

APPENDIX 1: CONSERVATION AREA BOUNDARY MAP



APPENDIX 2: RELEVANT HERITAGE LEGISLATION, POLICY AND GUIDANCE

The application proposals for the site should be considered in light of policy and guidance in respect of heritage assets. The statutory duties, national policy and guidance, regional and local plan policies relevant to proposals on the site are summarised below:

Statutory Duty

The Planning (Listed Buildings and Conservation Areas) Act 1990

With regard to applications for planning permission which may affect the setting of a statutory listed building, the Act outlines in Section 66 that:

“s66(1) In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

National Policy and Guidance

The National Planning Policy Framework, 2012

The National Planning Policy Framework was introduced in March 2012 as the full statement of Government planning policies covering all aspects of the planning process. Chapter 12 (pg.30) outlines the Government’s guidance regarding conserving and enhancing the historic environment.

Paragraph 128 outlines the information required to support planning applications affecting heritage assets, stating that applicants should provide a description of the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset’s importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Paragraph 129 sets out the principles guiding the determination of applications affecting designated and non-designated heritage assets, and states that:

“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal . . . They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal.”

Paragraph 131 elaborates that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, putting them into viable uses consistent with their conservation, as well as the desirability of new development making a positive contribution to local character and distinctiveness.

Designated Heritage Assets

Paragraph 132 regards the determination of applications affecting designated heritage assets. It outlines that great weight should be given to the asset’s conservation when considering the impact of

a proposed development on the asset's significance. The more important the heritage asset, the greater the weight should be.

Paragraph 132 goes on to specify that any harm or loss should require clear and convincing justification. It states that;

“Substantial harm to or total loss of significance of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.”*

Paragraph 133 outlines that Local Planning Authorities should refuse consent where a proposed development will lead to substantial harm or total loss of significance of a designated heritage asset, unless it can be demonstrated that this is necessary to deliver substantial public benefits that outweigh such harm or loss or all of the following apply:

- The nature of the heritage asset prevents all reasonable uses of the site; and
- No viable use of the heritage asset can be found in the medium term through appropriate marketing that will enable its conservation; and
- Conservation by grant funding or some form of charitable or public ownership is demonstrably not possible; and
- The harm or loss is outweighed by bringing the site back into use

Paragraph 134 concerns proposed development which will lead to less than substantial harm to the significance of a heritage asset. It outlines this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Non-Designated Heritage Assets

Paragraph 135 regards the determination of applications affecting non-designated heritage assets, specifying that the effect of an application on the significance of a non-designated heritage asset should be taken into account. It remarks that;

“...In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”

Setting

Paragraph 137 states that proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of a heritage asset should be treated favourably. It outlines that local planning authorities should look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance.

Local Policy and Guidance***Richmond upon Thames Local Development Framework Core Strategy 2009 & Development Plan Document 2011***

Policy CP7 seeks to ensure that new development recognises distinctive local character and contribute to creating places of quality. Policy DM HD 1 seeks to ensure the conservation and enhancement of the character and appearance of conservation areas through new development. Policy DM HD 3 seeks to ensure and encourage the preservation and enhancement of buildings of townscape merit.