

LONDON BOROUGH OF RICHMOND UPON THAMES
LOCAL PLAN INDEPENDENT EXAMINATION IN PUBLIC
WRITTEN STATEMENT

MAIN MATTER 16:
PROTECTING WHAT IS SPECIAL AND IMPROVING OUR AREAS

THURSDAY 4 JULY 2024

COUNCIL RESPONSES TO MAIN MATTER 16

Abbreviations

DtC – Duty to Cooperate

FORCE – Friends of River Crane Environment

GLA – Greater London Authority

LVMF – London View Management Framework

LP – The London Plan

NPPF – National Planning Policy Framework

PPG – Planning Practice Guidance

RLP – Richmond Local Plan

SA – Sustainability Appraisal

SoCG – Statement of Common Ground

Main Matter 16 – Protecting what is special and improving our areas (Policies 28 – 33)

16.1 Are the requirements of the protecting what is special and improving our areas policies justified by appropriate available evidence, having regard to national guidance, and local context, and meeting the requirements of the London Plan?

The requirements of the policies in Chapter 20 ‘Protecting what is special and improving our areas (heritage and culture)’ are justified by the available evidence and have had regard to national guidance, local context and the London Plan.

The primary sources of evidence used to develop policies where relevant are as follows:

- Urban Design Study (SD-053)
- Conservation Area Appraisals and Statements
- Thames Landscape Strategy (SD-1070 and SD-171)
- SPDs on Design Quality (SD-107), House Extensions and External Alterations (SD-109), Small and Medium Housing Sites (SD-114), Shopfronts (SD-113), Buildings of Townscape Merit (SD-106), Village Planning Guidance (SD-119), Draft Local Views (SD-124)

These documents also support the implementation of policies.

Chapter 20 ‘Protecting what is special and improving our areas (heritage and culture)’ sets out the policies that relate specifically to the borough’s heritage. These policies directly reflect the Plan’s strategic objectives to:

- Protect and enhance the environment including the heritage assets, recognising their value to the borough’s residents and visitors; and
- Support the borough’s diverse arts and cultural facilities, recognising their importance to enriching our local communities, while also providing a destination and reason to visit the borough and an opportunity to sustainably grow the visitor economy.

The policies in this chapter set out the Local Plan’s expectations regarding achieving high architectural and design quality and various aspects of good place-making. The policies set out general development principles to be applied to individual schemes to ensure proposals demonstrate a thorough understanding of the site and how they relate to their existing context, conserve and (where appropriate) take opportunities to enhance the borough’s historic environment, protect the quality of identified views and vistas, ensure the Royal Botanic Gardens, Kew continues to receive the level of protection commensurate with its

status as a World Heritage Site, and take into account the borough's archaeological heritage. These policies support the Government's objective of creating beautiful buildings and places. They are in accordance with the National Planning Policy Framework (NPPF) and are in general conformity with the London Plan. The Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest. Any decisions relating to listed buildings and their settings and conservation areas must address the statutory considerations of the 1990 Act. The Council has prepared the policies in this chapter in accordance with the National Planning Policy Framework (NPPF), specifically Section 16 'Conserving and enhancing the historic environment'. Paragraph 189 of the September 2023 NPPF/Paragraph 195 of the December 2023 NPPF recognises heritage assets to be an irreplaceable resource which should be conserved in a manner appropriate to their significance. In Section 12 'Achieving well-designed and beautiful places', (paragraph 126 September 2023 NPPF/paragraph 131 of the December 2023 NPPF) it refers to the creation of high quality, beautiful and sustainable buildings and places being fundamental to what planning and the development process should achieve, recognising that good design is a key aspect of sustainable development.

The London Plan includes policies HC1 Heritage conservation and growth, HC2 World Heritage Sites and HC3 Strategic and Local Views. Under HC1 part C, development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the asset's significance and appreciation within their surroundings. Part D requires proposals to identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation. Policy HC2 on World Heritage Sites requires boroughs with World Heritage Sites to include development plan policies that conserve, promote, actively protect and interpret the Outstanding Universal Value of World Heritage Sites. Policy HC3 on Strategic and Local Views requires boroughs to include all designated views in their local plans, and to clearly identify local views.

The evidence that supports these policies is set out above, in particular the Urban Design Study (SD-052) which provides an in-depth understanding of the character, context and sensitivity of different parts of the borough. The borough-wide characterisation work in the Urban Design Study considers what makes one area distinctive from another, what qualities are critical and significant to local character, and why a particular townscape or landscape is important, and to whom. The characterisation work creates a background against which new development can be balanced with protecting and enhancing what makes Richmond as a borough so special. The Urban Design Study built on advice set out in the Council's earlier Village Planning Guidance SPDs which were developed for all areas of the borough (with the

exception of Ham and Petersham, where there is an adopted Neighbourhood Plan). The Village Planning Guidance SPDs identify the key features and characteristics of the village areas that are valued by local communities. Within the SPDs, each area has been subdivided into Conservation Areas and Character Areas, and for each area the context, character and local features have been analysed and assessed. The range of evidence identified above provides a robust basis that supports the policies in this theme, as well as guidance to assist applicants to bring forward appropriate development. This supports the ambitions of national policy to deliver new development that is of high quality and that responds to the borough's local character and history and unique sense of place. Historic England (Rep No. 9) responded to the Regulation 19 consultation on the Plan which 'welcome the approach to the historic environment within the plan, both in a cross-cutting sense and with regard to specific policies and have also signed a Statement of Common Ground (SOCG-10).

Policy 28 – Local Character and Design Quality (Strategic Policy)

The purpose of policy 28 is to ensure that all new development is of high architectural and urban design quality, and to ensure that the character and heritage of the borough that has been identified in the borough-wide characterisation work as part of the Urban Design Study is taken into account in developments. The policy identifies several clear principles to be applied to new developments to ensure proposals demonstrate an understanding of a site and how it relates to its existing context, and respects, contributes to and maximises opportunities to enhance the local environment and character. The December 2023 NPPF clarifies at paragraph 130 that there may be situations where higher densities would be wholly out of character with the existing urban area, and that this could be a strong reason why significantly uplifting densities would be inappropriate. The Council therefore considers that the policy is consistent with national policy, and in particular has regard to paragraphs 126, 127 and 130 of the September 2023 NPPF/131, 132 and 135 of the December 2023 NPPF (Part 12. Achieving well-designed and beautiful places), but does not duplicate national policy as it provides locally specific guidance regarding features of developments that will be supported in Richmond, taking into account the local context and the advice set out in the Urban Design Study, Village Planning Guidance and other SPDs relating to character and design.

The policy is also consistent with paragraph 136 of the September 2023 NPPF/paragraph 141 of the December 2023 NPPF where this relates to the siting and design of advertisements. Again, it does not duplicate national policy but rather provides locally specific guidance consistent with the NPPF.

Policy 29 – Designated Heritage Assets

Policy 29 provides the Council's approach to protecting designated heritage assets. It seeks to conserve and, where possible, take opportunities to make a positive contribution to the historic environment of the borough. Development proposals likely to affect the significance of designated heritage assets will be assessed against the requirement to seek to avoid harm, and the justification for the proposal. The policy largely follows the approach that is taken in the adopted Local Plan (policy LP 3).

The NPPF states in paragraph 200 of the September 2023 NPPF/paragraph 206 of the December 2023 NPPF that “any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.” Substantial harm to or loss of grade II listed buildings, or grade II listed parks and gardens, should be “exceptional” and assets of the highest significance (scheduled monuments, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites) should be “wholly exceptional”. In paragraph 201 of the September 2023 NPPF/paragraph 207 of the December 2023 NPPF, where a proposed development will lead to substantial harm (or total loss of significance of) a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”. In paragraph 206 of the September 2023 NPPF/paragraph 212 of the December 2023 NPPF it is stated that “Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably”.

Designating conservation areas within the borough is a separate regime and not a matter for the local plan process. The Council has undertaken a programme for prioritising reviews of the borough's existing Conservation Area Appraisals (CAA) and developing new appraisals for those areas that do not yet have one. Between 2021 and 2023 a total of 17 Conservation Area Appraisals were produced and adopted, following a period of public consultation. This programme has now concluded and so a modification is proposed to update the supporting text at paragraph 20.4 in the Plan (P28.1, as set out in LBR-002 and set out at the end of this statement) and any work on CAAs has to be resourced from existing budgets alongside other priorities. It is noted the Udney Park Playing Fields Trust (Rep No. 432) has made a request for designation of Udney Park as a conservation area, and has prepared a Draft Conservation Area Appraisal to the Council for review. This matter was considered by the

Council’s Environment, Sustainability, Culture and Sports Committee on 17 January 2023¹. The Trust has been advised there are no current plans to review the borough’s conservation areas, and the designation of Udney Park as a conservation area would be unlikely to offer any additional protection due to the existing site designations.

Policy 30 – Non-designated Heritage Assets

Policy 30 provides the Council’s approach to non-designated heritage assets. Developments are expected to preserve, and where possible enhance, the significance, character and setting of non-designated heritage assets, including Buildings of Townscape Merit, memorials, particularly war memorials, locally listed historic parks and gardens and other local historic features. This approach is consistent with the NPPF which states in paragraph 203 of the September 2023 NPPF/paragraph 209 of the December 2023 NPPF, that “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”. 3As above, in relation to designated heritage assets, paragraph 206 of the September 2023 NPPF/paragraph 212 of the December 2023 NPPF is relevant: “Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”

Policy 31 – Views and Vistas

In policy 31, the Council seeks to protect the quality of identified views, vistas, gaps and the skyline, all of which contribute significantly to the character, distinctiveness and quality of the local and wider area. The policy is consistent with the paragraph 127 of the September 2023 NPPF/paragraph 131 of the December 2023 NPPF which expects design policies to be “developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area’s defining characteristics”. The borough is defined by many specifically recognised views and vistas that contribute to its rich heritage and landscape character, most notably the strategic view from King Henry’s Mound in

¹ <https://cabnet.richmond.gov.uk/mgAi.aspx?ID=45567>

Richmond Park to St Paul's Cathedral. This is the only view in the country that is protected by an Act of Parliament (as set out in Paragraph 20.45 of the Plan).

Policy HC4 in the London Plan on The London View Management Framework (LVMF) (SD-149) forms the strategic context and includes guidance on managing important views that span the London Boroughs. Policy HC3 of the London Plan provides guidance on strategic and local views. In HC3, boroughs are expected to include all designated views in their Local Plans, and clearly identify local views. The GLA have not identified any conformity issues with the London Plan.

The Council commissioned consultants to carry out an analysis on the borough's views. This work was carried out alongside the Urban Design Study that was undertaken in 2021 (SD-053) as part of the evidence base to inform the development of the policies in the new Regulation 18 draft Local Plan. The Urban Design Study 2023 (as updated SD-052) sets out the details of valued views in relation to each identified character area, including the range of prospects, linear views and townscape views, which are highly important, including in the borough's riverside and open space settings. The appointed consultants Arup undertook a detailed exercise, based on their site visits as well as through desktop research, such as reviewing Conservation Area Appraisals, Registered Parks & Gardens etc. to recommend whether existing views are intact and/or should be amended, and whether there are any new views that merit designation.

The Council produced a draft Local Views SPD (SD-124). The purpose of the draft SPD was to set out those existing protected views that have already been adopted through the Local Plan (2018), as well as additional new locally important views as identified through the work undertaken by Arup as part of the UDS. The draft SPD was subject to public consultation in 2022. Paragraph 1.2 in the SPD states: 'It is also designed to supplement the draft Policy 31 in the emerging new Local Plan. Following the public consultation on the draft SPD and analysis of the feedback received, any additional local views will be proposed for designation as part of the next stage of the Local Plan (Regulation 19 stage)'.

Responses received to the consultation (SD-125) were informally considered by the Council and a list of additional 'new' local views suggested for designation were included in the Publication (Regulation 19) Plan (SD-001). The consultation on the Regulation 19 Plan therefore included new views contained in the draft SPD and the five additional 'new' views that the Council added to the Plan following the SPD consultation, as identified in the Policies Map designations box following policy 31 in SD-001.

Amongst the comments received during the Local Plan Publication (Regulation 19) consultation, a large number were reiterations of comments received on the draft Local Views SPD (Rep Nos. 437, 438, 439, 440, 441, 442, 443, and 444), many of which were in support but also refer to their comments submitted on the Draft Local Views SPD (SD-125) and comments raised on particular views. Comments were also received regarding view management.

The methodology underpinning Arup's review of existing views and identification of new ones worthy of designation is considered to be sound. Where the Council has decided not to designate suggested new views (including those made during the draft SPD consultation), this is justified on the grounds that they are not considered special enough to warrant designation looking at the landscape and townscape context from a boroughwide perspective. It is particularly the case that many views are focused around the Arcadian setting (between Hampton and Kew) for example as there is greater visibility and perspective, and stem from the Thames Landscape Strategy (SD-170 and SD-171). For example, suggestions by FORCE for views around the River Crane were reviewed but considered not as exceptional as elsewhere in the borough, and limited by perspectives and denser woodland settings. In other cases, the suggested views are, or could be, covered within views already included in the Plan – for example this applies to suggestions for further views in Old Deer Park by Old Deer Park Working Group and Prospect of Richmond, and for suggestions by the Friends of Richmond Green many of which are covered by Conservation Areas and heritage assets. Paragraph 20.50 in the RLP and paragraph 3.3 in the SPD note there are many places with cherished local views, which can continually change and unfold, particularly around Greens and at a townscape level, and that if a local view is not designated, a proposal for development would still be assessed against relevant policies – such as the setting of designated heritage assets, river corridor and landscape designations, and wider local character and design considerations.

St George plc and Marks and Spencer (Rep No. 439) raised concerns the policy is too prescribed and the Urban Design Study lacks crucial information, and Royal Botanic Gardens Kew (Rep No. 444) also seek clarification on the evidence above. As set out above, the Council considers the proposed new views are justified, and detailed issues including on view management can be considered when the Local Views SPD is taken forward for adoption, once the outcome of the Examination confirms the new views for designation. The Council intends to make amendments to the draft SPD text and mapping, to take account of the above, where relevant, including detailed issues raised such as the viewing locations and view management, and review taking the SPD forwards towards adoption.

Policy 32 – Royal Botanic Gardens, Kew World Heritage Site

Policy 32 provides the Council's policy relation to Kew World Heritage Site. Paragraph 189 of the September 2023 NPPF/paragraph 195 of the December 2023 NPPF identifies World Heritage Sites as having the highest significance as heritage assets, as they are internationally recognised as being of Outstanding Universal Value. These assets are recognised as being an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so they can be enjoyed for their contribution to the quality of life of existing and future generations. Local Plans are required to set out a positive strategy for the conservation and enjoyment of the historic environment. London Plan policy HC2 requires boroughs with World Heritage Sites to include policies that conserve, promote, actively protect and interpret the Outstanding Universal Value of World Heritage Sites, which includes the authenticity and integrity of their attributes and their management. Local Plan policies should provide further guidance on settings and buffer zones and support the management of World Heritage Sites, details of which can be found in World Heritage Site Management Plans.

Policy 33 – Archaeology

Paragraph 192 of the September 2023 NPPF/paragraph 198 of the December 2023 NPPF refers to local planning authorities needing to have access to up-to-date evidence about the historic environment in their area which should be used to a) assess the significance of heritage assets and the contribution they make to their environment; and b) predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future. Policy HC1 in the London Plan requires boroughs to develop evidence that demonstrates a clear understanding of London's historic environment, to be used for identifying, understanding, conserving, and enhancing the historic environment and heritage assets, and improving access to, and interpretation of, the historic assets, landscape and archaeology within their area. Development proposals should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation.

16.2 Do Policies 28 – 33 provide clear direction as to how a decision maker should react to a development proposal?

The Council's response to Main Matter 1 sets out the general context for the Plan as a whole, providing clear direction for a decision-maker. The Council considers that policies 28 – 33 are in accordance with paragraph 16 of the September 2023 NPPF/paragraph 16 of the December 2023 NPPF, which requires that they are "clearly written and unambiguous, so that it is evident how a decision maker should react to development proposals". The justification for each policy and how it will apply is clearly set out within the relevant supporting text. The policies in this theme largely include minor updates to the existing approaches in the adopted Local Plan, which have been operating successfully in the consideration of applications affecting the borough's character and heritage assets. Where there have been updates to the existing policies, this has generally been to reference new and updated documents underpinning the policies and to the wording to ensure there is clarity about how a policy should be implemented.

The policies are clearly linked to the strategic objectives of the RLP, as set out in section 3 and considered in the Council's statement in relation to Main Matter 2. These objectives support the achievement of the Local Plan's vision which forms the basis of the spatial strategy, reflected in Policy 1 (Living Locally and the 20-minute Neighbourhood) and Policy 2 (Spatial Strategy: Managing Change in the Borough). The Council has assessed the clarity and intent of the policies using the PAS Soundness Self-Assessment Checklist Local Plan Publication Version (SD-016), and in particular Q44 which asks: "Are the objectives the policies are trying to achieve clear, and can the policies be easily used and understood for decision-making?"

Following the public consultation on the Pre-Publication (Regulation 18) Local Plan, changes were made to a number of the policies in this chapter, including to address matters of clarity. The Council's detailed responses and the outcomes of the representations submitted with respect of the Local Plan are set out in the Council's Statement of Consultation – Including all the Pre-Publication responses and the Council's response (June 2023) (SD-007).

The Local Plan Publication (Regulation 19) Consultation Version (SD-001) was submitted to the Secretary of State for examination in public. However, the Council has reviewed the representations that were received during the public consultation and officers have set out detailed comments within the Schedule of Responses to the Publication Local Plan (Regulation 19) consultation (in plan order) with the Council's response (SD-014). The responses identify, where considered appropriate, a small number of specific changes to the wording of policies and supporting text for the sake of clarity. These are set out in the

Schedule of Modifications suggested by the Council (LBR-002) and summarised below in relation to the individual policies.

Policy 28 – Local character and design quality (Strategic Policy)

The Council received a number of representations during the Regulation 19 consultation (Rep No.s 423, 424, 426, 428, and 429) requesting the inclusion of references to matters that were considered to be adequately covered in other parts of the Local Plan (The Royal Parks, conservation areas, Urban Design Study), and it was not considered necessary to repeat under policy 28 at the risk of the policy becoming overly-long and repetitive of matters considered elsewhere in greater detail. An amendment was already made by the Council to the wording in Part B of the policy prior to the Regulation 19 consultation, following responses to the Regulation 18 consultation to clarify that development should ‘maximise opportunities’ to enhance the local environment and character (in the absence of a statutory duty to enhance). The Council’s change was considered to achieve a similar outcome to that suggested by the representor (Rep No. 427), but result in a more positively worded policy to encourage developers to consider how developments could contribute to improving the local environment.

Policy 29 – Designated heritage assets

Representations received during the Regulation 18 consultation raised objections to the wording of policy 29 where it relates to a proposed development that will lead to total loss or substantial harm to a listed building, and the consideration of public benefits. As a result, the wording of Part A.2 in policy 29 was revised in the Publication Version Local Plan (SD-001) as follows:

Total loss of or substantial harm to a listed building should be wholly exceptional and will therefore be refused unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss in line with national policy requirements.

For clarity, this replaced the following wording in the Pre-Publication (Regulation 18) Local Plan for Part A.2 in policy 29:

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. Careful and sensitive maintenance, management and reuse of heritage assets also saves embodied carbon and avoids the carbon dioxide of constructing new buildings (Note the reference to*

embodied carbon was moved from the main policy to the supporting text in the Publication Local Plan).

It is the Council's view that the policy provides clear, local guidance on the requirements for proposals affecting a designated heritage asset that developments should seek to avoid harm and justify a proposal in the first instance. Following this, when the criteria in point 2-9 of the policy (Part A) have been applied, any harm is then balanced against the public benefits. This balance is clearly set out in the NPPF (see above) and therefore does not need to be repeated in the policy. Although representors maintained their objections to the policy wording during the Regulation 19 consultation (Rep No. 430, also raised in Rep No. 431), it is considered that the change to the policy wording made in the Pre-Publication Version of the Plan more adequately addresses the requirement for consistency with the national policy.

Comments were also made during the Regulation 19 consultation (Rep No. 316) regarding the Council's approach to decarbonisation of existing built stock, including in conservation areas. The respondent was of the view that the Council's existing policies discourage cost-effective decarbonisation, particularly in conservation areas. Paragraph 164 in the December 2023 NPPF provides greater support for energy efficiency measures through requiring decisions on planning applications to place significant weight on the need to support energy efficiency improvements to existing buildings. There is concern identified in the Sustainability Appraisal of the RLP (SD-002) over the balance between protecting heritage assets and bringing them back into use through reuse or adaption to meet development needs. The Council considers that that there is no standard approach or solution to accommodating sustainable energy measures in the historic environment and it is expected to be addressed on a case-by-case basis. The policy approach is provided in policy 3 (Tackling the climate emergency) and the supporting text to policy 4 (Minimising greenhouse gas emissions and promoting energy efficiency). There is specific guidance where this relates to the historic environment in Part F of policy 29 and the supporting text (paragraph 20.36) to the policy.

Policy 30 – Non-designated heritage assets

It is noted that a number of representations were made during the Regulation 18 and Regulation 19 consultations (Rep No.s 435 and 436) that policy 30 was not consistent with national policy as there is no requirement in the NPPF for developments to enhance the significance of non-designated heritage assets. However, it is the Council's view that the policy wording, which is seeking enhancement "where possible" provides sufficient flexibility for this requirement to be considered on a case-by-case basis, while at the same time encouraging applicants to maximise any opportunities to make improvements to the historic

environment in the borough where these arise. This is consistent with Paragraph 206 of the September 2023 NPPF/paragraph 212 of the December 2023 NPPF as referenced above.

A minor modification in paragraph 20.41 has been drafted (P30.1 in LBR-002 and see the table at end of this statement for relevant extracts) to clarify the wording of the policy in relation to locally listed parks and gardens, following a representation received during the Regulation 19 consultation (Rep No. 434). Policy 30 makes reference to locally listed historic parks and gardens in part A, and it is recognised in the supporting text (20.39) that there are a number of historic parks and gardens that merit local listing due to their historic interest. Although the Council does not currently have any locally listed historic parks and gardens, there is an aspiration to develop this in the future and extend beyond the consideration of buildings. Referencing this in the policy and supporting text allows this to be explored further in the future, including setting criteria for assessment. The designation of such assets does not need to be through the Local Plan, although the Council would intend to follow a similar process to designation of buildings including the opportunity to consult.

Policy 31 – Views and vistas

Representations received during the Regulation 18 consultation resulted in amendments to the policy in the Publication Local Plan (SD-001) to reference harm to quality of views and vistas/setting of a landmark, clarification on the provision of accurate visual representations, and how non-designated views are assessed.

The identification of ‘new’ views in the Regulation 19 Plan and provision of further details in the Local Views SPD will ensure that development takes place in such a way that ensures that identified important views are protected, of particular importance to protecting the borough’s riverside and open space settings. The Local Views SPD supplements the policy with details about each view including a photo, map and detailed description, and is intended to be used by applicants when preparing planning applications to ensure the relevant view is protected where there are future development proposals that may affect it. A large number of comments were received on specific local views and the draft Local Views SPD, and the Council’s response to question 16.1 above addresses the overall approach. No modifications have been suggested to the policy, but detailed issues including to clarify viewing locations and view management can be considered when the SPD is taken forward for adoption.

Policy 32 – Royal Botanic Gardens, Kew World Heritage Site

The Council has only made minor updates to the existing policy approach in LP 6, including amendments to the supporting text to refer to the current Site Management Plan (SD-154). As noted in the Schedule of responses to the Publication Local Plan (Regulation 19)

consultation with the Council's response (SD-014), the policy seeks to strike a balance between the views of the statutory bodies (Historic England, Greater London Authority) regarding the need to conserve the heritage site alongside the aspirations of Royal Botanic Gardens, Kew for greater flexibility, particularly in relation to consideration of temporary events and exhibitions.

The requirement for a Heritage Impact Assessment for all development proposals that would have an impact on the World Heritage Site was something that was specifically referenced in responses from Historic England (Rep No. 446) and the Greater London Authority (Rep No. 445). It is the Council's view that the supporting text continues to be the most appropriate place to reference the requirement for a Heritage Impact Assessment within or around the World Heritage Site. The requirement for a Heritage Impact Assessment will be proportionate to the scale and location of the development being proposed and is considered on a case-by-case basis (for example it may not be applicable to certain householder applications within the buffer zone). No change to the policy was suggested by the Council in response to the representations as outlined in the Statements of Common Ground with Historic England (SOCG-10) and the Greater London Authority (SOCG-11). However, this is something that could be considered further during the examination – noting that this may offer the opportunity to balance such requests of statutory bodies with aspirations of Royal Botanic Gardens, Kew for greater flexibility within policy 32, particularly in relation to temporary events and exhibitions.

Policy 33 – Archaeology

The approach to policy 33 in the Publication Local Plan is minor updates to the adopted policy LP 7 to reflect an updated approach to 'tiered' Archaeological Priority Areas (APAs) by Historic England's the Greater London Archaeological Advisory Service (GLAAS) (as set out in SD-155).

16.3 Do the policies serve a clear purpose, avoiding unnecessary duplication of national policy? Is the wording consistent with national policy?

There is reference to national policy in the RLP; however generally these do not repeat wording or criteria and are considered either necessary to clarify the application of the policy or helpful for purposes of signposting. National policy is often set out in a format to inform plan-making, rather than directly applicable to decision-making. As outlined above in response to question 16.2, effort has been made to avoid repetition but also take into account local circumstances where this is relevant.

16.4 Policy 29 Designated Heritage Assets - Is the policies approach to the submission of outline planning applications in conservation areas justified and consistent with national policy?

Conservation Areas have been designated by the Council as they have been recognised by the Council as being a place of special architectural or historic interest which needs to be preserved or enhanced. Paragraph 190 of the September 2023 NPPF/paragraph 196 of the December 2023 NPPF states that Local Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay other threats.

Part E of policy 29 specifies that outline planning applications will not be accepted in Conservation Areas “unless it can be demonstrated that the impacts of the development on the significance of the area can be fully assessed including views and vistas”.

It is the Council’s view that outline planning applications tend to be submitted for larger sites where an applicant is seeking to obtain in principle support for a development. In the context of a borough like Richmond, which has an exceptional historic environment that is central to its character, it is considered that it is justified to require full planning applications with Conservation Areas because the character, appearance and distinctiveness of those areas can be dependent on the detail of developments. A suggested modification could be made to add additional justification to paragraph 20.31 of the supporting text to the policy.

Table of Proposed Modifications

Details taken from the Schedule of Proposed Modifications suggested by the Council (May 2024) (LBR-002).

Change Ref.	Response Ref(s)	Page	Section of the Plan	Proposed Modification
				Policy 28 Local Character and Design Quality (Strategic Policy)
P28.1	n/a	272 - 273	Policy 28 Local Character and Design Quality, Paragraph 20.3, 20.4	<p>Delete sub-heading before 20.3:</p> <p>Village Planning Guidance SPDs and Conservation Area Appraisals</p> <p>Delete paragraph 20.4 from the Plan as this formal programme ended in 2023:</p> <p>20.4 The Council has agreed a two year forward programme for prioritising reviews of the borough's existing Conservation Area Appraisals and developing new Appraisals for those areas that do not yet have an existing one, which commenced in 2021.</p>
P28.2	n/a	273	Policy 28 Local Character and Design Quality, Paragraph 20.5	<p>Delete reference to the Front Gardens SPD (this was superseded and withdrawn following the adoption of the Transport SPD in 2020):</p> <p>The Council has also developed a range of other SPDs, including on Design Quality, House Extensions and External Alterations, Small and Medium Housing Sites, Front Gardens and Shopfronts.</p>
				Policy 30 Non-designated Heritage Assets
P30.1	London Historic Parks and Gardens Trust (comment 434)	280	Policy 30 Non-designated Heritage Assets, Paragraph 20.41	<p>Amendment to reference for clarity.</p> <p>The Council will use the London Historic Parks and Gardens Trust Inventory as a basis for considering locally listing such parks and gardens in the borough.</p>
				Policy 32 Royal Botanic Gardens, Kew World Heritage Site
P32.1	n/a	285	Policy 32 Royal Botanic Gardens, Kew World Heritage	The Royal Botanic Gardens, Kew World Heritage Site Management Plan provides a framework for guiding the activities that take place in the site....

Change Ref.	Response Ref(s)	Page	Section of the Plan	Proposed Modification
			Site, Paragraph 20.53	
				Policy 33 Archaeology
P33.1	Historic England (comment 80)	286	Policy 33 Archaeology, Paragraph 20.56	<p><i>[See also Statement of Common Ground with Historic England (to be confirmed once signed)]</i> Amend the supporting text at paragraph 20.56 to specifically reference early involvement of GLAAS:</p> <p>GLAAS is the borough’s archaeological adviser and should be consulted with regard to archaeological matters, at an early stage of proposals particularly with regard to place-making and public benefit opportunities.</p>