



Town and Country Planning Act 1990 – Section 77 and
Town and Country Planning (Inquiries Procedure) (England) Rules 2000

Statement of Case of
Royal Botanic Gardens, Kew

Application by L&Q
Citroen Site, Capital Interchange Way, Brentford TW8 0EX
Local Planning Authority reference 01508/A/P6
PINS reference APP/G6100/V/19/3226914

26th July 2019

1.0 Introduction

- 1.1 This Statement of Case is submitted on behalf of the Board of Trustees of the Royal Botanic Gardens, Kew (RBGK) following the decision by the Secretary of State that this application is to be dealt with by inquiry, as set out by the MHCLG in their letter to the London Borough of Hounslow of 24th April 2019.
- 1.2 The application is for full planning permission to redevelop the Citroen Site with a residential development of 441 units in three stepped blocks rising to 18 storeys. The height of one block was increased by two storeys to 18 storeys following the call-in of the scheme by the Mayor. The respective heights of the three blocks are 13 & 16 storeys, 12 & 17 storeys, and 13 & 18 storeys.

2.0 Kew's response to the application

- 2.1 RBGK did not comment on the application when it was submitted for planning permission to Hounslow in November 2017. However, we agree with representations made at that time by Historic England concerning the harm that the proposal would cause to the setting of the Royal Botanic Gardens, Kew World Heritage Site and support the refusal of the application by London Borough of Hounslow.
- 2.2 RBGK wrote to the Mayor on the 11th July 2018 to object to the revised proposal due to its visual impact on the Royal Botanic Gardens, Kew and consequent harm to its setting and Outstanding Universal Value (OUV), in particular to Kew's rich and diverse historic landscape and iconic architectural legacy. In our view the proposal was contrary to London Plan Policy 7.10 concerning World Heritage Sites and their settings. Other relevant policy considerations are listed at 3.4 below.
- 2.3 We attended the public hearing on 20th July 2018 to reiterate concerns in our letter concerning harm to the setting of the Grade I listed Orangery; cumulative impact of past, current and future developments on the setting and OUV of the World Heritage Site; and the risk of the Royal Botanic Gardens, Kew being added to UNESCO's list of World Heritage in Danger. We subsequently accompanied the Mayor on his site visit to Kew with his advisors on 22nd August 2018.

3.0 Our case

- 3.1 We will set out the full significance of the Royal Botanic Gardens, Kew as a World Heritage Site, a conservation area, registered historic landscape, and the site of 56 listed buildings and structures, including six listed Grade I.
- 3.2 We will show that the setting of Kew Gardens makes a direct contribution to the Outstanding Universal Value of the WHS and is crucial to the experience and understanding of the site. We will show that the protection of the setting of Kew is essential in order to protect its Outstanding Universal Value.
- 3.3 We will show that the proposal is harmful to the setting of the Grade 1 listed Orangery (Chambers, 1761) as it will appear immediately behind and above the Orangery when seen from the historically associated Great Lawn to the south west. The Orangery is a garden building and has always been seen against a backdrop of trees. This remains the case today. We will also show that the Orangery is an important element of the World Heritage Site's OUV and reasons for inscription, and that the proposed development would impact on its setting and the setting of the wider WHS.
- 3.4 We will show that the proposal is not in accordance with planning policy. The key policies we will refer to include the following:
- NPPF 2018, in particular paragraphs 193-196
 - The London Plan 2018, in particular policy 7.7 (tall buildings); policy 7.8 (heritage assets); and policy 7.10 (World Heritage Sites).
 - The draft New London Plan, in particular policy D8 (tall buildings) and policy HC2 (World Heritage Sites).
 - The Hounslow Local Plan 2015, in particular policy CC3 (tall buildings) and CC4 (heritage).
 - Royal Botanic Gardens Kew, WHS Management Plan 2014
 - London's World Heritage Sites – Guidance on Settings 2012 SPG
 - Historic England Advice Notes: 3 (setting) & 4 (tall buildings).

We will also refer to the statutory protection afforded by s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 3.5 We will show that the proposal would cause cumulative harm to the setting of the Orangery and wider WHS with other existing buildings and consented applications, including amongst others the residential development associated with Brentford Community Stadium, consented in 2013.
- 3.6 We will also demonstrate that the Citroen scheme should be considered cumulatively with the current application for 40 and 40a High Street Brentford (Albany Riverside) reference 00607/T/P1 and with potential development at the Chiswick Roundabout. The application for a 32 storey tower at Chiswick Roundabout (reference 00505/EY/P18, the “Chiswick Curve”), considered at inquiry in 2018, is now subject to a decision by the Secretary of State, dismissing that appeal. It is unknown at the date of this Statement of Case if there will be any challenge to that decision. We will make appropriate reference to that decision given its status at the time evidence is being heard. Development at all three sites has the potential to adversely affect the setting of the WHS and in accordance with policy need to be considered cumulatively.
- 3.7 We will argue that the Applicant has not provided clear and convincing justification for the harm to the significance of the Royal Botanic Gardens, Kew WHS and associated designated heritage assets that would arise from this development. We will also argue that the applicant has not demonstrated that it is not possible for an alternative scheme with lesser impacts on designated heritage assets to provide public benefits of the type claimed for this proposal. By reference to the work undertaken by the London Borough of Hounslow, in consultation with RBGK, the Mayor of London and Historic England, on the Great West Corridor Masterplan and Tall Building Study we believe it can be demonstrated that it is possible to achieve the benefits sought by developments of this type without causing harm to the setting of the Royal Botanic Gardens, Kew WHS, the Orangery and other designated heritage assets within the WHS.

References

Ministry of Housing, Communities & Local Government

National Planning Policy Framework

Greater London Authority

London Plan 2016 and draft New London Plan

London's World Heritage Sites – Guidance on Settings SPG, March 2012

London Borough of Hounslow

Local Plan, 2015

Great West Corridor Masterplan and Capacity Study, March 2019

ICOMOS:

Royal Botanic Gardens, Kew: Site Evaluation, January 2002

Guidance on Heritage Impact Assessments, January 2011

Royal Botanic Gardens, Kew:

World Heritage Site Management Plan, 2002) (Chris Blandford Assocs)

Site Conservation Plan, 2002 (Chris Blandford Assocs)

Site Development Plan (Wilkinson Eyre, 2002)

Statement of Outstanding Universal Value, updated 2010

World Heritage Site Management Plan, 2014 (Gross Max Landscape Archs)

Landscape Master Plan, 2010 (Gross Max Landscape Archs)

Results of UNESCO Periodic Reporting exercise, 2011-12

Letters and reports relating to the current application

History of the Royal Botanic Gardens, Kew (Ray Desmond)

Thames Landscape Strategy – Hampton to Kew

1994 report (Kim Wilkie Environmental Design) and subsequent updates

UNESCO:

World Heritage Convention 1972

Operational Guidelines 2017