

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

BETWEEN

**L&Q (THE APPLICANT)
&
ROYAL BOTANIC GARDENS, KEW**

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

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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 significance of those assets and / or the ability to appreciate that 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 Proposed Development).

- 1.2. This Statement is intended to provide the Inspector with a summary of matters of agreement between the Applicant and Royal Botanic Gardens, Kew (RBG Kew) in relation to heritage matters

2. Matters of Agreement

- 2.1. Both parties agree that the heritage assets which RBG Kew have an interest in and which have the potential to be affected by the Proposed Development are the:

- Royal Botanic Gardens, Kew – A World Heritage Site, conservation area, Registered Park and Garden (RBGK WHS)
- The Orangery – a grade I listed building within the World Heritage Site;
- Kew Green – conservation area (KGCA).

- 2.2. Both parties agree that no other heritage assets in which RBG Kew have an interest are affected by the Proposed Development such that the impacts will need to be assessed by the Inspector.

- 2.3. It is agreed that the matters at contention are:

- impacts on the setting and Outstanding Universal Value of the RBGK WHS primarily due to changes in views from the Great Lawn, including impacts on views of the Orangery from the Great Lawn;
- impacts on the setting and significance of the Orangery;
- impacts on the setting and significance of KGCA; and
- cumulative impacts with existing consented and proposed developments that add to the above impacts.

- 2.4. The parties agree the adopted Management Plan is also a material consideration of weight in the decision-making process, along with the relevant adopted Conservation Area Appraisals for Kew Gardens and Kew Green.

- 2.5. The parties also agree that there is a draft new World Heritage Site Management Plan, which was published for consultation on 1 November 2019.

3. Significance

- 3.1. In considering the history and significance of the affected heritage assets, the following documents are relevant:

- The Royal Botanic Gardens, Kew World Heritage Site Management Plan, dated 2014;
- The draft Royal Botanic Gardens, Kew World Heritage Site Management Plan, dated 2019 (subject to the matters not in agreement as set out in section 4 of this SoCG);
- Adopted Conservation Area Appraisals:
 - Kew Green;
 - Kew Gardens;
- Royal Botanic Gardens, Kew Gardens Registered Park and Garden of Historic Interest List Entry
- The Orangery List Entry
- The History of the Royal Botanic Gardens, Kew, published by Royal Botanic Gardens Kew, dated 2007.

4. Matters Not in Agreement

- 4.1. RBG Kew considers that the Orangery is a key element of the RBGK WHS' OUV. The Applicant does not accept RBG Kew's characterisation of the Orangery in those terms.
- 4.2. The parties do not agree as to the weight which should be attributed to the draft WHS Management Plan. The Applicant reserves its right to produce rebuttal evidence in respect of evidence produced by RBG Kew which relies on the draft Management Plan.
- 4.3. The Applicant considers that the submitted Heritage, Townscape and Visual Impact Assessment (HTVIA) and Environmental Statement (ES) meet the information requirements of the relevant policy and guidance and that RBG Kew did not dispute the adequacy of the HTVIA nor the ES in its consultation responses to the planning application for the Proposed Development nor in its Statement of Case, but has disputed the conclusions of those documents. The Applicant will present fresh evidence on the relevant impacts of the Proposed Development and does not rely in evidence on the findings of the ES.

- 4.4. The Applicant considers that the relevant views for assessing the impacts set out in this Statement are views 20, 22 and 30 within the submitted HTVIA. RBG Kew agrees that these views are relevant but considers that other views are also relevant.
- 4.5. On the basis of RBG Kew's current understanding of the Applicant's case, RBG Kew does not consider that the HTVIA and ES meet the information requirements of the relevant policy and guidance because:
- The ES/HTVIA does not take account of established methods for assessing the harm to the setting of a WHS and is not in compliance with the "London's World Heritage Sites – Guidance on Settings" SPG (the SPG).
 - The ES/HTVIA is flawed in its approach to cumulative assessment and pre-existing harm. It does not properly take account of the SPG or the Planning Practice Guidance in assessing cumulative impacts.
 - The ES/HTVIA does not set out any review of reasonable alternatives that have been considered.

Signed on behalf of Applicant PILSANT MASON'S LLP 	Signed on behalf of Royal Botanic Gardens, Kew
Position – SOLICITOR	Position –
Date - 13/12/19	Date -