

**FOR THE APPLICANT:  
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BRENTFORD  
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**SECTION 77  
INQUIRY**

**REBUTTAL PROOF OF EVIDENCE:  
HERITAGE TOWNSCAPE AND VISUAL IMPACT**

**LPA REFERENCE: 01508/A/P6**

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## 1.0 INTRODUCTION, SCOPE AND TERMS

1.1 I have prepared this Rebuttal Proof on behalf of the Applicant and in relation to the three Proofs of Evidence prepared by:

- Michael Dunn for Historic England;
- Valerie Scott for the LB of Hounslow; and
- Andrew Croft for the Royal Botanic Gardens at Kew.

1.2 I consider several topics in this Rebuttal, and one of these in detail: the status and accuracy of three historic images of Kew Gardens, depicting the Great Lawn seen across the ornamental lake and including several structures one of which is the Orangery.

1.3 This matter, treated in section 2.0 and in my Rebuttal Appendix 1 ("RA1"), goes to the question of whether or not the main HTVIA view at issue in this case, View 30, from the Great Lawn of the WHS and towards the Orangery, is a remnant of a planned or intentional view.

1.4 My main Proof of Evidence ("PoE") considered this point at paragraphs 6.27 to 6.32, where I concluded that an equivalent image did not record an actual view of the Orangery from the Great Lawn. In that part of my evidence, I assumed the contrary finding in the event my analysis was wrong (see §6.33) but noted that, in any event, the visual relationships and features depicted in the main image (equivalent to Marlow's view, my RA1 Figure 3) had changed.

1.5 Dr Scott and Mr Croft conclude the image at issue (RA1, Figure 3) does depict an actual scene, featuring planned views, and on that basis invite the SoS to conclude that HTVIA View 30 is a survival of that planned scene with a consequently greater effect accordingly.

1.6 Mr Dunn's evidence reproduces one of these views (my figure 7 in RA 1) but he does not invite the conclusion that the impact illustrated in HTVIA is on a planned view.

### **Terms of the Rebuttal Evidence**

1.7 This Rebuttal has been prepared under the same terms as my main Proof, as set out in my signed Affirmation. My signature at the end of this Rebuttal confirms my adherence to these terms.

1.8 I have not sought to rebut all areas of disagreement as between the several parties, and so the failure to identify any matter in this Rebuttal should not be taken as signalling my agreement to it.

## 2.0 THE ORANGERY AND THE VIEW OF IT FROM HTVIA VIEW 30

2.1 The heritage evidence presented by all parties (including mine for the Applicant, see PoE §6.27-6.33 and PoE Appendix 1.0 figures) reproduce late C18 images (engravings) of the Great Lawn as seen from the south and across the lake.

2.2 For completeness I reproduce these images in my RA1 and list them below:

- Figure 3: William Marlow, 'A View of the Lake and Island, with the Orangerie, the Temples of Eolus and Bellona, and the House of Confucius' (1763);
- Figure 5: William Woollett, 'A Perspective View of the Palace from the Northside of the Lake, the Green House and the Temple of Arethusia, in the Royal Gardens at Kew' (c.1763). This view does not include the Orangery; and
- Figure 7: William Elliott after William Woollett, 'A view of the Palace from the North Side of the Lake at Kew' (c.1766). This view does include the Orangery and is comparable to Figure 3 albeit from a different position.

2.3 Figure 3 is reproduced in William Chambers' publication on Kew, which is appended in full at Appendix 6.0 (p.73) of my main PoE.

2.4 Dr Scott and Mr Croft treat these images as recording an actual vista or prospect which was, in effect, part of the 1750s landscape design of Kew Gardens added to by William Chambers, the architect of the Orangery. One of these, Marlow's image (RA1, Figure 3), corresponds to HTVIA View 30.

2.5 Accordingly, the witnesses invite the Inspector and SoS to place particular weight on the effect of the proposals on this view.

2.6 See the following Proof references, as examples:

- Dr Scott for LB Hounslow, paragraph 5.23, which refers to another view which she reproduces at Appendix 1, Figure 1D. Dr Scott's evidence relies particularly on the intentionality of this view, inviting the Inspector to give any impact on it as a consequence of that alleged status; and
- Mr Croft for the RBG Kew, at paragraphs 6.1.2, refers to images reproduced at his Appendix D, Illustrations 1 and 2.

2.7 The plan recording the landscape at about the time the views were made is one of 1771, which is reproduced as Figure 9 (p.24) in Appendix 1.0 of my PoE. This is reproduced in my RA1 severally as the basis for the following analysis.

2.8 Mr Dunn for Historic England refers to one of these images (included at his Appendix 1.3) at paragraph 6.2.3 of his main PoE, but does not assert HTVIA View 30 is historic in the terms used by the above witnesses.

- 2.9 In the following paragraphs and supporting Rebuttal Appendices, I explain the evidential basis for my conclusion that the interpretation of these sources offered by Dr Scott and Mr Croft is wrong as a matter of fact.
- 2.10 For the avoidance of doubt, my evidence to the Inquiry is that the proposals do affect the setting of the grade II listed building and the grade I RPG (which together contribute to the WHS' OUV), and give rise to a degree of less than substantial harm accordingly as a consequence of the impact depicted in HTVIA View 30. There is, however, a difference in weight as between an impact on a planned landscape view which features a building and one that is not planned.

### **The Nature of the Historical Sources**

- 2.11 Three historic images<sup>1</sup> of the Great Lawn as it was after Chambers' work at Kew Gardens are before the Inquiry as noted above at 2.2.
- 2.12 The critical one, Marlow's (my RA1, Figure 3), is made from a position to the south east of the ornamental lake, and shows the White House (demolished in 1802) in the background, set between two groups of trees and in front of an enclosing woodland belt. RA1, Figure 4 annotates the features in Marlow's image.
- 2.13 In order to carry out this analysis I have assumed that one can identify the position from which the image was made more or less accurately. I say this from my knowledge of the practice and for these reasons. First the ornamental lake was an important foreground element in each image, and so a feature that an artist would use to set up a composition. Second, certain features in the images can be related to the plan of 1771 (RA1, Figure 4 and elsewhere).
- 2.14 I think all parties will agree that the evidence comprising the 1771 plan is more accurate as a matter of fact than the 'views'. First, it can be corroborated with a later C18 plan. Second, estate plans of this period generally are accurate within the cartographic conventions of the time.
- 2.15 On that basis, then, I have concluded that the viewpoint from which Figure 3 was *composed* [emphasis deliberate] was located at the other end of the ornamental lake, its SW extent, just beside the Palladian timber bridge which is part-represented on the right side of the frame.
- 2.16 With the 1771 plan and the images as a base, I have prepared various drawings at RA1 with the assistance of our graphics artworker using Adobe.
- 2.17 I draw attention first to RA1, Figure 1, which overlays the 1771 plan onto a Google Earth aerial photo.
- 2.18 On that base (see Figure 2), I have marked all the viewpoints and the several features visible in each, and so used the Google Earth measuring tool to identify the distance between each of the three views and the nearest part of the Orangery. I have included in this figure the position of HTVIA View 30. These distances are rough but the comparison is reliable in relative terms:

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<sup>1</sup> I use the words 'image' or 'depiction' to denote the status of these engravings based on drawings. I do this to avoid confusion with the word 'view' which in the context of this Inquiry means an accurate visual representation. It is wrong to treat an C18 view as topographically or spatially accurate in the way of a photograph. Some landscape views are accurate and some are not.

- Marlow's view, Figure 3, is c.532 metres;
- Woollett's view, Figure 5, is c.494 metres;
- Elliott's view, Figure 7, is c.430 metres; and
- HTVIA View 30, for comparison, is c.190 metres as measured on the modern OS base. This is the distance I cite in my main PoE.

2.19 It will be noted that all three of the late C18 locations are now set in heavily treed areas and so the scenes depicted are not available.

#### Other Changes

2.20 These drawings, and in particular the overlay at RA1, Figure 1, enables the Inquiry to understand how the C18 landscape has changed through:

- The demolition of the White House and other buildings;
- The truncation of the Great Lawn;
- The infilling of the ornamental lake, leaving a small body of water which was the eastern end, a small part of the original and repurposed within the landscape setting for the world-famous Palm House;
- The introduction of paths across the truncated part of the Great Lawn;
- The removal of the Palladian bridge;
- The construction of new buildings; and
- The addition of trees in certain locations, removing the open areas which were a feature of the C18 Kew Gardens design.

#### The Artistic Licence in the Images: Change of Scale

2.21 I invite the Inspector now to compare the relative size of the Orangery in Marlow's view, Figure 3, and the relative size of it in HTVIA View 30 bearing in mind that the distance to the building in Figure 3 is roughly twice what it is in HTVIA View 30. I reproduce HTVIA View 30 for completeness as the last sheet in my RA1. I invite the Inspector also to consider the scale of the small figures in the scene as against the Orangery's size.

2.22 This comparison demonstrates that the artist has magnified the scale of the Orangery significantly (say by a factor of three at least). This is to increase its visual presence in the composition.

2.23 The scale of the House of Confucius (shown just beyond the Palladian Bridge) has likewise been magnified. This is clear by comparing the location of that small building with the bridge on the 1771 plan.

#### Field of View

2.24 My RA1 Figure 3 also calculates the rough angle of view subtended by the alignment of the view cone. I make this to be about 90 degrees.

2.25 The accepted angle of a person's field of view is 135 degrees.

2.26 Thus the artist has compressed the field of view in the actual scene to draw together several buildings and form his composition.

2.27 These buildings which are therefore brought together in the Figure 3 composition are:

- The Orangery;
- The Temple of Aeolus;
- The Temple of Bellona;
- House of Confucius (whose scale has likewise been magnified to give it greater prominence from this position); and
- The Palladian timber bridge.

2.28 All were designed by Chambers and I surmise this is why the Marlow landscape view was included in Chambers' book describing his works at Kew Gardens. I comment on the intentions behind this view later.

#### Changes to Trees

2.29 I invite now the Inspector to study the 1771 plan closely alongside Figure 3 in my RA1, and the c.1794 'A Plan of Richmond and Kew Gardens' reproduced by Mr Croft in his main evidence at Appendix D, Map 4.

2.30 Both plans show tree planting between the Orangery and White House/Great Lawn.

2.31 I would call this a small woodland rather than a belt or 'clump'; the term does not matter. The trees are shown individually but probably not with 100% accuracy as to placement and number. What matters in these plans is that the trees are shown closely spaced and in depth, and that they are aligned in such a way as to provide an edge to the Great Lawn.

2.32 For these reasons my main evidence concluded at 6.27:

*'C18 maps and plans show the Orangery sitting in its own landscape compartment to the east of the great lawn and accessed, as Chambers himself explained in his account, by turning left on leaving the White House (see **Appendix 6.0**). Based on the sources, I do not think that the Orangery would have featured in principal views of the White House from the south, across the Great Lawn. It was not, therefore and in my opinion, a folly or eye catcher...'*

2.33 Comparing the Marlow, Figure 3, with the 1771 plan, Figure 4, it is clear than the artist has removed this small woodland/clump/treed area west of the Orangery to portray it clearly and prominently. I have marked the likely location of the removal on the analysis drawing at Figure 4.

2.34 There is another instance of selective tree removal in Figure 3. The 1771 plan shows a light scattering of trees in the foreground of the Temple of Aeolus.

- 2.35 Marlow has omitted (or reduced in size) trees in the foreground landscape on the mound leading to the temple.
- 2.36 I surmise that the artist omitted trees expressly to depict the buildings clearly which is why he amplified the scale of the Orangery. I say this from experience of making drawings of buildings; it is difficult to depict a building clearly, or give any sense of its character, with trees in front of it and impossible where they are blocking it. It might be wondered, if the view from this angle was not available as a matter of fact, how the artist could have rendered it at all. In answer, I note that basic artistic training enables one to render a building from a position from which it is not visible. The task is particularly easy if the building is a four-square, classically designed building of regular elevation, such as the Orangery. This might, I note further, account for why the relative scale of the building is wrong; the artist on the site had no benchmark to judge its actual size. Alternatively, or in addition, he might simply have wanted to depict it because it was (and is) a substantial structure of refined architectural quality.

#### The View from the Island

- 2.37 I make one additional point.
- 2.38 Marlow clearly wanted to include the Palladian bridge, which is part-illustrated. He would likely have done this because a) it was a notable feature and b) crossing it to the island in the lake was a part of the landscape design. In fact there were two such crossings. There was no path shown on the island and Dr Stamper doubts that access to it was a normal part of the visitor experience.
- 2.39 I judge that originally, even from this little island, the woodland/belt to the west of the Orangery would still have been effective in screening it from view or in winter permitting at most a filtered view through trees whose canopies would have overlapped.

#### **Other Images**

- 2.40 There are instances of artistic licence in the two other images. For example, Woollett removes some woodland from the view reproduced as Figure 5 to enable a clear view of the White House, whose scale appears to have been decreased in order to increase the perceived scale of the landscape. I do not need to explore these in any detail and invite the Inspector to consider the appended drawings mindful of the points raised above and by way of context.

#### **The Likely Reasons for this Licence**

- 2.41 The reasons why Marlow engaged in licence can be surmised reasonably.
- 2.42 First, bringing together into one image buildings/elements otherwise experienced serially captures the richness of the landscape as an aesthetic experience. That experience is not available any more.
- 2.43 Second, the display of classical buildings in a landscape reflect the sensibilities of the owner of the parkland. Those buildings are now experienced in a different context.

2.44 Third, it must be remembered that the Marlow view is reproduced in Chambers' book on his buildings at Kew. I do not know what role Chambers had in this promotional work. His foreword (see my Appendix 6.0, p.76) affects modesty as to the genesis of the publication; that modesty may be false given the social standing of his client. I am inclined to conclude that Chambers was responsible for it but decorum prevented him from saying otherwise.

2.45 In any event, all of the artistic devices identified here are part of the standard compositional repertoire of landscape painting and country house portraiture. They are not surprising or unusual.

#### **The Treatment of this Topic at the CC Inquiry**

2.46 I understand that Figure 3 (Marlow) and other views formed part of the evidence presented to the Chiswick Curve Inquiry. These views of the Orangery were, as recorded in the Appellant's closing (IR §9.97, CDI04), given 'much care and attention'.

2.47 Other parties prepared evidence relating to the question of intentional visibility, for example, the LPA at IR §5.53 and HE at IR §6.50.

2.48 My Rebuttal Appendix 2 ("RA2") reproduces citations from the CC Inquiry relating to these images.

2.49 I have not found in that evidence any reference to an analysis equivalent to that which I have undertaken here.

2.50 The Inspector does not appear to have made a finding as to whose interpretation was right. He does not explain why he did not. It may have been because no party appears to have analysed in the terms I now have. Additionally, he was looking at proposals that had impacts across a very wide area so the issue was less central to the case as a whole.

2.51 The WHS impact under consideration here is a much less extensive one, and so I consider it is appropriate to form a judgment on its status in the early landscape design.

2.52 For completeness the Inspector's finding on views of the Orangery are at IR 12.115 and 12.115:

*'The Orangery is a Grade I listed building by the architect, William Chambers. Like Kew Palace, it is a very important part of the Gardens' iconic architectural legacy, and it has a central place in the designed landscape. Befitting its classical language and symmetry, axial views are central to an understanding of the building in its landscape setting'.*

*'Although they [axial views] take in some of the unfortunate additions that have been made to the rear of the building, views towards the Orangery from and around the Broad Walk, across the Great Lawn, or what remains of its original conception are essential to understanding the place of the Orangery in the designed landscape. As such they are integral to the contribution setting makes to significance'.*

2.53 The Inspector's report does not describe one view of the Orangery as more important than the other.



- 2.54 In my opinion, however, the view from the Broad Walk conveys a greater understanding of the special architectural and historic interest of the building, notably a greater appreciation of its symmetry, proportions, extent/scale and therefore its composition. Its architectural quality is, also, in my view, enhanced by the very fine Victorian planting scheme and layout notwithstanding that this landscape has a different character to the Orangery's originally intended setting.
- 2.55 The intrinsic landscape design value of the Great Lawn is, I consider, lower because the area is not a complete landscape feature and its planting is unexceptional. Additionally, the view of the Orangery is oblique and partial/filtered.
- 2.56 I consider the above analysis is supported by the ways in which the Orangery is represented in photographs of it, for example, in scholarly literature (see my PoE Appendix 3.0) and in popular image making (see my PoE Appendix 9.0).

### 3.0 COMMENTS ON HISTORIC ENGLAND'S EVIDENCE

3.1 In this section I make three points arising from Mr Dunn's evidence, the first two matters, I think, of clarification. The third, on light, is substantive evidence.

#### Gunnersbury Park and Conservation Area

3.2 At 6.1.3, Mr Dunn identifies 'some impact on the setting of Gunnersbury Park and Gunnersbury Conservation Area, but in my view this would not materially affect the outcome of this case and therefore has not been assessed as part of my Proof of Evidence'. There is information on the history and significance of Gunnersbury Park in the Gunnersbury Park CAA (CDG03).

3.3 For the avoidance of doubt, I do not consider the proposals materially affect the ability to appreciate what is special about these assets, and no other parties to this Inquiry have alleged harm to them. HE present no evidence on them either.

3.4 I find a nil effect for the following reasons, and based on HTVIA View 01.

3.5 First is the distance over which the impact is experienced, some c.210 metres.

3.6 Second is the scale of the impact relative to the tree line which bounds the park. The change to skyline is minimal and would not, in my opinion, be noticeable.

3.7 Third is the panoramic nature of the view.

3.8 Fourth is the general character of the skyline setting, which is now partly urbanised on this side. Thus the slight impact is not alien.

#### Botanical Interest

3.9 At 2.9, Mr Dunn identifies 'Historic architecture, botanical planting and designed landscape as inextricably linked...'

3.10 For the avoidance of doubt, in my evidence I do not consider there to be any harm to the attribute of OUV which derives from Kew's important botanical role. Many of the trees in the designed landscape have botanical interest but I see that as distinct from their aesthetic quality as landscape elements in the contested view.

3.11 It may be there is no real point in this, because HE do not appear to be alleging harm to the botanical interest of Kew per se.

3.12 The 'exotic', an aspect of botanical interest, is linked in this paragraph to 'exotic Arcadian escape from the world of intense city living'. Mr Dunn has here added the adjective 'exotic' to the Inspector's drafting at his 12.101: '...a well preserved environment that still resonates with the sense of an Arcadian escape from the world of intense city living.' I return to 'Arcadian' in my comments on the Thames Landscape Strategy Kew to Chelsea ("TLSKC") on which all the objecting parties rely, and which appears to be the root source of this term's use in this context.

- 3.13 Again for clarity, the C18 concept of the Arcadian landscape is not associated per se with the exotic. The two are distinct historically and as they have been applied in the TLSKC.

Light Spill

- 3.14 At 6.2.14, Mr Dunn makes the first of several references to what is a discrete impact not previously raised. This the potential for light spill from the development into the WHS, causing harm. See also 6.2.16 and 6.3.13, treating Kew Green.
- 3.15 First, no evening views were requested as part of the EIA scoping or subsequent to the application's submission by way of a formal regulation request. No objecting requested the Applicant to obtain night-time renders for this Inquiry.
- 3.16 Second, the concerns are, with respect, misplaced. Residential evening illumination is not intense. It is varied in colour, generally having low lumen levels and often screened anyway by curtains. People rarely if ever turn on all the lights at once in their flats. The convention for night time renders (I have done a lot of this work) is to apply a scattered pattern of illumination to reflect differential occupation as can be observed in many tower blocks (for example, the Haverfield Estate's).
- 3.17 Additionally, the proposals will not be flood lit as features either. And they are set in an established urban area generating sky glow; I have seen this for myself from Kew Green. The realisation of the development plan for the area will necessarily mean a general increase in ambient light in any event.
- 3.18 Additionally, I understand that when the Gardens are open at night (for example for popular music concerts on the Great Lawn), the event illumination will naturally flare out (obscure) distant illumination.
- 3.19 For these reasons, I do not think there is any material impact at night.
- 3.20 For the avoidance of doubt, I made this point in my PoE at 6.126 where I concluded the following:

*'No night-time renders have been requested because, I understand, the gardens are not generally open in the evening except for concerts which have their own illumination. Residential lighting is, in any event, soft and varied and so I do not expect that effects on the Great Lawn would be marked or intrusive anyway.'*

#### 4.0 THE THAMES LANDSCAPE STRATEGY KEW TO CHELSEA (2002) (CDG15)

4.1 All three witnesses for the objecting parties seek to place weight on the above document. I did not treat it in my evidence because I think it is not relevant to the decision which the SoS is to make and because it has been superseded by adopted documents. There are nevertheless parts I consider informative and I treat those later in this section.

##### **Background and Weight**

4.2 By way of background, the relevant document is one of a suite of three, the other two being the Pool of London to Tilbury, the Thames Strategy East.<sup>2</sup> These studies were undertaken to inform a then emerging London Plan, which would replace the old regional planning guidance on the Thames.

4.3 These studies informed previous and current London Plan policies on the Thames, presently 7.24 on the Blue Ribbon and 7.29 on the River Thames. These seek and promote the river as a 'strategically important and iconic feature' (see Part A and the supporting policy guidance at 7.91). There are other cognate policies in adopted planning documents. The TLSKC was, in short, a transitional document which has done the policy formulation work required of it.

4.4 I have consulted Hounslow's planning website, and searched supplementary planning documents. I did not find the TLSKC listed there as an SPD.<sup>3</sup>

4.5 I have also consulted the local plan review evidence base webpage. This does not list the document as part of the evidence base for the relevant local plan review. I searched that document under 'Thames' and found no reference to the TLSKC.

4.6 At the CC Inquiry both the Council and Historic England invited the CC Inspector to give weight to this document as a material consideration.

4.7 I found only one reference to this document in the IR (using the search function on the PDF), at 4.44 of CDI04, where the Inspector discussed policy and material considerations:

*"The Thames Landscape Strategy Kew to Chelsea 2002<sup>48</sup> is also instructive as are the conservation area appraisals, prepared by the Council, relating to those affected by the proposals<sup>49</sup>"*

4.8 This drafting suggests an equivalence of weight as between the two CA appraisals and the TLSKC, but I do not agree they do have the same weight.

4.9 I could find no reference to this document in his findings in section 12 of the IR (CDI04). I reflect on other riparian projects I have done in London over the years, and in particular on the general planning work I did for the Rothschilds on the Illuminated River Project. This more than 40 different planning applications to relamp artistically all the river crossings, starting with Tower

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<sup>2</sup> I was part of the team that prepared the latter so am familiar particularly with the policy context for it, and its relationship to its role which was in particular to bridge the RPG on the Thames and the London Plan.

<sup>3</sup> See [https://www.hounslow.gov.uk/info/20034/planning\\_policy/1156/supplementary\\_planning\\_documents\\_and\\_guidance](https://www.hounslow.gov.uk/info/20034/planning_policy/1156/supplementary_planning_documents_and_guidance).

Bridge. There were a large number of LBCs, and our client's applications were made to all the riparian authorities, following extensive pre-application consultation with each. Not once did these authorities refer us to the relevant parts of the TLSKC document or cite them. The project is being implemented and we are discharging conditions.

- 4.10 The TLSKC makes various policy recommendations, which have no status in themselves since they are out of date, being superseded by development plan policy, national policy, guidance and SPDs. The parts dealing with characterisation are superseded by subsequent, adopted appraisals before this Inquiry.

### **Views**

- 4.11 The TLSKC contains characterisations of the different river stretches and which are consistent with the relevant adopted CAA for SotGCA. I agree broadly with the descriptions there – see CDG 01.

- 4.12 The TLSKC series identified key views in this character 'reach' of the river. The three it identified are:

- The view downstream from Kew Bridge to the railway bridge and Oliver's Island;
- The view along the river's edge of the CA; and
- The view towards SotGCA from the Thames Path, which is the view this Inquiry is debating (an affected view).

- 4.13 In my main evidence, I identified essentially these same three important riparian views of the CA (see section 7.0 of my PoE).

- 4.14 Furthermore, I note that the document does not reproduce a photograph of the CA from the Thames Path. Insofar as I can judge, the proposal would not be in any of the photographs in that document illustrating this river reach.

### **'Arcadian' Thames**

- 4.15 I understand that the concept of Arcadian Thames was used before the 2002 TLSKC, and is used as a title in a book ed. by the landscape historian Mavis Batey in the title of a book of 1994. Dr Stamper's report at my Appendix 1 noted that 3.6.1 of the WHS MP stated:

*'Between Hampton and Kew in the upper reaches of the Thames, there is a remarkable number of connected open spaces – a unique landscape of historic, natural and cultural significance that has been celebrated for over three hundred years as "The Arcadian Thames".'*

- 4.16 The TLSKC uses this term in three places.

- 4.17 The first citation is in the foreword (unpaginated):

*"The Kew to Chelsea stretch of the Thames is unique: it is the transition between the Arcadia of Kew and above, and the Metropolis of Lambeth, Westminster and below. So*

*local people, and I believe most Londoners, while accepting the need for change, are concerned that its varied, verdant but vibrant character should be conserved and enhanced. We therefore see The Thames Strategy Kew to Chelsea as providing a fundamental framework for a vision for the River as we move forward in the 21st Century.”*

4.18 Then, in the main body of the document (at 1.6):

*“This stretch of the river has a rich and varied landscape, transitional from Arcadian Kew, through suburban areas, to a built up, city landscape. It is characterised by historic strands and malls that developed on the outside bends of the river, for example Strand on the Green, Mortlake, Barnes, Chiswick, Hammersmith and Putney. The main reason for buildings appearing on the outside bends of the river was because the gravel strata deposited by the river in these locations provided suitable foundations. The gravel also provides a better landing place for boats than the silt found on the inside of bends.”*

4.19 And at 3.42:

*“It is important to view the landscape of the Kew to Chelsea stretch of the Thames in the wider context of the River in London. The study area forms the transition between the Arcadian landscape of the upper reaches of the Thames in London, from Hampton to Kew; and the Metropolitan centre of the capital which dominates between Chelsea and Tower Bridge. The tidal nature of the Thames produces a landscape where the relationship of land to water changes dramatically twice a day and is a daily reminder of the power of nature at the heart of the city.”*

4.20 The first point to make is that the concept is used in relation to the river itself not its hinterland and as it meanders through open landscapes, most historic, which are characteristic of the upper reaches of the Thames (Richmond Park, Ham House and Park, Marble Hill, Strawberry Hill and others). The concept is secondary to any formal landscape characterisation and of little value in that context anyway because it is not defined strictly.

4.21 I infer from this the context of this drafting that the words are applied in a loose way to contrast with developed land.

4.22 I can see why the Inspector at the CC Inquiry felt able to refer to the concept in this way, however, from what I have read, I conclude that he did not have before him an analysis of this term’s meaning which is comparable to that now in evidence before this Inquiry.

## 5.0 CLARIFICATION AND CORRECTION

### Clarification

5.1 I note paragraph 1.9 from my Summary in which I wrote:

*“At the time of writing, the Applicant has just received papers relating to that decision released under a Freedom of Information request.”*

5.2 This note was based on a misunderstanding and it, and any subsequent references to any such papers, should be disregarded. Neither I nor the Appellant will at the time of writing refer to or rely on any such papers.

### Correction

5.3 Additionally, I wish to correct an observation at 6.41 in my main PoE. This related to the management of the open grassed areas in Kew Gardens in the late C18 to c.1840 when it was opened to the public. At my 6.41 I advised the SoS that:

5.4

*‘I also can see why it might be argued that the Great Lawn’s grassland character is redolent of C18 parkland. That finding would, however, be wrong because parkland grassland has a very different character and management regime to the clipped lawn which serves the needs of the gardens today. Additionally, the extent of lawn is relatively small. Third, the location and orientation of paths is not consistent with historic parkland in the C18 tradition. The paths have a municipal parkland character and so does the lawns’ management.’*

5.5 I asked Dr Stamper to check this and his advice back is provided at Appendix 3. He confirmed that the management of the Great Lawn nearest to White House was not as I described but as follows:

*‘I think it is therefore a reasonable conclusion that close to the White House – the area framed by the tubbed fruit trees to the west and the screen of trees to the east – the great Lawn would have been close-mown and carefully managed, whereas further to the south mowing and watering is likely to have been less frequent, with the grazing sheep providing much of the ‘management’ as well as visual interest. These different regimes are likely to have been reflected in the character and length of the sward.’*

5.6 As a consequence, the known condition of the grass today is not dissimilar to the original condition, albeit it is likely that this was somewhat irregular and more diverse because it was manured by sheep.



**Dr Chris Miele MRTPI IHBC**  
**Senior Partner**  
**Montagu Evans LLP**  
**Date: 07 January 2020**

**Appendix 1**  
**Maps and Illustrations Analysis**



1



Figure 1 Burrell and Richardson, "Plan of the Royal Manor of Richmond" (1771) overlaid on modern aerial photo (Google Earth) and showing the position of structures illustrated in various c.18 views





Figure 2 Building locations are transposed from the Burrell and Richardson, 'Plan of the Royal Manor of Richmond' (1771) overlaid on modern aerial photo (Google Earth)



Figure 3 William Marlow, 'A View of the Lake and Island, with the Orangerie, the Temples of Eolus and Bellona, and the House of Confucius' (1763).





Figure 4 Viewpoint corresponding to Marlow's Illustration 'A View of the Lake and Island'. (1763) All measurements are approximate

A Subtended field of view in image = c.90°



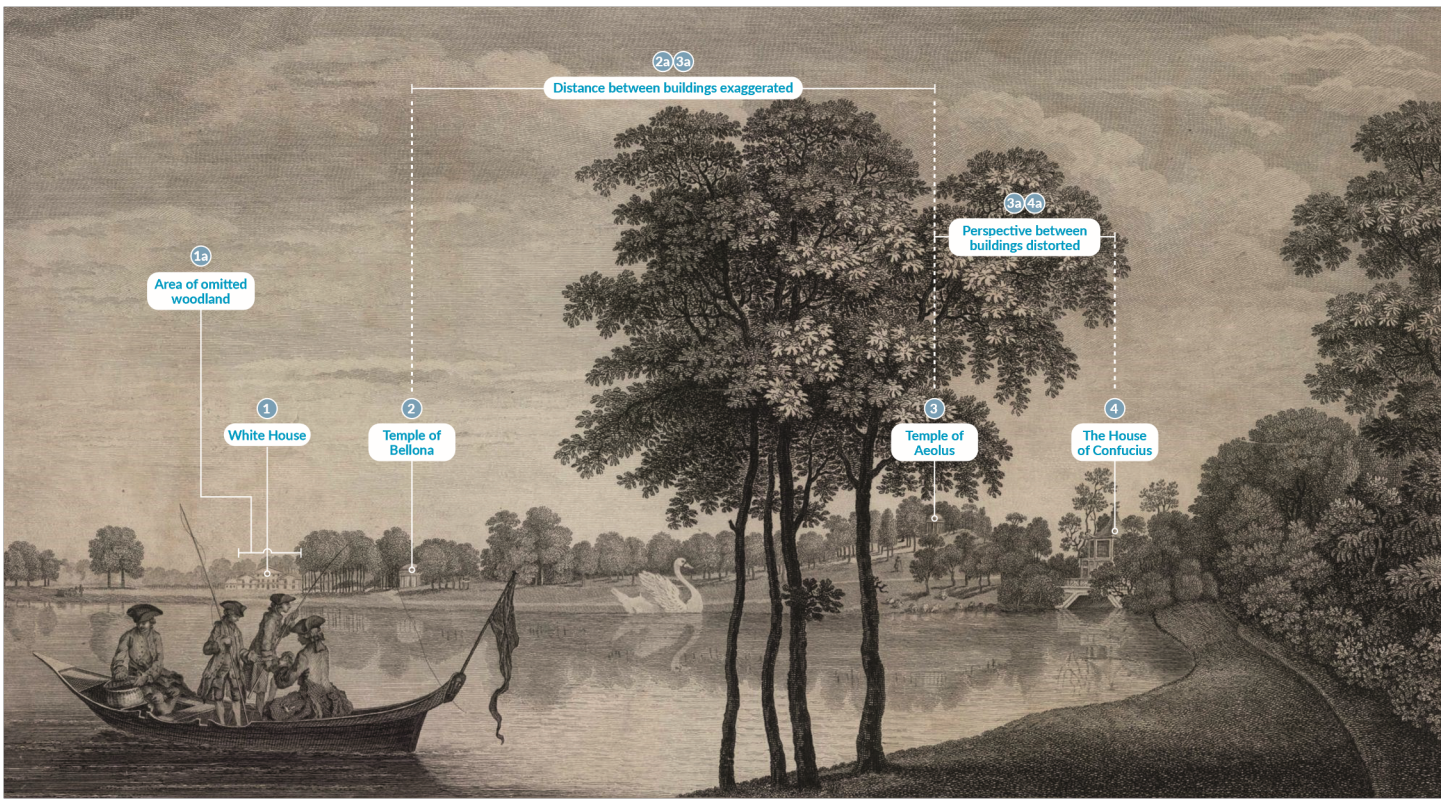


Figure 5 William Woollett, 'A Perspective View of the Palace from the Northside of the Lake, the Green House and the Temple of Arethusa, in the Royal Gardens at Kew' (1763).



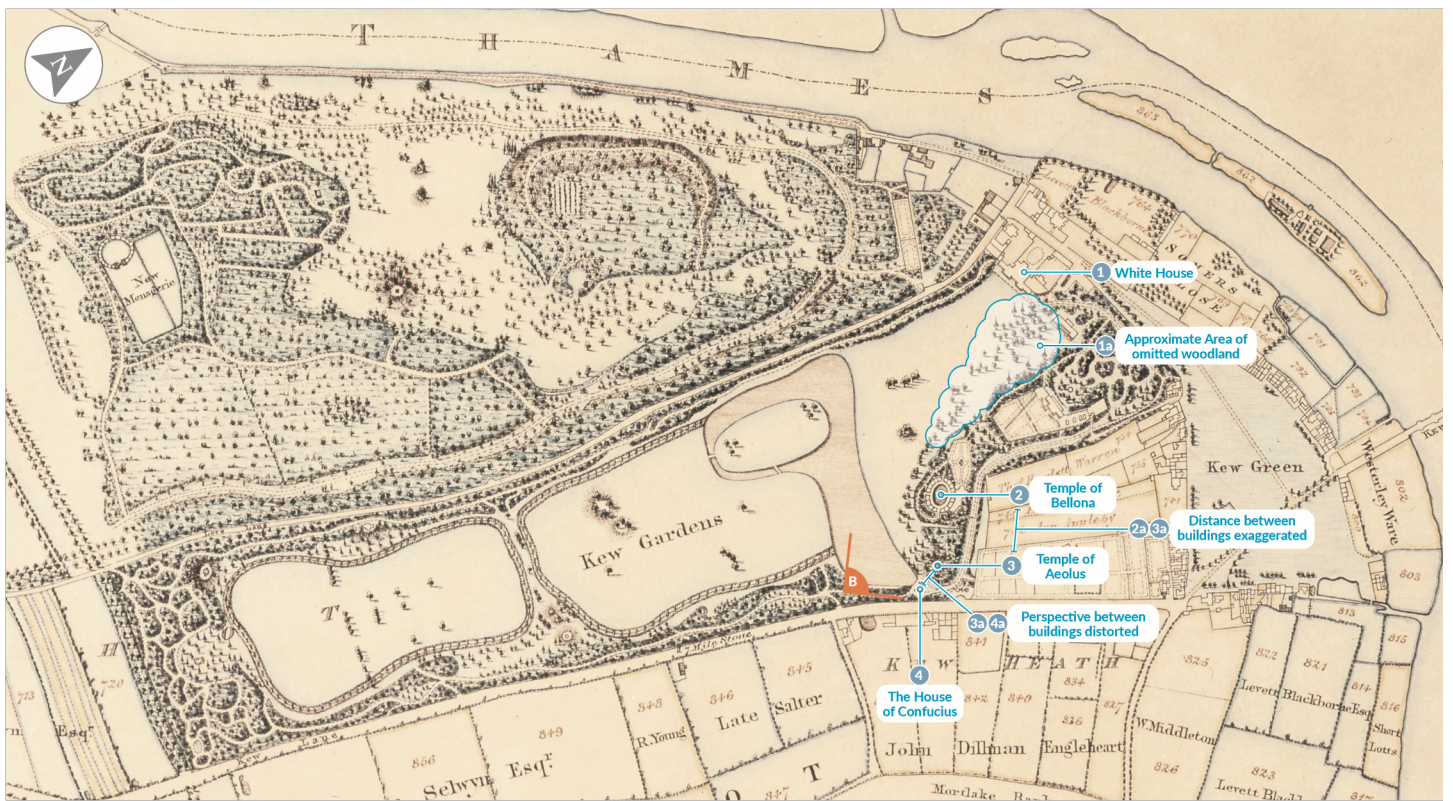


Figure 6 Viewpoint corresponding to Woollett's Illustration 'A Perspective View of the Palace from the Northside of the Lake' (c.1763)

ⓑ Not able to identify a subtended field of view because of a lack of reference points





Figure 7 William Elliott after William Woollett, 'A View of the Palace from the North Side of the Lake at Kew' (c.1766)





Figure 8 Viewpoint corresponding to Elliott's Illustration 'A View of the Palace from the North Side of the Lake at Kew' (c.1766)  
c Not able to identify a subtended field of view because of a lack of reference points





Figure 9 Full Burrell and Richardson, 'Plan of the Royal Manor of Richmond' (1771) overlaid on modern aerial photo (Google Earth)





Figure 10 Aerial photo (Google Earth) with overlay of Love Lane from Burrell and Richardson, 'Plan of the Royal Manor of Richmond' (1771)

HTVIA VIEW 30: CROSSROADS WITHIN GARDENS, SOUTH EAST OF TREEHOUSE TOWERS PLAY AREA, ROYAL BOTANIC GARDENS, KEW - SUMMER



© W&A LONDON

1.6 m above ground 07:23 05 September 2019



HTVIA VIEW 30: CROSSROADS WITHIN GARDENS, SOUTH EAST OF TREEHOUSE TOWERS PLAY AREA, ROYAL BOTANIC GARDENS, KEW - WINTER



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1.6 m above ground

08:48 02 December 2019

**Appendix 2**  
**The Treatment of the Late C18 Views at the Chiswick Curve**  
**Inquiry**

## Appendix 2: The Treatment of the Late C18 Views at the Chiswick Curve Inquiry

- a. I have reviewed the evidence and closings presented to the Chiswick Curve Inquiry as these pertain to the views I consider in section 2.0 of my Rebuttal. I have not identified every citation below but consider the selections to be representative and fair.

### **Architect's Proof**

- b. Page 168. Reconstruction drawing looking to Orangery and White House from Great Lawn. Clearly shows the line of trees screening the Orangery. Accompanying commentary includes:

9.2.48: *This sketch ... shows the Orangery would have been masked behind a cluster of trees to the right of this view and was not the focus of this vista.'*

### **Historic England Proof**

- c. Appendix 1, Figure 1.3 is a rather crude version of Marlow's view (RA1, Figure 3) from the *Gentleman's Magazine* 1768. HE does not offer any comment on this either here or in the main text, where there is only (at 6.2.10) the observation that C18 contemporaries thought well of the Great Lawn.

### **LBH Proof**

- d. No Comment.

### **RBGK Andrew Croft Proof**

- e. Paragraph 5.5.7 reads thus:

*"The expansive and open Great Lawn in front of Frederick's extensively remodelled residence, the White House, was a much-praised feature of Kew Gardens, even amongst those who were not so keen on the rest of the exotic design: "The only beauty of this garden is the first view of the lawn, with the Pagoda at the end" (London Magazine, August 1774). Contemporary paintings and engravings show Georgian ladies and gentlemen walking with their dogs on the Great Lawn, enjoying the freedom to wander across the close-cropped grass at will (e.g. See Illustrations 1, 2 and 3 in Appendix E and Figures 2.8, 2.9 and 2.11 in the THVIA Addendum (CDE.15). Where the rest of the gardens had paths from which to enjoy the follies and views in a recommended order, this was a free-flowing space to be enjoyed in an unstructured and more personal way. These same paintings show the open lawn as being enclosed at its far edges by dense boundary plantings of trees, controlling the views from within the lawn to the contrived features of the site, with no intrusions visible from outside (see Illustrations in 1, 2 and 3 in Appendix E and Figures 2.8, 2.9 and 2.11 in the THVIA Addendum (CDE.15))."*

f. There is an implicit acceptance that the views are accurate representations of the Georgian landscape.

g. The caption to Illustration 1, the 1763 Marlow view we have concentrated on, is:

*'This image was included in William Chambers' book of Kew Gardens, showing how his architectural designs fitted into the wider landscape. The Temple of Aeolus can be seen on its mound (known variously as the Cumberland Mound and the Laurel Mount), overlooking the Great Lake. The Orangery can be seen at the northern end of the Great Lawn, with a clear view across the lawn between the Orangery and the Lake. The buildings are each surrounded by the trees planted at the edges of Kew Gardens to create an internally referencing and internally focussed garden that closed out the world outside.'*

h. The caption to Illustration 2, looking back to the White House and Orangery with the huge swan in the right foreground is:

*'This image shows the Orangery visible across the Great Lake and Great lawn, illustrating the open character of this northern end of Frederick and Augusta's Kew Gardens, all contained within a thick boundary planting of trees. Note also that the people in the picture are not following formal paths, but are wandering at will across the grass.'*

i. The caption to Illustration 3, a c.1750 view straight on to the White House (with the trees screening the Orangery to the right) is:

*'This image shows the sections of the Great lawn that lay immediately on front of the White House, and reinforces the point that people were not confined to the formal pathways in their experience of Kew Gardens and were able to freely walk across the Lawn.'*

**The Inspector's Report - Did the Inspector come to a finding on who is right? Was the veracity of the views considered?**

j. First, in the case for the Council.

- Where the Inspector's report considers the impact of the Curve on the Orangery and Great Lawn (§5.50-5.60) there is no reference to historic views.
- Section 6: The case for Historic England.

k. I reproduce here paragraphs 6.48 and 6.49:

*'The qualities of RBGK gives rise to many valuable views. One which is of particular concern is the view of the front of the Grade I Orangery, which is part of Kew's iconic architectural legacy. Views of outstanding listed buildings from the direction in which they were meant to be seen do not need putting on a map to have the highest significance.'*

*'There was much focus on the part of the appellant on pre-1802 views of the Orangery. However it is apparent from the contemporary drawings that it was visible from the Great Lawn with the White House.'*

l. Section 7: The case for RBG Kew, paragraph 7.113 states:  
*'The appellant suggest that views that are now possible across what remains of the Great Lawn towards the Orangery are a relatively modern phenomenon as from the 1760s onwards a tree belt prevented views of the Orangery<sup>409</sup>. This view was rightly refuted by reference to the illustrations and historical maps<sup>410</sup>.'*

m. In Section 12: Conclusions, there is no reference to historic views.

**The Inspector's report on 'Arcadia'. Are there any challenges to this?**

n. I note that Dr Stamper's report (my PoE Appendix 1.0) draws the conclusion that the CC Inspector seems to have accepted, without any questioning of it, the 'broad brush' notion of an Arcadian landscape, extending even, by extension, to Gunnersbury Park.

o. Section 6: The case for Historic England.

- This makes reference at 6.33 to how the various heritage assets (RBG, Kew Green, etc.) *'have inter-relationships as part of the Arcadian Thames which can be described as: peaceful relaxed surroundings, at one with nature and free to be inspired with art and poetry<sup>233</sup>.'*

p. This is the way, I consider, the Inspector intended 'Arcadian' to be understood in his Report. Paragraph 6.47 considers views within the WHS, in relation HE's evidence:

*'There was a considerable amount of effort by the appellant to distract with debates about strategic and identified key views, Kew Gardens is an inward looking WHS. Unlike the exercises in governmental power at Westminster, and the Tower of London, or the connections with the River Thames at Greenwich, RBGK is usually not intending to share views. Whilst there are some designed views in Kew Gardens that extend beyond the botanical gardens (for examples the Syon Vista), the views shared by Kew Gardens are intended to evoke Arcadia, and to provide a break from urbanity.'*

q. Regarding HE's case summary, paragraph 6.51 on Gunnersbury Park stated that:

*'HE is concerned with two parts of the Gunnersbury Park Conservation Area: the Park itself; and Gunnersbury Cemetery. The Park is a garden designed to connect with the Arcadian landscape, and not a city environment. Its significance has been set out<sup>244</sup>. It is a designed landscape, with buildings, lakes and follies<sup>245</sup>. The Park is now a successful public garden and has been the subject of recent very considerable public investment (around £33.5 million) for heritage and recreational purposes<sup>246</sup>.'*

r. Paragraph 6.57 on Strand on the Green states that:

*'Kew Gardens and Kew Green are part of the Arcadian Thames, but nowhere is more so than Strand-on-the-Green with its buildings facing over the river, many of which have done so for more than two centuries.'*



- s. Regarding section 7.0: The RBG Case, and paragraph 7.54 of the IR:

*'The elements that make up the setting of the Kew WHS include (but are not limited to) views across, into and out of the site, both those identified in the Management Plan<sup>346</sup> and others, such as views of the Orangery across what remains of the Great Lawn; the backdrop to key views and vistas including the Syon Vista, Broad Walk, Cedar Vista, Pagoda Vista, and other internal views such as the views over the open lawns in the Entrance Zone which reflect the historic Great Lawn; the visual and physical relationships westwards over and to the River Thames and wider Arcadian landscape beyond, including the designed relationships with Syon Park<sup>347</sup>; the backdrop to views of and from architectural icons on the site including the Palm House, Temperate House, Princess of Wales Conservatory, Kew Palace and the Orangery, as well as the backdrop to views of and from the numerous historic garden buildings, follies and so forth on the site; the creation of a sense of enclosure and separation from the wider world created by the walls and boundary planting and supported largely unbroken skyline<sup>348</sup>; and the domesticity and village feel of Kew Green<sup>349</sup>.'*

- t. Regarding Section 8: The Kew Society, summing up paragraph 8.35:

*'The skyline will be significantly and adversely impacted by proposals on the scale of those included as part of the Chiswick Curve. Direct upward and spill light from the panels will further contribute to general light pollution in the immediate area and wider West London. The Arcadian Thames is also at risk, together with Gunnersbury Park.'*

- u. Section 12: Inspector's Conclusions, regarding his paragraph 12.101:

*'HE says that the setting of Kew Gardens cannot be separated from the first three attributed of OUV. The experience of the designed and historic cultural landscape of Kew Gardens, the iconic architectural legacy, and the living plant collections, is revealed and enhanced by the ability to appreciate these qualities in a well preserved environment that still resonates with the sense of an Arcadian escape from the world of intense city living<sup>693</sup>.'*

- v. Section 12: Inspector's Conclusions, regarding his paragraph 12.103:

*'The Chiswick Curve would not figure prominently, or at all, in the series of important sight lines and views set out in the Management Plan<sup>695</sup>. However, it would be visible from Kew Palace, and the Pagoda. Moreover, it would be readily visible from various places, particularly in the northern and eastern zones of Kew Gardens<sup>696</sup>. If one accepts, and I do, that the experience of the designed and historic cultural landscape of Kew Gardens, the iconic architectural legacy, and the living plant collections, is revealed and enhanced by the ability to appreciate these qualities in a well preserved environment that still resonates with the sense of an Arcadian escape from the world of intense city living, then the visibility of the Chiswick Curve, as part of the city beyond, would have something of a harmful impact on the setting of Kew Gardens, and as a result, the OUV of the WHS, and its significance and the significance of the Registered Park and Garden and the conservation area.'*

**Appendix 3**

**Dr Paul Stamper: Note on the Great Lawn and its Management**

## **THE DEVELOPMENT AND MANAGEMENT OF THE GREAT LAWN**

**By Dr Paul Stamper**

I have been invited to review the heritage evidence submitted by Historic England, Kew and Hounslow and have read Dr Miele's treatment of the landscape views of Kew Gardens which were engraved in the 18<sup>th</sup> century and which are reproduced in appendices to the evidence of others.

I wish to comment on the history of the Great Lawn in the 18<sup>th</sup> century and its management as parkland.

I understand the Inspector is, through the evidence, now well-acquainted with the location of the open land now known as the Great Lawn and which was once part of a larger expanse of parkland fronting the White House.

### **Background**

About 1731 Frederick, Prince of Wales (d.1751), moved to a house within a mile of Richmond Lodge and the Dutch House. Wm Kent re-fronted and enlarged Frederick's new residence, henceforward generally known as the White House (Desmond, 22; Stamper Report Figure 7).

In 1753 Robert Greening was appointed head gardener of the recently much-enlarged Kew estate. His estimate of June 1753 for work to be done in included 'sinking two parts of the field which is to be added to the lawn, so as to give it view of the water [lake] from the [White] House.' This Great Lawn of 41 acres attracted much favourable comment.

Greening's contract in 1758 included the provision 'of a sufficient flock of sheep to feed the lawn'.

Greening, who had just taken charge of Kew's pleasure grounds, was the son of the head gardener at Richmond Gardens. He had experience as a landscape gardener, and had planned a garden at Wimpole Hall (Cambs) c.1752.

During his first year at Kew he continued to dredge the six-acre lake with its three-acre island, planted the adjacent mound and levelled the field beyond the lawn to achieve the improved view noted above. Later 18<sup>th</sup> century views often show the Lake's relationship to the White House (e.g. Stamper Report Figures 5 and 13), sometimes with sheep grazing on the park-like Great Lawn in front of the White House, that is, to its south.

Desmond notes these works further at his pages 57 and 360 where he writes: 'Dillman's successor, Robert Greening, levelled the wide expanse of lawn from the White House to the lake and made the wilderness at the southern extremity of the gardens.'

Public opinion was divided on the merits or suitability of Chambers' twenty buildings, 'but there was unanimous approval of the uncluttered acres stretching from the White House to the Wilderness' (Desmond, page 61). That 'noble lawn', extending as far as the lake with beyond it the two pastures confining sheep and cattle within ha-has, gave 'spectacular views to all parts

of the estate' (ibid.). The image is that of a traditional 18<sup>th</sup>-century parkland, with an area of managed grassland, a water feature, ha-ha and fields for livestock.

William Woollett's 'A View of the Lawn from the Palace [the White House], with the Pagoda, the Temple of Victory, and the Colonade in the Royal Gardens at Kew' c.1763 shows the Temple of Victory and the Pagoda in the distance (Desmond 72; Stamper Report Figure 10).

This and other views, some engraved, shows the gently undulating Great Lawn to have had a parkland character with groupings of trees. Engravings show people on the grass immediately to the front of the White House. Otherwise it is likely –both from what we hear of the visitor experience at Kew and of what we know of how 18<sup>th</sup> century parks were normally enjoyed– that the family and visitors will have confined themselves to the hard-surfaced paths around the perimeter of the Lawn, leading from one Chambers building to the next. These paths are clearly shown on the detailed plan of c.1785 (Desmond, plate 12). It is unlikely that pedestrians would normally have wandered among grazing animals on the greater part of the Lawn.

I think it is therefore a reasonable conclusion that close to the White House –the area framed by the tubbed fruit trees to the west and the screen of trees to the east– the Great Lawn would have been close-mown and carefully managed, whereas further to the south mowing and watering is likely to have been less frequent, with the grazing sheep providing much of the 'management' as well as visual interest. These different regimes are likely to have been reflected in the character and length of the sward.

The area today is flat and laid out as mown lawn for use by the public.

Planting to either side of the Lawn framed the view south. Several views also show a long formal line of orange or lemon trees in tubs to the west, further framing the view and carrying the eye outward towards the Pagoda (Stamper Report Figures 7 and 10).

The *London Magazine* (August 1774, p.360) stated 'The only beauty of the garden is the first view of the lawn, with the Pagoda at the end, which, though the termination hath not the effect of conclusion ... gives a dignity and extent to the gardens very unexpected.' (Desmond, page 72).

While there were two bridges leading onto the island in the Lake (see 1763 view [Desmond page 59] and 1771 plan [ibid. pages 76-7]), no paths led to these, and where the island interior is shown in views it is often with grazing sheep (e.g. the 1763 view, and that of 1759-6-reproduced in Stamper Report Figure 5). It seems most unlikely the island interior was a normal place of resort for visitors.

In 1796 the Great Lawn comprised 46 acres or 18.6 ha. I have not measured the area known as the Great Lawn today but it is much reduced.

The gardener's contract stipulated it was to be cut with scythes and swept every fortnight and grazed with sheep to feed it. Watering was by a special horse-drawn engine (see Desmond 97, again 363).

The Lake was still intact in 1796 but at an unknown date thereafter was either infilled or silted up leaving only the Pond now in front of the Palm House (Desmond 95 and n.22 thereon).

### **Summary**

An existing house was purchased for royal use in 1731; this was re-fronted and thenceforward known as The White House. In 1753 its existing grounds were much enlarged by taking in a 'field', much of which was lowered to give a view of the lake to the north-east. From this time or soon after this ground was known as the Great Lawn, and was highly regarded by critics. In the late 18<sup>th</sup> century the sward was kept in a healthy and green condition through dunging by the grazing sheep, watering, cutting, and sweeping. In my experience, such a lawn would have been maintained for its visual qualities and relatively few visitors would be likely to walk across it. The even, flat greensward in the area known as the Green Lawn today is managed so that it can be used casually by visitors for a variety of purposes.

### **Source:**

R. Desmond, *Kew: The History of the Royal Botanic Gardens* (1995)

