

Design and Access Statement

4 Maids of Honour Row Richmond TW9 1NY



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Design and Access Statement

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The property

No. 4 Maids of Honour Row is Grade I listed and located in the Richmond Green Conservation Area. The building is also located within the setting of other listed buildings.

The Site comprises the 4-storey house and its curtilage, previously subject to refurbishment circa 2007 / 2008.

Proposals

The intention of the new owners is to undertake a high-quality scheme of refurbishment of the building:

1. Following previous approved applications 24/0975/HOT and 24/0976/LBC, this application captures the necessary interventions required to rectify failing structural elements of the roof.

All information is to be read in conjunction with The Morton Partnership's Drawings and Schedule of Works proposals for the repairs to the roof.

Planning history

All planning applications on the LBRuT planning web site have been submitted in the 21st century. Applications relevant to the current proposals include:

24/1237/HOT and 24/1238/LBC Replacement outbuilding in rear garden.

24/0975/HOT and 24/0976/LBC Refurbishment of listed building including remodelling of bay window, alterations to rear staircase to garden and front lightwell including removal of brick retaining wall, replacement front door, repair and repointing. Addition enclosure for air source heat pumps, access platform within roof valley to facilitate replacement plant. Replacement of render, construction of front lightwell and reinstatement of pitched roof to rear roof.

22/3709/HOT and 22/3710/LBC Removal of C21st interventions, to reveal the historic building fabric, establish its condition of the building fabric and identify any necessary repairs. Granted Permission 14/04/2023.

10/1755/HOT and 10/1756/LBC Erection of a garden pavilion to replace previous (Pavilion to form enclosure for garden tools). Granted Permission 31/08/2010.

08/1411/LBC Internal and external alterations including repairs to all four floors and alterations to the basement and second floor to create larger rooms. Access also being provided from the basement to the rear garden. Granted Permission 11/06/2008.

08/1399/HOT External alterations including alterations to access from the basement to front and rear gardens. Granted Permission 11/06/2008.

07/2182/HOT and 07/2184/LBC Repairs to all four floors and alterations to basement and second floor to create larger rooms. Creation of access from basement to rear garden. Enlargement to basement and lightwell. Provision of air conditioning unit at roof level. New railings. Fenestration alterations. (Refer to schedule of works). Granted Permission 26/02/2008.

Design proposals in detail

Externally, the time-expired slate roof coverings on the two inner planes of the valley are to be replaced with clay tile to match the rest of the building and terrace. The roof valley is only visible from above and will therefore have no adverse effects on the street scene or Richmond Green Conservation Area.

Internally, the loft space requires significant structural intervention, including the replacement of historic fabric where structural failings are so severe that there is no viable alternative.

The roof has been identified as inauthentic to the building's original construction; however, it is believed the roof timbers pre-date the building, having been salvaged from elsewhere. See Hutton + Rostron Site Note 5, pages 12 – 17.

As such, the structure of the roof includes no lateral bracing, no ridge boards, purlins, collars or struts. Over time, many rafters have failed and have been 'doubled-up'. The failed roof hips are currently being inappropriately supported by c21 stud timbers. Where the historic front elevation downpipe hopper has repeatedly overflowed, decay has occurred within the timber rafter bearing plate at the Eastern end of the parapet. Intervention is required now to prevent further structural failure of the roof.

Proposed works include replacing 4no existing damaged rafters, as identified on the accompanying Morton Partnership Schedule of Works and Drawings, alongside strengthening. Dismantling and rebuilding 2no roof hips on a like-for-like basis, reusing existing clay tiles wherever viable. Local reconstruction of the failed masonry parapet wall (rebuilt in the c20) notably at the rafter bearing, towards the Eastern corner of the roof. Replacing c21 lead bays where required to facilitate remedial works. Removal of c21 loft floor coverings to expose historic principal tie beams and strengthening where required.

Permission sought for the installation of helical bars at wall corners and potential wall strapping. Precise locations to be dealt with by condition, subject to identification by Structural Engineer, following opening up works in 2025.

In the removal of historic fabric (although inauthentic) the proposals will cause harm to the significance of the building. However, without these interventions, the future of the heritage asset cannot be secured, due to the possibility of structural collapse. As a result, when offsetting the harm caused in intervening now, against the likely loss of considerably more historic fabric in the future, it is considered that the interventions will have a neutral effect on the building's significance.

The proposals are sympathetic to special historic and architectural interest of the listed building, complying with Policy LP3, and will ensure its integrity into the future.

Impact on neighbour amenity

The proposals do not involve any extensions etc, so will not impact on neighbour amenity.

Trees

The proposals will not impact on trees, so an arboricultural assessment is not required.

Access

The property is a single-family dwelling and remains as such. Access is unaltered by the proposals.

Appendix 1 – Legislation, Policy + Guidance

Legislation

Where any development may have a direct or indirect effect on designated heritage assets, there is a legislative framework to ensure the proposals are considered with due regard for their impact on the historic environment. The Planning (Listed Building and Conservation Areas) Act 1990 is the current legislation relating to listed buildings and conservation areas and is a primary consideration.

In respect of proposals potentially affecting listed buildings, Section 66 states that “in considering whether to grant planning permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State 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”.

With regard to conservation areas, Section 72 places a duty on the decision maker: ‘In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.’

National Policy

National Planning Policy Framework (revised 2021)

The Government’s planning policies for England are set out within the National Planning Policy Framework (NPPF) (revised 2021). It sets out a framework within which locally prepared plans can be produced. It is a material consideration and relates to planning law, noting that applications are to be determined in accordance with the local plans unless material considerations indicate otherwise.

Section 12, ‘Achieving well-designed places’, reinforces the importance of good design in achieving sustainable development, by ensuring the creation of inclusive and high quality places. This section of the NPPF affirms, in paragraph 127, the need for new design to function well and add to the quality of the surrounding area, establish a strong sense of place, and respond to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

Section 16, ‘Conserving and enhancing the historic environment’, relates to the historic environment, and developments which may have an effect upon it.

Heritage assets are recognised as being an irreplaceable resource that should be conserved in a manner appropriate to their significance. (Paragraph 184) The conservation of heritage assets in a manner appropriate to their significance is also a core planning principle.

Conservation (for heritage policy) is defined at annex 2 as: “a process of maintaining and managing change in a way that sustains and, where appropriate, enhances its significance.” It differs from preservation which is the maintenance of something in its current state.

Significance (for heritage policy) is defined at annex 2 as: “The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting...”

The setting of a heritage assets is defined in annex 2 of the NPPF as: ‘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.’

As a framework for local plans the NPPF, at paragraph 190, directs that plans should set out a positive strategy for the conservation and enjoyment of the historic environment, taking into account four key factors:

- a. “The desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
- b. The wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- c. The desirability of new development making a positive contribution to local character and distinctiveness; and
- d. Opportunities to draw on the contribution made by the historic environment to the character of a place.”

This approach is followed through in decision making with Local Planning Authorities having the responsibility to take account of 'a' as well as 'The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality' and 'the desirability of new development making a positive contribution to local character and distinctiveness'. (Paragraph 197)

Describing the significance of any heritage asset affected, including the contribution made by its setting, is the responsibility of an applicant. Any such assessment should be proportionate to the asset's significance. (Paragraph 194)

Identifying and assessing the particular significance of any heritage asset potentially affected by a proposal, taking into account evidence and expertise, is the responsibility of the Local Planning Authorities. The purpose of this is to 'avoid or minimize any conflict between the heritage asset's conservation and any aspect of the proposal'. (Paragraph 195)

In decision making where designated heritage assets are affected, Paragraph 199 places a duty of giving 'great weight' to the asset's conservation when considering the impact of a proposed development, irrespective of the level of harm.

Heritage Assets are defined in Annex 2 as: "A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing)."

Harm to designated heritage assets is categorized into 'substantial harm', addressed in Paragraphs 200 and 201, or 'less than substantial harm', addressed in Paragraph 202.

In terms of the effects of an application on non-designated heritage assets Paragraph 203 requires that a balanced judgement is required that has regard to the scale of any harm or loss and the significance of the asset.

The effects of any development on a heritage asset, whether designated or not, needs to be assessed against its archaeological, architectural, artistic and historic interests as the core elements of the asset's significance.

The setting of Heritage Assets is defined in Annex 2 of the NPPF as: "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."

National Planning Practice Guidance

Insofar as Section 16 of the NPPF is concerned, the Planning Practice Guidance (PPG) was last modified on 23 July 2019, after the 2018 revisions to the NPPF. Much of the content remains wholly applicable and relevant. Key relevant points are summarised below:

The term 'Special architectural or historic interest' as used in legislation are used to describe all parts of a heritage asset's significance.

In respect of levels of harm paragraph 017 recognises that substantial harm is a high test. Case law describes substantial harm in terms of an effect that would vitiate or drain away much of the significance of a heritage asset. In cases where harm is found to be less than substantial, a local authority is to weigh that harm against the public benefits of the proposal.

Proposals can minimise or avoid harm to the significance of a heritage asset and its setting through first understanding significance to identify opportunities and constraints and then informing development proposals.

A listed building is a building that has been designated because of its special architectural or historic interest and includes the building, any object or structure fixed to the buildings, and any object or structure within the curtilage of the buildings which forms part of the land and has done so since before 1 July 1948. (Paragraph 022)

Any works to demolish any part of a listed building or to alter or extend it in a way that affects its character as a building of special architectural or historic interest require listed building consent, irrespective of whether planning permission is also required. (Paragraph 045)

Paragraph 018 of the NPPG states "Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals."

Paragraph 013 states: "The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each."

London Plan (2021)

The London Plan (2021) provides a city wide framework within which individual boroughs must set their local planning policies. It is not a revision but offers a new approach from previous iterations of the London Plan. While policies are generally strategic and of limited relevance the policies relating to the historic environment are detailed within Chapter 7 Heritage and Culture. These have been aligned with the policies set out in the NPPF, key of which is Policy HC1: Heritage Conservation and Growth. This policy provides an overview of a London wide approach to heritage and in doing so requires local authorities to demonstrate a clear understanding of London's historic environment. It concerns the identification, understanding, conservation, and enhancement of the historic environment and heritage assets, with an aim to improve access to, and the interpretation of, the heritage assets. It states that:

Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

London Borough of Richmond Planning Policy

Local Plan 2018

Policy LP1 Local Character and Design Quality

- A. The Council will require all development to be of high architectural and urban design quality. The high quality character and heritage of the borough and its villages will need to be maintained and enhanced where opportunities arise. Development proposals will have to demonstrate a thorough understanding of the site and how it relates to its existing context, including character and appearance, and take opportunities to improve the quality and character of buildings, spaces and the local area.

To ensure development respects, contributes to and enhances the local environment and character, the following will be considered when assessing proposals:

1. compatibility with local character including the relationship to existing townscape, development patterns, views, local grain and frontages as well as scale, height, massing, density, landscaping, proportions, form, materials and detailing;
2. sustainable design and construction, including adaptability, subject to aesthetic considerations;
3. layout, siting and access, including making best use of land;
4. space between buildings, relationship of heights to widths and relationship to the public realm, heritage assets and natural features;
5. inclusive design, connectivity, permeability (as such gated developments will not be permitted), natural surveillance and orientation; and
6. suitability and compatibility of uses, taking account of any potential adverse impacts of the co-location of uses through the layout, design and management of the site.

All proposals, including extensions, alterations and shopfronts, will be assessed against the policies contained within a neighbourhood plan where applicable, and the advice set out in the relevant Village Planning Guidance and other SPDs relating to character and design.

Policy LP3 Designated Heritage Assets

A. The Council will require development to conserve and, where possible, take opportunities to make a positive contribution to, the historic environment of the borough. Development proposals likely to adversely affect the significance of heritage assets will be assessed against the requirement to seek to avoid harm and the justification for the proposal. The significance (including the settings) of the borough's designated heritage assets, encompassing Conservation Areas, listed buildings, Scheduled Monuments as well as the Registered Historic Parks and Gardens, will be conserved and enhanced by the following means:

1. Give great weight to the conservation of the heritage asset when considering the impact of a proposed development on the significance of the asset.

2. Resist the demolition in whole, or in part, of listed building. Consent for demolition of Grade II listed buildings will only be granted in exceptional circumstances and for Grade II* and Grade I listed buildings in wholly exceptional circumstances following a thorough assessment of the justification for the proposal and the significance of the asset.
3. Resist the change of use of listed buildings where their significance would be harmed, particularly where the current use contributes to the character of the surrounding area and to its sense of place.
4. Require the retention and preservation of the original structure, layout, architectural features, materials as well as later features of interest within listed buildings, and resist the removal or modification of features that are both internally and externally of architectural importance or that contribute to the significance of the asset.
5. Demolitions (in whole or in part), alterations, extensions and any other modifications to listed buildings should be based on an accurate understanding of the significance of the heritage asset.
6. Require, where appropriate, the reinstatement of internal and external features of special architectural or historic significance within listed buildings, and the removal of internal and external features that harm the significance of the asset, commensurate with the extent of proposed development.
7. Require the use of appropriate materials and techniques and strongly encourage any works or repairs to a designated heritage asset to be carried out in a correct, scholarly manner by appropriate specialists.
8. Protect and enhance the borough's registered Historic Parks and Gardens by ensuring that proposals do not have an adverse effect on their significance, including their setting and/or views to and from the registered landscape.
9. Protect Scheduled Monuments by ensuring proposals do not have an adverse impact on their significance.

B. Resist substantial demolition in Conservation Areas and any changes that could harm heritage assets, unless it can be demonstrated that:

1. in the case of substantial harm or loss to the significance of the heritage asset, it is necessary to achieve substantial public benefits that outweigh that harm or loss;
2. in the case of less than substantial harm to the significance of the heritage asset, that the public benefits, including securing the optimum viable use, outweigh that harm; or
3. the building or part of the building or structure makes no positive contribution to the character or distinctiveness of the area.

C. All proposals in Conservation Areas are required to preserve and, where possible, enhance the character or the appearance of the Conservation Area.

D. Where there is evidence of intentional damage or deliberate neglect to a designated heritage asset, its current condition will not be taken into account in the decision-making process.

E. Outline planning applications will not be accepted in Conservation Areas. The Council's Conservation Area Statements, and where available Conservation Area Studies, and/or Management Plans, will be used as a basis for assessing development proposals within, or where it would affect the setting of, Conservation Areas, together with other policy guidance, such as Village Planning Guidance SPDs.

Policy LP 7 Archaeology

The Council will seek to protect, enhance and promote its archaeological heritage (both above and below ground), and will encourage its interpretation and presentation to the public. It will take the necessary measures required to safeguard the archaeological remains found, and refuse planning permission where proposals would adversely affect archaeological remains or their setting.

Desk based assessments and, where necessary, archaeological field evaluation will be required before development proposals are determined, where development is proposed on sites of archaeological significance or potential significance.