

Statement of Common Ground Between

London Borough of Richmond upon Thames and Historic England

Planning

23 May 2024

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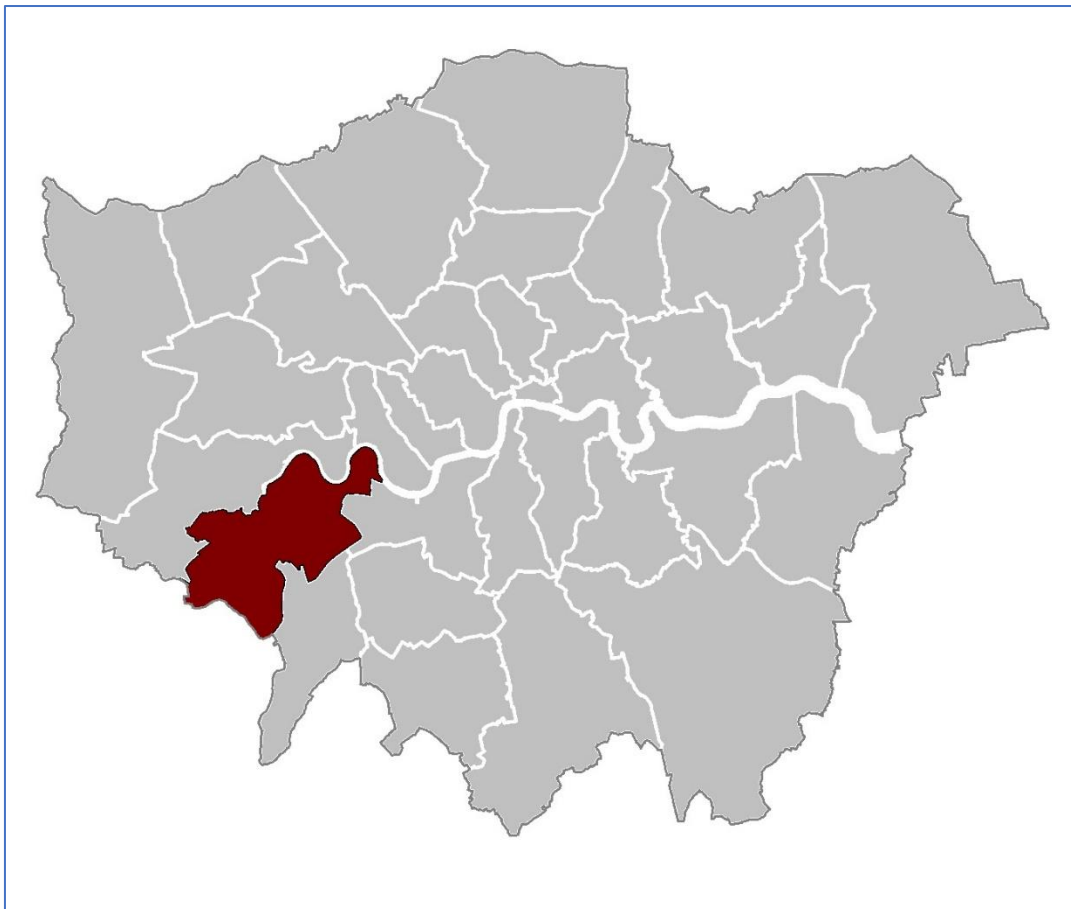
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1. Introduction

- 1.1 Historic England, in their representation dated 21 July 2023 to the Publication Local Plan consultation, made a number of comments. This Statement of Common Ground (SoCG) sets out the areas of agreement between the London Borough of Richmond upon Thames and Historic England and the areas where agreement has not been reached on key strategic matters. Where appropriate it proposes resulting minor modifications to the Publication Local Plan as submitted for independent examination in public, put forward for consideration during the Examination. These minor modifications are acceptable to and have been agreed by both parties where indicated, and updates to this document will be agreed as matters progress and agreement is reached on any outstanding issues.

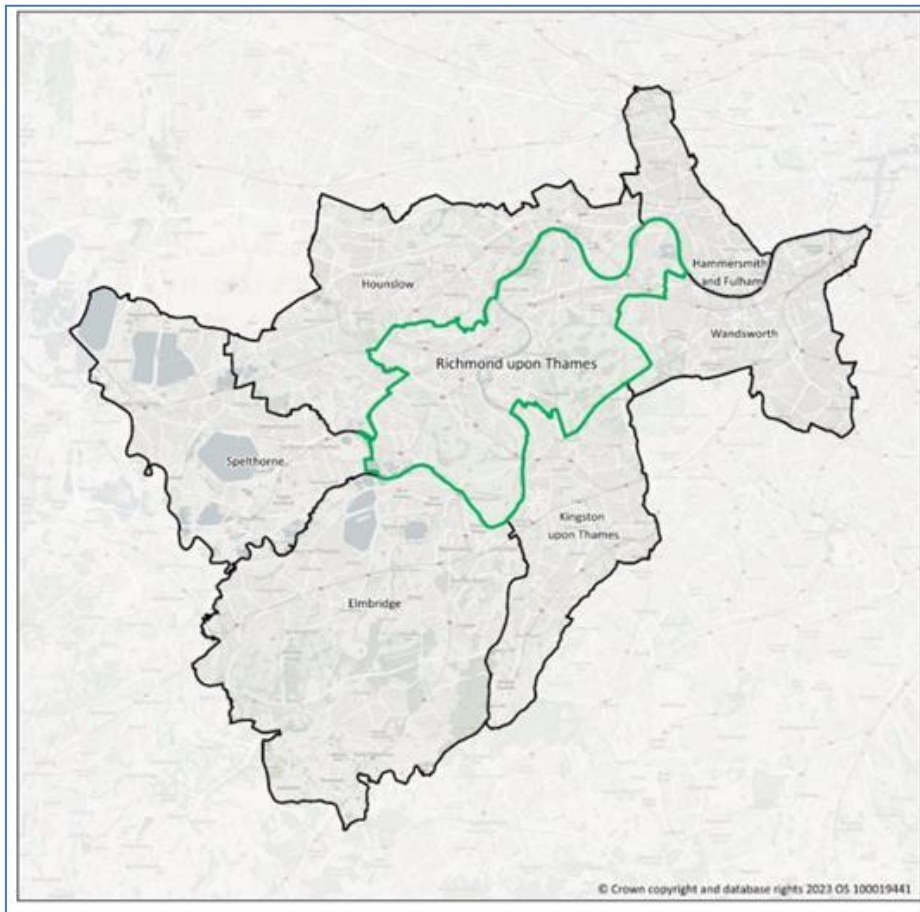
2. Strategic Context

- 2.1 Statements of Common Ground should be read in conjunction with the [Duty to Cooperate Statement \(January 2024\)](#) for the Richmond Local Plan which includes information on strategic matters and context, plan preparation to date and how the Council has cooperated with neighbouring boroughs and other bodies during the preparation of the Local Plan through engagement activities.
- 2.2 In terms of geographical context, Richmond upon Thames is an outer London borough sitting to the southwest of Greater London, one of 32 boroughs plus the Corporation of London (City).



- 2.3 Richmond upon Thames is the only London borough on both sides of the River Thames and is bordered by the **London Boroughs of Hounslow, Wandsworth, Hammersmith & Fulham** and

the **Royal Borough of Kingston upon Thames**. In addition, Richmond shares its boundaries with **Elmbridge** and **Spelthorne Borough Councils** which are within **Surrey County Council**.



- 2.4 Historic England is the government’s expert advisor on England’s heritage and has a statutory role in the planning system. Central to their role is the advice that is given to local planning authorities, government departments, developers and owners on development proposals affecting the historic environment.
- 2.5 The London Plan is the spatial development strategy for London, produced by the GLA on behalf of the Mayor of London. It was formally published on the 2 March 2021, and now forms part of London Borough of Richmond upon Thames’ Development Plan and contains the most up-to-date policies. Every London borough local plan must be in **general conformity** with the published London Plan, and the GLA determines whether this has been achieved, or not. Together, the policies in the London Plan and in each borough’s Local Plan constitute the statutory local development plan for that borough, along with any other development plans and neighbourhood development plans.

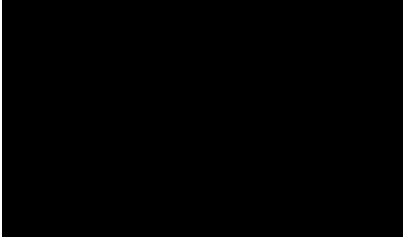
3. Parties Involved

- 3.1 This SoCG has been prepared by the London Borough of Richmond upon Thames in agreement with Historic England. It addresses strategic spatial policies to be addressed directly by collaboration with Historic England. The Council is engaged with them on strategic matters on an on-going basis. Both parties are committed to ongoing liaison utilising the appropriate governance arrangements.

4. Signatories

4.1 London Borough of Richmond upon Thames agrees to matters referred to in this document which directly impact them.

Signed:



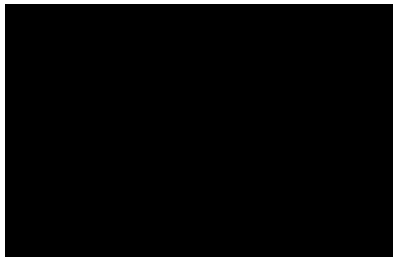
Name: Adam Hutchings

Position: Spatial Planning and Design Team Manager

Date: 23/05/2024

Historic England agree to matters referred to in this document which directly impact them.

Signed:



Name: Tim Brennan

Position: Historic Environment Planning Adviser, London & South East Region, Historic England

Date: 23/05/2024

5. Strategic Matters

Duty to Cooperate

- 5.1 Duty to Cooperate activities between London Borough of Richmond upon Thames and Historic England are recorded in the Council's Duty to Cooperate Statements – the [Duty to Cooperate Statement \(June 2023\)](#) was produced to accompany the Regulation 19 consultation and an [updated Duty to Cooperate Statement \(January 2024\)](#) records all the activities undertaken as part of the Publication (Regulation 19) stage and prior to submission of the Local Plan.
- 5.2 Matters not specifically addressed within this Statement of Common Ground are discussed within the above documents and both authorities agree that the above documents are an accurate record of their engagement activities and that there are no other unresolved issues.

Key Strategic Matters

- 5.3 It is agreed by both London Borough of Richmond upon Thames and Historic England as to the importance of the historic environment in the borough. The borough's exceptional historic environment is central to its character. Many parts of the borough are covered by Conservation Areas, including the majority of Richmond and Twickenham centres. The borough currently has 85 designated Conservation Areas and approximately 1,115 listed buildings, including some war memorials, four Scheduled Ancient Monuments as well as 14 Historic Park and Gardens that are on the Historic England Register of Historic Parks and Gardens, all of which make a significant contribution to the special character of the borough. The borough is also home to the Royal Botanic Gardens, Kew World Heritage Site.
- 5.4 Previous discussions have considered the historic environment a strategic issue, particularly in light of development pressures and the impact on historic assets. The historic environment is also recognised as a strategic, cross-boundary issue with the GLA and a number of neighbouring authorities.

6. Table of representations, Council’s response and progress towards addressing strategic cross-boundary issues

Text proposed to be **inserted** shown by underlining in blue highlight. Text proposed to be **removed** highlighted in ~~striketrough~~.

The following table details the matters raised by Historic England as representations to the Regulation 19 Richmond Local Plan (Publication Plan), and the status of those representations. The table seeks to provide clarification and clarity to the extent to which matters raised by Historic England are resolved or remain unresolved. The table therefore represents the current agreed position in respect of the agreements and differences between the Council and Historic England.

Note that the Council has drawn together information in a series of background topic papers. A draft paper on Housing Delivery was shared with Duty to Cooperate bodies including Historic England, as it set out further details around past and future housing delivery, however it is not referenced below as of limited relevance to the Historic England representations.

Section / Policy	Rep No.	Historic England Representation (in full)	Council’s Response (including any proposed modifications)	Background Paper ref	Common Ground Agreed?
General	9	<p>London Borough of Richmond – Regulation 19 Consultation on draft Local Plan</p> <p>Thank you for the opportunity to comment on the above consultation document as well as our recent meeting to discuss certain areas of the emerging Plan. As the Government’s adviser on the historic environment, Historic England is keen to ensure that the conservation and enhancement of the historic environment is taken fully into account at all stages and levels of the Local Plan process. Our comments are made in the context of the principles relating to the historic environment and local plans within the National Planning Policy Framework (NPPF) and the accompanying Planning Practice Guide (PPG). They focus in particular on whether the draft Plan makes sufficient provision for the conservation and enhancement of the historic environment in Richmond through strategic policies (NPPF, para 20), whether the identified evidence base for the historic environment is relevant and up to date (para 31) and if it therefore sets out a positive strategy for its conservation and enjoyment (para 185).</p> <p>As with the previous consultation version of the draft Plan, we note and welcome the approach to the historic environment within the plan, both in a cross-cutting sense and with regard to specific policies. Our comments on this consultation draft are therefore limited in nature and principally relate to detail around individual policies and</p>	Noted	n/a	Agreed in relation to the context and the general approach to the historic environment in the Plan.

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		<p>are designed to ensure that the draft Plan is fully justified, effective and in conformity with national and regional planning policy in terms of the NPPF's test of soundness. We also welcome a number of amendments made to the draft Plan in response to our previous consultation letter, including those within policy 29 Designated Heritage Assets and policy 31 Views and Vistas.</p> <p>I trust these comments are helpful. Please note that this advice is based on the information that has been provided to us and does not affect our obligation to advise on, and potentially object to any specific development proposal which may subsequently arise from these documents, and which may have adverse effects on the environment. In the meantime, please do not hesitate to contact me should you require any further information.</p>			
Site Allocations (general)	80	<p>Site allocations</p> <p>We welcome the greater level of detail in relation to the existing context of each of the site allocations, including the identification of relevant heritage assets, as well as references to other evidence and guidance such as the Urban Design Study and SPDs. On the whole, we consider these set an appropriate framework to guide development proposals for the majority of the allocations. However, for a limited number of the draft allocations in the most sensitive locations we consider there remains some further work to be done to ensure that heritage significance is properly reflected in the allocation policies and therefore conserved and where possible enhanced. As set out in Historic England's advice note on this subject (see here), understanding what contribution the wider site in its current form makes to heritage significance and then assessing what the allocation would have on that significance is an important starting point. This can then be used to inform development parameters and site capacities that avoid harm and identify opportunities for enhancement. This approach also aligns with London Plan policy D3 Optimising Site Capacity and its associated guidance.</p>	<p>General support for the approach noted.</p> <p>The Site Allocations include a context section, which, inter alia, cites all heritage assets on site, as well as a description of the general character and that of the surrounding area. As in previous Plans, the format of the Site Allocations is to set out a high-level vision and broad framework, to allow for details such as capacity to be assessed as part of pre-application and application stage, to allow for flexibility and in particular the London Plan approach to optimise site capacity. The Urban Design Study includes a borough-wide character assessment, but at site level, this would depend on whether there has already been work as part of pre-application or application proposals. Where there are relevant heritage assets, there is reference already within the Site Allocation text to the requirement to protect, and where possible enhance, heritage assets on site, as well as to views and vistas. Any planning application for such sites would require the submission of a Heritage Statement. Further, Policy 44. Design Process of the Local Plan encourages applicants to engage with the Council's pre-application service early in their thinking. It is also a policy requirement to provide 3D digital massing models to enable the Council to assess cumulative impact of development where relevant, and is required for tall building proposals or those</p>	n/a	<p>Agreed in relation to APAs and GLAAS and the proposed modifications that could be made to the Plan.</p> <p>On-going in relation to the nature of the Site Allocations as there is a difference in views on the amount of detailed work on heritage significance.</p>

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		<p>We note the assessments, analysis and guidance that has been undertaken and/or produced and that underpins much of the draft Plan, including the Urban Design Study and the Village Design (and other) SPDs. Where identified in the site allocation policies, we agree that it is relevant and helpful. However, with regard to the following site allocations, given their sensitivity and potential for impacts on the historic environment, we consider that further amendments are necessary to ensure the allocation policies are clear on how development should manage these impacts. These could draw on assessments already undertaken, or may require further Heritage Impact Assessments. Where taller or larger buildings are envisaged, 3D modelling will enable clarity as to impacts and help shape design parameters (including capacities) to avoid adverse impacts on heritage assets. Such an approach will also help strengthen the link between the evidence base and the resultant policies, ensure that site capacities are optimised and design-led as well as contribute to a positive strategy for the historic environment.</p> <p>Comments are set out below on three site allocations where we consider the above considerations apply given heritage sensitivities. We would also recommend the inclusion of further text to ensure that GLAAS is consulted at an early stage of proposals with regard to place making and public benefit opportunities. Please also note that they are in Archaeological Priority Areas, rather than Zones.</p>	<p>located within the protected views and vistas. It is therefore considered that in-detail assessment of impacts on heritage assessed could be adequately dealt with at pre-application and application stage. See also the responses to comments 188, 275 and 292.</p> <p>An Additional Modification could be considered to refer to early consultation with GLAAS.</p> <p>An Additional Modification could be considered to reference Archaeological Priority Areas, followed by the appropriate zone, throughout all the relevant Site Allocations.</p> <p>Suggested modifications: Amend the supporting text at paragraph 20.56 to specifically reference early involvement of GLAAS: 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> <p>For clarity, refer in Site Allocations under 'heritage assets' to all Archaeological Priority Areas (APAs) followed by detail of the relevant zones -</p> <ul style="list-style-type: none"> • Site Allocation 9: amend the text: Archaeological Priority Area: Zone – Teddington • and in all other Site Allocations where relevant. 		
Site Allocations (SA 10 – Strawberry Hill)	188	<p>SA 10 – Strawberry Hill</p> <p>As above, we welcome the greater detail relating to the site's context, including the identification of relevant heritage assets (although we would point out that St Mary's College Chapel is a Grade II listed building, rather than Grade I as set out). Given the range and concentration of heritage assets in and around the site, we would agree with the description on page 66 of the draft Plan that this is a highly sensitive site. The potential effects of new development are therefore significant.</p> <p>As such, and in order to manage these effects properly, we consider that the site allocation policy should include</p>	<p>General support noted.</p> <p>An additional modification can be considered to correct the factual area relating to the chapel Listing.</p> <p>The Site Allocation and the thematic policies are considered to provide an appropriate framework to assess proposals.</p> <p>See response to comment 80.</p> <p>Suggested modification:</p>	n/a	<p>Agreed in relation to description of heritage assets and the proposed modification that could be made to the Plan.</p> <p>On-going in relation to the nature of the Site Allocations, as referred to in comment 80.</p>

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		<p>further text to be more precise about the form development will take. Analysis of both the heritage significance of the wider site and the multiple designations across it can help define the extent of the developable area. This can then inform both potential site capacity and design parameters to guide development, thus demonstrating understanding of impacts of development on the historic environment. This should also include views across the site and from the river.</p> <p>We note and welcome the reference to future development enhancing the character of the site, although we would suggest that the text be amended (or further text included elsewhere) to be clear that it should also enhance the heritage significance of the site. As with our previous consultation response we consider that further research on the historic landscape would enable better understanding of the significance of the wider site and potentially enable further enhancements. Further assessment will also help in understanding the potential of existing buildings for reuse rather than demolition and replacement.</p>	<p>Site Allocation 10, 'Heritage Assets' section in Context box Correct factual error (Grade II not Grade I): 'St Mary's College Chapel, Waldegrave Road (Grade II)'</p>		
Site Allocations (SA 31 – Kew Retail Park)	275	<p>SA 31 – Kew Retail Park</p> <p>We note that the policy refers to the Urban Design Study in indicating that part of the site as a tall building zone. As with our comments in relation to policy 45, we consider the site allocation policy to be somewhat ambiguous in this regard, as it is not clear how the tall building location has been decided upon or what is the justification for its siting. We would assume that this is to avoid impacts on heritage assets and/or townscape character but making explicit the link to the evidence and logic for this would be helpful. Further text to ensure it is clear what proposals should take into account is also necessary.</p> <p>We would support the development of a masterplan for the site, and would be very pleased to be involved.</p>	<p>Comments noted. Tall Building Zones, and the stated maximum heights within them, are based on scenario testing carried out by Arup, which underpins the Urban Design Study. The Site Allocation and the thematic policies are considered to provide an appropriate framework to assess proposals.</p> <p>See response to comment 80.</p> <p>See also response to comment 506 in respect of mapping.</p>	n/a	On-going in relation to the nature of the Site Allocations, as referred to in comment 80.
Site Allocations (SA 35 – Stag Brewery)	292	<p>SA 35 – Stag Brewery</p> <p>This is another sensitive site. In the interests of clarity and to ensure key considerations are embedded in local plan policy, we recommend that the sensitivities as set on page</p>	<p>Comments noted. The 'context' section of the Site Allocation texts list the heritage assets and sensitivities on-site and within the surrounding area, and the 'Vision' section sets out the requirement to have regard to the relevant sections of the Urban Design Study. The Site Allocation and the thematic</p>	n/a	On-going in relation to the nature of the Site Allocations, as referred to in comment 80.

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		177 of the Urban Design Study are included in the site allocation vision.	policies are considered to provide an appropriate framework to assess proposals. See response to comment 80.		
Chapter 16 – Responding to the climate emergency	308	<p>Chapter 16</p> <p>We support the intention behind the policies and text in Chapter 16 of the draft Plan in addressing the challenges of climate change on the borough. It is important to emphasise that Historic England recognises the urgent need for positive action to tackle climate change and is committed to achieving net zero. As an organisation we have a duty of care to protect our heritage. We actively seek and promote actions that address the causes of climate change and that reduce greenhouse gas emissions. However, it would be helpful within Chapter 16 to make clear that inappropriate while well-intentioned retrofit measures to historic buildings may not only adversely affect heritage significance but could also worsen rather than reduce carbon emissions. We therefore recommend that policy 4 makes clear that refurbishment/retrofitting projects to improve energy efficiency will also need to satisfy the requirements of policies elsewhere in the plan dealing with change to heritage assets. This could also be underpinned by explanatory text in Chapter 16 that sets out the following approach to such measures:</p> <ul style="list-style-type: none"> • The importance of ongoing maintenance as a method of both monitoring energy performance of existing buildings and ensuring its effectiveness • Adopting an approach that as a starting point is iterative and looks for lower cost and minimally invasive interventions <p>Emphasising that small scale changes, such as secondary glazing and window and door repair, can deliver significant benefits.</p>	Support and comment noted. In determining a planning application, the Council has regard to the Local Plan as a whole and the policy requirements of Chapter 16 responding to the climate emergency and Chapter 20 seeking to protect and improve heritage assets would form part of that consideration. The bullet points listed are addressed in Policy 29 Part F and para 20.36. Paragraph 16.16 in the supporting text to Policy 4 also emphasises the possible impacts on heritage assets and how there is no one-size-fits-all approach.		<p>Agreed in relation to the importance of addressing climate change.</p> <p>On-going in relation to need to further address retrofitting as there is a difference in views on the amount of detail to include in the Plan.</p>
Policy 32 – Royal Botanic Gardens, Kew World Heritage Site	446	<p>Policy 32 – Royal Botanic Gardens, Kew World Heritage Site</p> <p>We fully support the objective of the policy to protect, conserve, promote and enhance the World Heritage Site. We would however recommend that the reference to the Outstanding Universal Value (OUV) should be within the main body of clause A to make clear that this is the central purpose of the policy in question – ie conserving its</p>	<p>An additional modification could be considered as part of further work during the Examination process.</p> <p>The Council's response to the respondent's comment on the Regulation 18 Plan (comment 897) was as follows:</p>	n/a	On-going in relation to the detailed approach to the RBG Kew WHS as there is a difference in views on the detailed policy text to conserve its heritage significance

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		<p>heritage significance. This would align with policy HC2 which requires development plans to conserve and actively protect the OUV of world heritage sites.</p> <p>We would also reiterate our previous comment [See the Council's Statement of Consultation (June 2023) Appendix 3G for the schedule of Regulation 18 responses and officer comments - comment 897] that the policy should make clear that development proposals that would have an impact on the WHS will require a Heritage Impact Assessment upon application – further details can be found at World Heritage Centre - Guidance and Toolkit for Impact Assessments in a World Heritage Context 2022 (unesco.org).</p>	<p><i>The Outstanding Universal Value of the site, its integrity, authenticity and significance is already covered separately under the second bullet point of the policy and isn't necessary to repeat in the first part of the policy.</i></p> <p><i>The requirement for a Heritage Impact Assessment within or around the World Heritage Site 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). It is explained in paragraph 20.49 that the Council will follow the ICOMOS Guidance on Heritage Impact Assessments for Cultural World Heritage Properties, which continues the approach in the existing policy LP 6.</i></p> <p>The Council has sought to strike a balance in the policy between the responses from statutory bodies regarding the wording of the policy and the comments from RBG Kew about allowing enough flexibility, particularly in relation to temporary events and exhibitions.</p> <p>There is regular engagement through the WHS Steering Group (twice yearly) to update on Council planning and heritage matters providing ongoing liaison with statutory bodies and stakeholders. There may however be scope for further discussion during the Examination process.</p> <p>Suggested modification:</p> <p>There is no proposed modification from the Council at this stage. Comments on this issue were also raised by the GLA on behalf of the Mayor of London and the Royal Botanic Gardens Kew and therefore the Council considers discussion of an appropriately worded modification should occur during the Examination process.</p>		and this is expected to be discussed with other respondents.
Policy 45 – Tall and Mid-Rise Buildings	506	<p>Policy 45 – Tall and Mid-Rise Buildings</p> <p>As with our previous consultation response, we support this policy and consider that it is appropriately underpinned by relevant and up to date evidence in the form of the Urban Design Study. We would again however</p>	<p>Support for the general approach noted.</p> <p>An Additional Modification could be considered to reference the avoidance of harm at part A.</p>	n/a	Agreed in relation to Policy 45 part A and the proposed modification that could be made to the Plan.

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		<p>recommend that the policy should refer in bullet point 1 to a need to 'avoid harm' to heritage assets rather than to 'respect the views and vistas' towards them. This wording is clearer and therefore more effective.</p> <p>We would also suggest that areas identified as appropriate for these buildings at appendix 3 continue to contain a degree of ambiguity, both in terms of boundaries and the colour coding within them. While we appreciate that a degree of flexibility is helpful in certain situations, in the interests of clarity and as per para 16d of the NPPF, we consider that a greater degree of precision is needed in relation to a number of draft site allocations. This is in order to properly understand the potential impacts on heritage assets and to avoid any harm.</p>	<p>Additional comments noted.</p> <p>In respect of mapping, there is an explanation at the start of Appendix 3. An interactive online policies map was available alongside the Regulation 19 Plan, which allows users to toggle layers on and off and see what applies in a particular location. An Additional Modification could be considered which clarifies in the Appendix 3 text that red areas denote tall building zones and orange areas denote mid-rise building zones; it may be appropriate to consider during the course of the Examination any further mapping improvements.</p> <p>Suggested modifications:</p> <p>Amend the text at part A of Policy 45:</p> <p>1. Tall buildings should respect avoid harm to the views and vistas towards heritage assets across the borough and in neighbouring boroughs, including distinctive roof line features.</p> <p>Amend the text in the first paragraph at Appendix 3 Tall and Mid-Rise Building Zones:</p> <p>Darker Red colours on the Tall and Mid-Rise Building Zone maps show areas appropriate for tall buildings and orange colours show areas appropriate for mid-rise buildings. Darker colours indicate more potential for height and the light colours indicate less potential for height.</p> <p>There is no further proposed modification from the Council at this stage in regard of further mapping improvements, but this may be discussed during the Examination process.</p>		<p>On-going in relation to mapping as there is a difference in views on the degree of precision versus flexibility.</p>