

**STATEMENT OF COMMON GROUND IN RELATION TO HERITAGE  
MATTERS**

**BETWEEN**

**L&Q (THE APPLICANT)  
&  
HISTORIC ENGLAND**

**PLANNING INSPECTORATE REFERENCE: APP/G6100/V/19/3226914**

**LONDON BOROUGH OF HOUNSLOW REFERENCE: 01508/A/P6**

**GREATER LONDON AUTHORITY REFERENCE: GLA/4279/02/NR**

**SITE ADDRESS**

Citroen Car Garage, Capital Interchange Way, Brentford, TW8 0EX.

**DESCRIPTION OF THE DEVELOPMENT**

Redevelopment of the site to provide a mixed-use scheme of 441 residential units (Class C3) including 50% affordable housing with ancillary facilities, flexible uses (within Classes A1, A2, A3 and B1) and a nursery (Class D1). Comprising buildings of 12, 13, 16, 17 and 18 storeys in height, with associated cycle parking, playspace, landscaping and public realm improvements.

**APPLICANT**

L&Q

**LOCAL PLANNING AUTHORITY**

Greater London Authority

## **CONTENTS**

This statement addresses the following matter:

The impact of the proposals on the setting of designated heritage assets (as set out below) and the consequent effect on the ability to appreciate their significance.

## **1. Introduction**

- 1.1. This Statement of Common Ground relates to the called in planning application for the:

*Redevelopment of the site to provide a mixed-use scheme of 441 residential units (Class C3) including 50% affordable housing with ancillary facilities, flexible uses (within Classes A1, A2, A3 and B1) and a nursery (Class D1). Comprising buildings of 12, 13, 16, 17 and 18 storeys in height, with associated cycle parking, playspace, landscaping and public realm improvements (the "Development").*

- 1.2. This Statement is intended to provide the Inspector with a summary of matters of agreement between the Applicant and Historic England in relation to heritage.

## **2. Matters of Agreement**

- 2.1. Both parties agree that the heritage assets which have the potential to be affected by the Development are:
- Royal Botanic Gardens, Kew – A World Heritage Site, conservation area and grade I listed Registered Park and Garden (RBGK WHS);
  - The Orangery – a grade I listed building within the World Heritage Site;
  - Kew Green Conservation Area (KGCA); and
  - Strand on the Green Conservation Area (SOGCA).
- 2.2. It is agreed that the matter at contention, in relation to the RBGK WHS, are views of the Orangery from the Great Lawn, for which view 30 within the submitted HTVIA is the critical one for considering whether the ability to appreciate the significance of this asset is harmed.
- 2.3. It is furthermore agreed that the representative views numbered 20, 22 and 23, as pertaining respective to KGCA and SOGCA, are the critical ones for considering whether the ability to appreciate the significance of the identified CAs are harmed.
- 2.4. It is agreed that there will be no material effect on any other area of the RBGK WHS.
- 2.5. Both parties agree that the relevant national and local policy applicable to this case are:

- Paragraphs 7, 8, 11, 12, 16, 127-131, 184, 193, 194, 196 and the Glossary at Annex 2 of the NPPF (2019);
  - Paragraphs 007, 013, 018, 019, 033 of the Planning Practice Guidance;
  - Paragraphs 1.48, 1.53 and Policies 7.4, 7.7, 7.8 and 7.10 and supporting text of the London Plan;
  - Draft Policies D8(B and C), HC2, paragraph 7.2.1 of the Draft London Plan;
  - London Borough of Hounslow Local Plan Policies CC1, CC2, CC3 and CC4; and
  - Emerging Great West Corridor Hounslow Local Plan Review.
- 2.6. It is agreed that paragraph 48 of the NPPF sets out how weight may be given to relevant policies in emerging plans.
- 2.7. It is agreed that limited weight should be given to the Emerging Great West Corridor Hounslow Local Plan Review.
- 2.8. The following national and local guidance is also relevant:
- RBGK WHS Management Plan 2014 (Management Plan);
  - Greater London Authority's London's World Heritage Sites – Guidance on Settings SPG, section 3.0, paragraph 3.19, section 4.0, paragraphs 4.1 and 4.2 and section 5.0, paragraph 5.31;
  - Historic England, Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning Note 2 (GPA 2), 2015;
  - Historic England, The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (GPA 3), 2017; and
  - Historic England, Tall Buildings: Historic Environment Good Practice Advice Note 4 (GPA 4), 2015.
- 2.9. These guidance notes set out a methodology to be applied in understanding the significance of heritage assets (including identifying any contribution made by their setting) and in decision making whereby proposals have the potential to affect the ability to appreciate the significance of those assets.
- 2.10. The parties agree that the following documents are material considerations in the decision making process:

- the adopted Management Plan: and
  - the relevant adopted Conservation Area Appraisals for Strand on the Green and Kew Gardens.
- 2.11. It is agreed that the submitted Heritage, Townscape and Visual Impact Assessment (HTVIA) meets the information requirements of the Framework and that no party has alleged any deficiency as to the methodology applied.
- 2.12. The Applicant's evidence is to be presented on a fresh analysis and without reference to the ES (which includes the HTVIA) which the parties agree met the information requirements of policy and the terms of the regulations.
- 2.13. It is agreed that the parties should have regard to the Statement of the Outstanding Universal Value of the World Heritage Site as set out at paragraph 3.7.4 of the Management Plan.

### **3. Significance**

- 3.1. The significance of the heritage assets is set out in the following documents:
- The Royal Botanic Gardens, Kew World Heritage Site Management Plan, dated 2014;
  - Adopted Conservation Area Appraisals for:
    - Kew Green;
    - Kew Gardens;
    - Strand on the Green;
  - Royal Botanic Gardens, Kew Gardens Registered Park and Garden of Historic Interest List Entry; and
  - The History of the Royal Botanic Gardens, Kew, published by Royal Botanic Gardens Kew, dated 2007.

### **4. Areas of disagreement**

#### **Kew Gardens**

- 4.1. Historic England considers that the Development would cause less than substantial harm to the significance of the Orangery, the Grade I registered park and garden and the conservation area at RBGK WHS through the impact on their settings. Historic England considers the Applicant has underestimated its characterisation of the impact of the Development in its



HTVIA and does not agree with the classification of the degree of harm in the HTVIA.

- 4.2. The Applicant does not rely on the conclusions of the HTVIA and accepts a degree of less than substantial harm to the identified assets. The Applicant anticipates that in evidence it and Historic England will disagree as to the classification of the degree of harm to these assets within the "less than substantial" range.

#### KGCA

- 4.3. In relation to KGCA, Historic England considers that the Development would cause less than substantial harm when considered against the policies of the NPPF. Historic England considers the Applicant has underestimated its characterisation of the impact of the Development in its HTVIA and does not agree with the classification of the degree of harm in the HTVIA.
- 4.4. The Applicant does not identify any harm to the special interest of this designated asset or the ability to appreciate that special interest.

#### SOGCA

- 4.5. In relation to SOGCA, Historic England considers that the Development would cause less than substantial harm to the significance of the conservation area and its listed buildings through the impact on their settings. Historic England considers that this harm would be at the upper end of less than substantial harm and has serious concerns about this impact which has been underestimated in the HTVIA.
- 4.6. The Applicant accepts that the Development will cause harm to the ability to appreciate the special interest of this designated asset. The Applicant does not agree with Historic England's classification of the harm and considers that the degree of harm identified by Historic England has been overstated. The Applicant considers that the harm to SOGCA is at the lower end of less than substantial.

#### Other Heritage Assets


- 4.7. The Applicant considers that no heritage assets other than the ones set out above in this Statement are affected by the Development. Historic England considers that there are no heritage assets other than those above that are affected by the Development so as to have material bearing on the decision.

## Policy and Guidance

- 4.8. Historic England considers that policy LP6 of the London Borough of Richmond Local Plan (2018) is relevant policy for the determination of the planning application for the Development.
- 4.9. The Applicant does not consider that this policy is relevant for the determination of the planning application for the Development.
- 4.10. Historic England considers that the Thames Strategy Kew to Chelsea (2002) is relevant local guidance for the determination of the planning application.
- 4.11. The Applicant does not consider that the Thames Strategy is relevant guidance for the determination of the planning application.

## Summary

- 4.12. These areas of disagreement will, if necessary, be explained in more detail in tabular form in a revised statement of common ground following the exchange of evidence, with a view to avoiding the preparation of detailed rebuttal evidence.

 Signed on behalf of Applicant	Signed on behalf of Historic England
Position: SOLICITOR	Position:
Date: 13/12/19	Date: