change Of Use From Residential Nursing Home (class C2) And Theatre To School (class D1) And Theatre.

Development Management

Status: REC Application:01/1078  
Date:

Development Management

Status: NOP Application:02/0926  
Date:24/05/2002 Erection Of New Security Railings To The South Side Of The Tijou Screen.

Development Management

Status: NOP Application:03/2941  
Date:11/11/2003 Erection Of Temporary Ice Rink Between 27th November 2003 And 23rd January 2004

Development Management

Status: GTD Application:89/0328/FUL

Date:12/06/1989	Use Of Car Park For Car Boot Sales On 2 Occasions In Any One Year
<u>Development Management</u>	
Status: GTD	Application:90/1890/FUL
Date:14/01/1991	Change Of Use To Single Residence With Staff Accommodation.
<u>Development Management</u>	
Status: WDN	Application:95/2112/FUL
Date:14/09/1995	Replacement Of Existing Stable Block With 2 Storey Residential Unit And Sitting Room Extension, Reinstatement Of Gate Lodge Associated Soft And Hard Landscaping
<u>Development Management</u>	
Status: WDN	Application:95/2114/LBC
Date:14/09/1995	Demolition Of Existing Stable Block And Replacement With 2 Storey Residential Care Unit And Sitting Room Extension
<u>Development Management</u>	
Status: GTD	Application:95/2117/S191
Date:09/08/1995	Use Of Property As A Nursing Home (c2 Use Class) With Part Use As A Theatre
<u>Development Management</u>	
Status: WNA	Application:95/3055/FUL
Date:28/03/1996	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.
<u>Development Management</u>	
Status: WNA	Application:95/3127/LBC
Date:28/03/1996	Demolition Of Existing Stable Block And Replacement With Two Storey Residential Care Unit And Sitting Room Extension; Reinstatement Of Gate Lodge.
<u>Development Management</u>	
Status: WNA	Application:95/3940/FUL
Date:28/03/1996	Change Of Use Of Existing Theatre To Function Suite (use Class D2) With Retention Of Occasional Theatre Use.
<u>Development Management</u>	
Status: WNA	Application:95/3941/FUL
Date:28/03/1996	Extension Of Existing Car Park. Removal Of Hardstanding In Front Of Stable Block To Provide Soft Landscaped Area.
<u>Development Management</u>	
Status: WNA	Application:96/0248/FUL
Date:28/03/1996	Demolition Of Existing Cottage And Erection Of Single Storey Staff Cottage
<u>Development Management</u>	
Status: WNA	Application:96/0252/LBC
Date:28/03/1996	Demolition Of Existing Cottage And Erection Of Single Storey Staff Cottage
<u>Development Management</u>	
Status: GTD	Application:85/1428
Date:16/12/1985	Resurfacing of car park. (Amended Plan No. TTC/1 received on 6.12.85).
<u>Development Management</u>	
Status: GTD	Application:05/2720/COU
Date:17/07/2007	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)
<u>Development Management</u>	
Status: GTD	Application:05/3610/FUL
Date:31/03/2006	Retention of five caravans for temporary period of two years
<u>Development Management</u>	
Status: GTD	Application:05/3611/FUL
Date:31/03/2006	Retention of temporary classroom for a two year period
<u>Development Management</u>	
Status: GTD	Application:05/2720/DD01
Date:25/07/2007	Details pursuant to S106 Agreement
<u>Development Management</u>	
Status: REF	Application:08/2974/FUL
Date:06/02/2009	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'

<u>Development Management</u> Status: VOID Date:19/09/2008	Application:05/2720/VOID Details pursuant to condition U08737 - No access via Campbell Road
<u>Development Management</u> Status: REF Date:09/01/2009	Application:08/4151/FUL Retention of five caravans for temporary period of two years
<u>Development Management</u> Status: REF Date:09/01/2009	Application:08/4155/FUL Retention of temporary classroom for a two year period
<u>Development Management</u> Status: GTD Date:29/07/2009	Application:09/T0365/TCA T1 - Pine - Fell
<u>Development Management</u> Status: VOID Date:25/04/2017	Application:09/3308/VOID extension to school
<u>Development Management</u> Status: WDN Date:08/06/2010	Application: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.
<u>Development Management</u> Status: GTD Date:15/06/2010	Application:10/T0299/TCA T1 - Horse Chestnut - Crown thin by 20% T2 - Horse Chestnut - Install cable brace of 4m by 7m T3 - Horse Chestnut - Reduce 2nd stem on north side to below decay at 11m. Lightly tip reduce T4 - Horse Chestnut - 15% crown thin. Install cables at 7m and 11m
<u>Development Management</u> Status: RNO Date:12/04/2011	Application:11/T0142/TCA T1 - T7, T9 - 18, T19 - T29, T30 - T35, T37 - T40, T42 - T47, T49 -T51, T55 - T58 - Lime Trees - reduce to approximately 8-10 metres or to the sound timber to promote new growth, due to the amount of dead wood and general condition of the trees. Dead Tree to be removed and replaced (see map). T8 - Lime - to reduce to 8 - 10 metres T36 - Lime - remove due to fungal attack T41 - Lime - remove due to fungal attack T48 - Lime - to reduce to 8 - 10 metres T52 - Lime - to reduce to 8 - 10 metres T53 - T54 - Horse Chestnut (storm damaged) make safe Clear trees of ivy and inspect trees adjacent to palace coach park.
<u>Development Management</u> Status: RNO Date:17/03/2014	Application:14/T0184/TCA See email
<u>Development Management</u> Status: RNO Date:12/10/2016	Application:15/T0781/TCA please see attached schedule of works
<u>Development Management</u> Status: RNO Date:15/01/2018	Application:17/T0982/TCA T1136 & T1137 - Sycamore - Fell to ground level and grind out stumps T0113 & T0114 - Sycamore - Fell to ground level and grind out stumps
<u>Development Management</u> Status: RNO Date:04/04/2019	Application:19/T0133/TCA T1 - Holm Oak - Dismantle T2 - Holly - Dismantle
<u>Development Management</u> Status: RNO Date:30/07/2019	Application:19/T0488/TCA Please see TSCM Report
<u>Development Management</u> Status: GTD Date:30/12/2021	Application:21/3496/PS192 Installation of electricity substation
<u>Development Management</u> Status: RNO Date:16/06/2022	Application:22/T0337/TCA All work carried out will be following the attached survey completed by Bartlett's on behalf of the school. Over 100 tree's to be worked on, hoping to meet a tree officer there to run through it all.
<u>Development Management</u>	

Status: RNO Date: 16/08/2022	Application: 22/T0573/TCA 5 DAY DANGEROUS TREE NOTICE T1 - Remove damaged limb over main drive, remove limb resting on other damaged limb over carpark
<u>Development Management</u> Status: PCO Date:	Application: 23/2736/LBC Retrospective application for erection of single storey educational buildings.
<u>Development Management</u> Status: PCO Date:	Application: 23/2792/FUL Retrospective application for erection of single storey educational buildings.
<u>Development Management</u> Status: INV Date:	Application: 24/1249/LBC Replace the existing windows and doors, some of which have been covered with a wood facade as the existing ones are damaged and suffering from rotten timber. We propose to replace the facade and door (A) with a glazed wall and exterior door aluminium frames in a similar style to the attached Photo (img7). We would additionally replace the other doors and windows (B-E) with doors and windows in the same style as the existing but made of materials to match the new installation A. We believe that these building works aim to enhance the schools Art classrooms and educational offering by enhancing the natural light available in the Senior Art room and well as improving security and thermal conditions within the area as a part of the schools commitment to safeguarding children and enhancing educational space.
<u>Development Management</u> Status: PCO Date:	Application: 24/1254/ES191 The existing development of 7 single-storey educational buildings located within the western portion of the Site.
<u>Development Management</u> Status: PCO Date:	Application: 24/1672/LBC Internal repair works to existing drama hall ceiling and external works to drama hall roof (part retrospective).
<u>Appeal</u> Validation Date: 26.01.2009 Reference: 09/0013/AP/REF	Retention of temporary classroom for a two year period
<u>Appeal</u> Validation Date: 26.01.2009 Reference: 09/0014/AP/REF	Retention of five caravans for temporary period of two years
<u>Appeal</u> Validation Date: 09.02.2009 Reference: 09/0021/AP/NON	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" <b>Appeal Allowed</b>
<u>Appeal</u> Validation Date: 26.03.2009 Reference: 09/0060/AP/ENF	Appeal against Enforcement Notice A (Temporary classroom)
<u>Appeal</u> Validation Date: 26.03.2009 Reference: 09/0061/AP/ENF	Appeal against Enforcement Notice B (Caravans)
<u>Appeal</u> Validation Date: 23.04.2009 Reference: 09/0072/AP/ENF	bAppeal against Enforcement Notice relating to access use of Campbell Road. <b>Appeal Allowed</b>
<u>Building Control</u> Deposit Date: 13.05.2021 Reference: 21/0839/IN	Cottages, create 2-3 classrooms build up from existing floor slab, install new roof and windows. Possibly use one space as shower or changing facilities, Green house . Create changing and teaching spaces, Stables . Create a teaching complex using timber frames structures from existing stable foot print including WC facilities

Building Control

Deposit Date: 03.09.2023 Install a replacement consumer unit Rewire of all circuits

Reference: 23/NIC02091/NICEIC

Enforcement

Opened Date: 22.11.2000 Enforcement Enquiry

Reference: 00/00320/EN

Enforcement

Opened Date: 01.11.2004 Enforcement Enquiry

Reference: 04/0540/EN/BCN

Enforcement

Opened Date: 24.11.2004 Enforcement Enquiry

Reference: 04/0577/EN/UCU

Enforcement

Opened Date: 10.10.2007 Enforcement Enquiry

Reference: 07/0448/EN/BCN

Enforcement

Opened Date: 20.01.2009 Enforcement Enquiry

Reference: 09/0026/EN/UBW

Enforcement

Opened Date: 20.01.2009 Enforcement Enquiry

Reference: 09/0027/EN/EOP

Enforcement

Opened Date: 16.03.2009 Enforcement Enquiry

Reference: 09/0139/EN/BCN

Enforcement

Opened Date: 19.05.2009 Enforcement Enquiry

Reference: 09/0263/EN/LBUW

Enforcement

Opened Date: 19.05.2009 Enforcement Enquiry

Reference: 09/0265/EN/UCU

Enforcement

Opened Date: 20.04.2016 Enforcement Enquiry

Reference: 16/0280/EN/UBW

Enforcement

Opened Date: 03.10.2023 Enforcement Enquiry

Reference: 23/0472/EN/LBUW

Enforcement

Opened Date: 16.02.2024 Enforcement Enquiry

Reference: 24/0092/EN/LBUW

**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 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 has considered 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**

Hampton Court House is a Grade II listed building set in a Grade II\* registered garden.

The house dates to the mid-18th century with 19<sup>th</sup> century additions and is formed primarily of brickwork and plaster or stone with slate roof. To the southeast corner of the main house is a series of lower-level extensions where the 'Drama Room' is located and which is the subject of this application.

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

The application is for repairs and partial replacement of the roof of the 'Drama Room' of Hampton Court House, which is located on the southwest side of the house. It has a lantern roof and brick walls abutting the parapet of the main house. The proposed repairs include the replacement of sections of timber, tiles and flashing, the insertion of a supportive steel frame and making good of plasterwork.

### 4. CONSULTATIONS CARRIED OUT

Due to the nature of the proposals no neighbours were notified of this application.

### 5. MAIN POLICIES RELEVANT TO THE DECISION

#### NPPF (2021)

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/government/uploads/system/uploads/attachment\\_data/file/1005759/NPPF\\_July\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf)

#### London Plan (2021)

The main policies applying to the site are:

- D4 Delivering good design
- 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
Impact on designated Heritage Assets	LP3	Yes

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) and its supporting documents, including all the Regulation 18 representations received, was considered at Full Council on 27 April. Approval was given to consult on the Regulation 19 Plan and, further, to submit the Local Plan to the Secretary of State for Examination in due course. The Publication Version Local Plan, including its accompanying documents, have been published for consultation on 9 June 2023. Together with the evidence, the Plan is a material consideration for the purposes of decision-making on planning applications. 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 Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Note that it was agreed by Full Council that no weight will be given to Policy 4 in relation to the increased carbon offset rate, and therefore the existing rate of £95/t will continue to be applied; in addition, no weight will be given to Policy 39 in relation to the 20% biodiversity net gain requirement at this stage; all other aspects and requirements of these policies will apply.

Issue	Draft Local Plan Policy
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Local character and design quality/ Design process	Policy 28/ Policy 42
Designated Heritage Assets	Policy 29

## Supplementary Planning Documents

Hampton Village Plan  
Listed Buildings

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:

Bushy Park Conservation Area Statement

## 6. EXPLANATION OF OFFICER RECOMMENDATION

The key issue for consideration is the:

### i. Design and impact on heritage assets

#### a) *Policy Context*

Sections 16(1) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require that, when considering whether to grant listed building consent for any works, or whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses. In this context, "preserving", means doing no harm.

To give effect to this duty decisions of the court have confirmed that a decision-maker should accord "considerable importance and weight" to the desirability of preserving the listed building or its setting when weighing this factor in the balance with other material considerations which have not been given this special statutory status. However, this does not mean that the weight that the decision-maker must give to the desirability of preserving the building or its setting is uniform. It will depend on, among other things, the extent of the assessed harm and the heritage value of the asset in question. This creates a strong presumption against granting listed building consent or planning permission where harm to a listed building or its setting is identified. The presumption can be rebutted by material considerations powerful enough to do so.

In Chapter 16 of the NPPF, Paragraph 199 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.

Policy D4 of the London Plan states that the ' design of development proposals should be thoroughly scrutinised' and that 'design quality development should be retained through to completion'. Policy HC1 of the London Plan 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'.

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 states that development should conserve and, where possible, take opportunities to make a positive contribution to, the historic environment of the borough, particularly in relation to designated heritage assets.

Supplementary Planning Guidance on Listed Buildings states that alterations and extensions should be carried out in a sympathetic manner using appropriate materials and techniques. It also makes clear that whole of the building is protected and that it is a criminal offence to carry out works to a listed building without Listed Building Consent.

*b) Consideration*

The proposed works primarily affect the listed building and its fabric. It is not thought that the external repairs would significantly alter the appearance of the building or prejudice the setting of surrounding heritage assets, such as the registered garden.

The existing roof of the building is in a poor state of repair. Water has entered through the roof and abutting wall causing several roof timbers to decay and some damage to brick and plasterwork. Some emergency works to the roof were carried out earlier this year as there was concern that the roof may collapse. These included cutting the lower half of timbers on the north side out, bolting in new timbers and inserting them into new wall plates.

It is now also proposed to replace the wall plates on the south and east sides of the room and some ten timbers on the south roof slope. Additionally, a steel frame would be installed to support the existing timbers. An engineer appointed to the project has confirmed that the existing walls are capable of bearing the additional load of the steel frame and has provided calculations. While the steel frame would be a modern form of construction at odds with the original building, it is not thought unreasonable to ensure that the roof is adequately supported. The frame would not be visible from inside as the ceiling would be plastered as previously. As such, it is unlikely to have a significant impact on the appearance or character of the building as a whole and provides some structural benefits which help preserve the fabric of the building.

Finally, it is also proposed to replace several slates on the roof as well as make good defects in the adjacent chimney stacks, parapet and flashing/soakers. These elements would be externally visible, and it is important that the replacement slates and repointing, etc., makes the existing closely. However, it is thought that this can be effectively secured by condition.

The proposals have been reviewed by the Conservation Officer who concludes that, on balance, the proposals are acceptable as 'the impact of the works on the overall significance of the room and the listed building as a whole is limited as the ceiling will be reinstated. The key feature, the lantern will be retained and the resulting appearance largely unaltered following completion.'

## **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.

The proposal is in general conformity with the Development Plan overall and there are no material considerations of sufficient weight to justify refusal.

**Grant listed building consent subject to condition**



**Recommendation:**

The determination of this application falls within the scope of Officer delegated powers - YES

**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): JPH

Dated: 06/11/2024

**I agree the recommendation:**

Team Leader/Head of Development Management/Principal Planner - EL

Dated: 07/11/2024.....

This application has been subject to representations that are contrary to the officer recommendation. The Head of Development Management has considered those representations and concluded that the application can be determined without reference to the Planning Committee in conjunction with existing delegated authority.

Head of Development Management: .....

Dated: .....

<b>REASONS:</b>
<b>CONDITIONS:</b>
<b>INFORMATIVES:</b>
<b>UDP POLICIES:</b>
<b>OTHER POLICIES:</b>

The following table will populate as a quick check by running the template once items have been entered into Uniform

**SUMMARY OF CONDITIONS AND INFORMATIVES**

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**CONDITIONS**

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**INFORMATIVES**

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