



**Donald Insall Associates**  
Chartered Architects and Historic Building Consultants

**Marc Quinn Exhibition**  
**The Royal Botanic Gardens, Kew**

**Heritage Impact Assessment  
For The Royal Botanic Gardens, Kew**

**February 2024**





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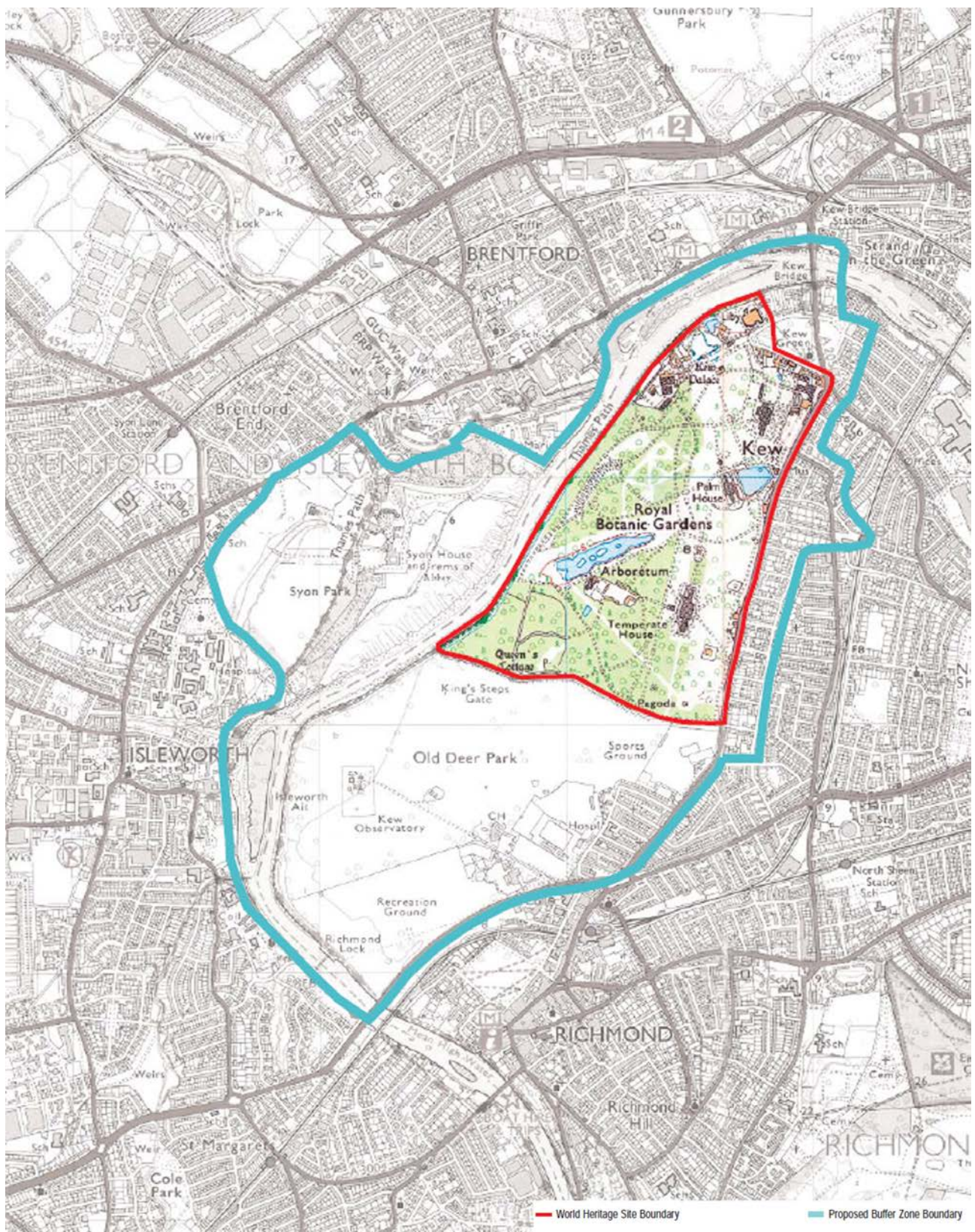
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**Plate 1.1** World Heritage Site. World Heritage Site Nomination Paper

## 1.0 Summary of Heritage Impact Assessment

### 1.1 Introduction

Donald Insall Associates were commissioned by RBG, Kew in January 2024 to assist them in a planning application for the temporary installation of 14No. sculptures by the artist Marc Quinn, in the eastern part of the Royal Botanic Gardens, Kew, Richmond, London, TW9 3AE.

This assessment has been prepared in accordance with the requirement of the National Planning Policy Framework (December 2023), paragraph 200, which asks that applicants 'describe the significance of any heritage assets affected' by proposals for change. This assessment takes account of the guidance provided by Historic England in 'Statements of Heritage Significance: Analysing Significance in Heritage Assets. Historic England Advice Note 12' (2029); IEMA, IHBC and ClfA: 'Principles of Cultural Heritage Impact Assessment in the UK' (2021); and Historic England's 'Understanding Place. Historic Area Assessments' (2017).

The investigation has comprised historical research, using both archival and secondary material and consulting the relevant Historic Environment Record (HER), and a site inspection. The investigation has established the significance and specific constraints of the sites, which is summarised below in 1.2. An illustrated history of the site and building, with sources of reference and bibliography, is in Section 2; the site survey descriptions, description of proposals and the views analysis are in Section 3.

Section 3.4 provides a justification of the proposals according to the relevant legislation, planning policy and guidance.

### 1.2 The Site and its Legal Status

RBG, Kew is located in the Royal Botanic Gardens, Kew Conservation Area in the London Borough of Richmond upon Thames.

RBG, Kew is also designated Grade I on the Register of Parks and Gardens of Special Historic Interest, is designated a World Heritage Site, and contains a number of listed buildings. Its buffer zone is shown in **[Plate 1.1]**.

Development in conservation areas or within the setting of a listed building or conservation area requires local authorities to assess the implications of proposals on built heritage.

Statutory list descriptions of listed buildings that are situated in the immediate context to a proposed sculpture are included in Appendix I, and a summary of guidance on the Royal Botanic Gardens Kew Conservation Area provided by the local planning authority is in Appendix II.

Full relevant extracts of relevant law, policy and guidance for change in the historic environment are also contained in Appendix II of this report. In summary, the relevant legal and policy background is as follows.



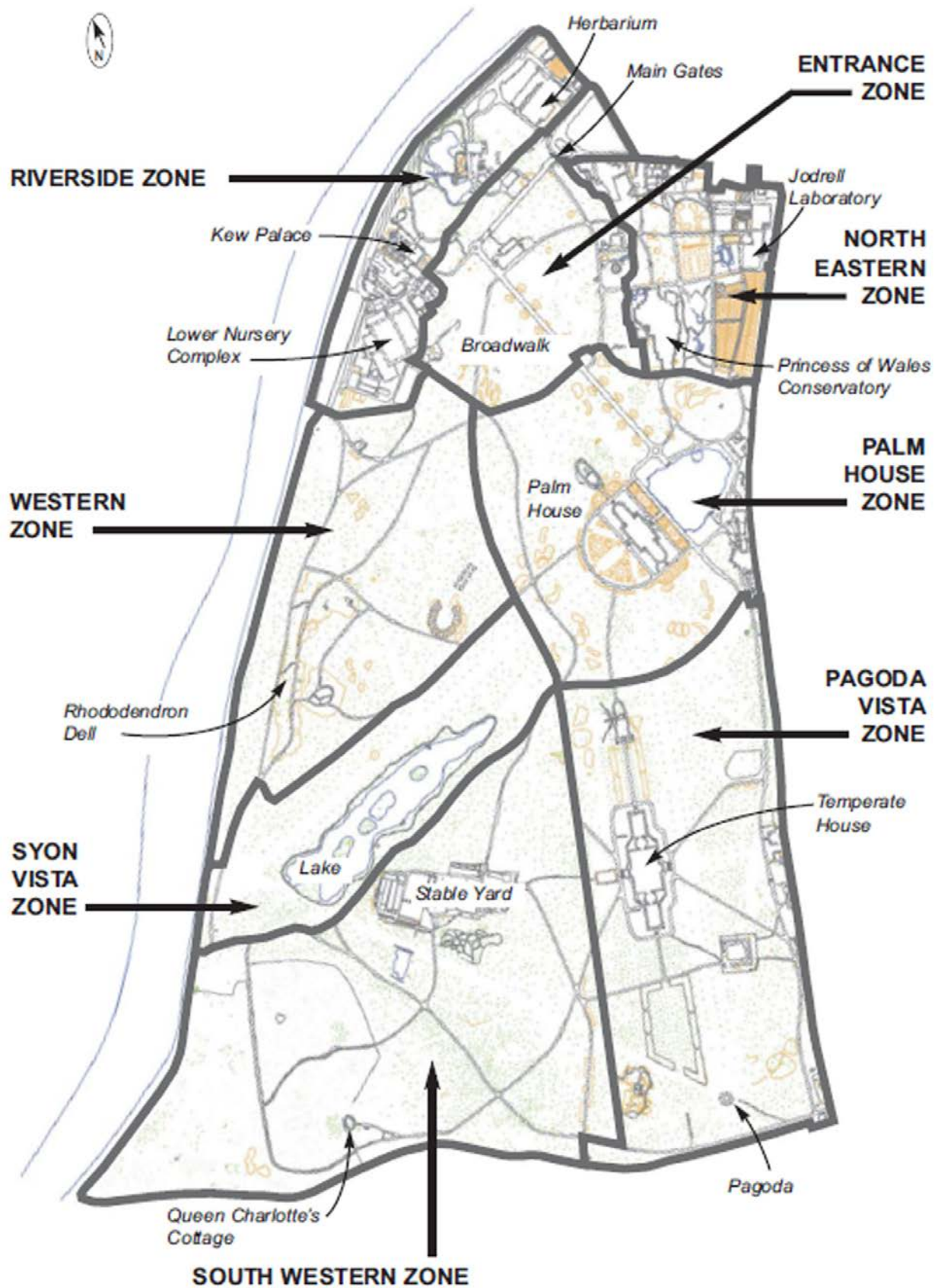


Plate 1.2 Management Zones, World Heritage Site Nomination Paper

### **1.2.1 The Planning (Listed Buildings and Conservation Areas) Act 1990**

The Planning (Listed Buildings and Conservation Areas) Act 1990 is the legislative basis for decision-making on applications that relate to the historic environment. Sections 16 and 72 of the Act impose statutory duties upon local planning authorities with the aim to protect the special interest of a listed building or conservation area.

### **1.2.2 The Local Plan**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. The development plan applicable to this application comprises the Local Plan 2018, and The London Plan (March 2021).

The London Plan (March 2021) has policies which seek to protect heritage assets (Policy HC1), World Heritage Sites (HC2) and protected views (HC4), which broadly align with the local plan.

### **1.2.3 The National Planning Policy Framework (2023)**

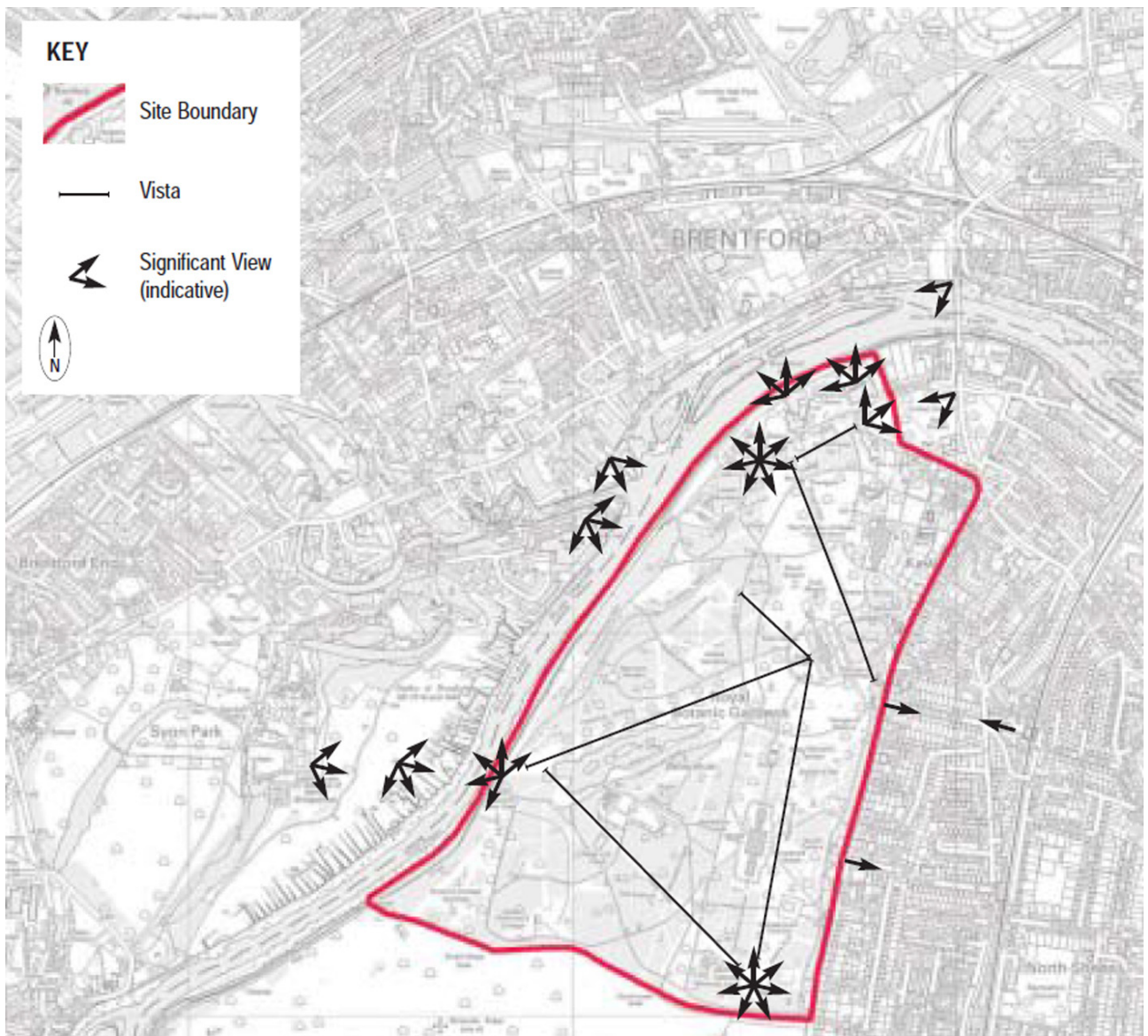
The courts have held that following the approach set out in the policies on the historic environment in the National Planning Policy Framework (2023) will effectively result in a decision-maker complying with its statutory duties. The Framework forms a material consideration for the purposes of section 38(6). At the heart of the Framework is 'a presumption in favour of sustainable development' and there are also specific policies relating to the historic environment.

The Framework requires that proposals for change give 'great weight' to the conservation of heritage assets (paragraph 205), that harm to the significance of heritage assets requires 'clear and convincing justification' (206), and that such harm is outweighed by public benefits. Harm is to be categorised as substantial (207) or less than substantial (208).

The Framework also requires that the effect of an application on the significance of 'a non-designated heritage asset' should be taken into account in determining the application. In weighing applications that affect non-designated heritage assets, a balanced judgment is required (203).

The Framework requires local planning authorities to look for positive opportunities for new development within conservation areas and world heritage sites and within the setting of heritage assets. Proposals that preserve positive elements or enhance/ better reveal their significance, are required to be treated favourably (209).

The proposed locations of the sculptures are clustered in two zones as designated under the World Heritage Site nomination paper **[Plate 1.2]**, the Palm House Zone and the Pagoda Vista Zone, and are proposed to be situated close to, or within, a number of listed buildings including the Palm House, Temple of Belladonna, the Pond terraces, the Temperate House, and the Pagoda.



**Plate 1.3** *Significant Views and Vistas, World Heritage Site Nomination Paper*



There are also number of significant views and vistas emphasising the visual character and significance of each area of the Gardens. The significant views and vistas are shown in the World Heritage Site Nomination Paper [Plate 1.3].

### **1.3 Assessment of Significance**

#### **1.3.1 The Royal Botanic Gardens, Kew**

The Gardens constitute a major cultural landscape illustrating the interaction between humankind and the natural environment through the development of garden landscape design and botanical scientific knowledge in the 18<sup>th</sup>, 19<sup>th</sup> and 20<sup>th</sup> centuries. The collections at Kew and the quality of the historic garden and architectural heritage are of international value and as a whole are of the highest significance.

The Gardens were founded in 1759 by Princess Augusta, and were subsequently expanded in the 18<sup>th</sup> century to include two further gardens and other areas. They constitute a major cultural landscape, with surviving elements illustrating the interaction between humankind and the natural environment through the development of garden landscape design and botanical scientific knowledge in the 18<sup>th</sup>, 19<sup>th</sup> and 20<sup>th</sup> centuries. The collections at Kew, the quality of the historic garden and architectural heritage are of universal and international value and as a whole are of the highest significance. The 'back of house' activities carried out in the Lower Nursery Yard, such as curation, horticulture and science are of particular importance to the care and management of the collections on the site.

The landscape and built heritage of the site form a recognisable whole. The landscape acts as both the immediate setting for keynote historical buildings and as the fabric that meshes them and the site together. In many instances keynote buildings have particular landscape designs associated with them, and these are often of particular interest in their own right. The visual inter-relationships between buildings, and between buildings and landscape features, are a key feature of the site's landscape character and structure. The significant views and vistas enhance the nature and quality of the visual character and setting of each area and subsequent zone within the Gardens.

The wider site proposed for the exhibition is dominated by two of Kew's most significant glasshouses; the Palm House and Temperate House which are the heart of the Nesfield/Burton landscape design.

Other smaller buildings including the Marianne North Gallery and Sherwood Gallery complement the arboreal nature of the landscape.

The Palm House zone and the Pagoda Vista zone are also highly important in regards to visitor management, as the entrance gates (Victoria Gate and Pavilion Gate) within these zones handle the majority of visitors.

Of particular significance is the Temperate House, where it is proposed to position 3No. sculptures internally temporarily, and 4No. sculptures externally on the east lawns temporarily. Designed in 1859 by Decimus Burton, the glazed iron frame structure was completed in 1898 following a thirty year construction process. Composed of five pavilions specifically to house plants from temperate climates, the building is the largest

surviving Victorian glasshouse in the world and is credited for its innovative design and collaboration between Burton and Cubbit and Co. The structure has undergone two previous restoration projects, firstly in 1977 and more recently in 2014-2018. Despite extensive repairs, the original structure remains unchanged.

The Shirley Sherwood Gallery is unlisted, but sits within the setting of the Marianne North Gallery. The internal arrangement of the gallery is all modern and was purposefully designed for the flexible arrangement of space for individual exhibitions.

#### **1.4 Summary of Proposals and Justification**

Marc Quinn is a leading contemporary artist specializing in the human interaction with the world, identity, and social history. Since the early 1990s, Marc Quinn has exhibited internationally including the Tate Gallery, National Portrait Gallery, Fondazione Prada, Milan, MACRO, Rome and the Musée Océanographique, Monaco.

The proposals seek permission for the temporary installation of 14No. sculptures at various locations across the eastern half of Kew Gardens. To accompany the external sculptures, other existing artworks by Marc Quinn will be displayed within the Shirley Sherwood Gallery. The exhibition will open in May 2024 and the sculptures will be removed after the exhibition closes in October 2024. The timing of the exhibition is so as to provide an enhanced visitor offer during the late spring, summer and early autumn months, when visitor numbers are at their peak.

The sculptures are predominately formed of reflective metal sculptures to designs that have been inspired by significant plants from RBG, Kew's collection. Marc Quinn has been closely involved with scientists and horticulturalists from Kew in the development of the sculptures for the exhibition. Indeed some of the sculptures, such as the palm sculptures situated next to the Palm House, are direct scans of the Sabal palms found in the Palm House.

The position of each sculpture has been carefully selected so as to emphasize the relationship between the sculptures and the landscape. The works will be either be sensitively set within the landscape, or situated within a glasshouse.

The sculptures set externally will require a concrete pad foundation, onto which the sculpture will be securely fixed. After the end of exhibition, the sculptures and foundation will be removed and the ground returned to its original condition.

The proposals have been assessed against relevant national and local planning policies and guidance and the impact on the landscape and on the setting of nearby heritage assets has been analysed. The proposals would provide a limited period of enhancement to the setting, and due to their high quality design that complements the heritage assets and the landscape, no harm would be caused to the setting of nearby heritage assets. As such it would meet the tests for sustainable development insofar as these relate to the historic environment in the National Planning Policy Framework.



The proposals would also sustain the significance of these designated heritage assets in accordance with paragraph 192 of the National Planning Policy Framework and would accord with policies LP1, LP3, LP6 and LP13 of the Richmond Upon Thames Local Plan (July 2018). The proposals are, therefore, considered to be acceptable in heritage terms.

## 2.0 Historical Background

### 2.1 The Origin of the Royal Botanic Gardens

The gardens are the result of the unification of two Royal estates: the Kew Estate (the eastern half of today's gardens) and the Richmond Estate (the western half); and the assimilation of three other estates.

Frederick, Prince of Wales purchased the Kew Estate in 1721 and began to create pleasure gardens. After Frederick's death (1751) Princess Augusta, advised by Lord Bute (a prominent investor in colonial plantations) dedicated around nine acres to botanical purposes in 1759. In 1772 George III inherited the Kew Estate from his mother and the two Royal estates were united. Sir Joseph Banks (1743-1820), President of the Royal Society acted as botanical advisor and, with William Aiton (1731-93) as Head Gardener, the botanical collection at Kew expanded rapidly. In 1802 the lane that divided the Richmond Lodge gardens and the Kew Palace gardens was closed and the gardens became one unit **[plate 2.1]**.

In 1840, following the recommendations of a Royal Commission, the Botanic Gardens were handed over to the nation under the guardianship of the Office of Woods and Forests (the precursor of the Crown Estate). By this time, the gardens were already semi-public with visitors admitted daily with no admittance charge.

The botanic gardens increased to over 90 acres under the supervision of the first Director, Sir William Hooker (1785-1865) and later, his son Sir Joseph Hooker (1817-1911). From 1843 they were re-landscaped by William Andrews Nesfield (1793-1881), the architect Decimus Burton (1800-81) working on the buildings. Nesfield's redesign centred on the newly-constructed Palm House and consisted of three main vistas: the Pagoda Vista, Syon Vista and another minor vista, complemented by the Broad Walk leading from the Main Gate to the Palm House. His most significant achievement was the integration of the two former gardens into a single cohesive designed landscape. Burton designed the Temperate House, which was begun in 1860 though not completed until 1897-9. The scientific importance of the gardens further increased as new plantation colonies were developed under the expanding British Empire.

In 1885 the Directorship passed to Sir William Thiselton-Dyer, Hooker's son-in-law. After the years of reform and development at Kew the focus shifted slightly. The ambitious building projects of the Hooker period were now complete. Many aspects of Nesfield's intricate formal design were gradually adjusted to allow ease of maintenance and Thiselton-Dyer, especially, engaged on numerous landscaping projects in order to improve public access. These included restructuring the Arboretum, building the Rock Garden and the construction of the Refreshment Pavilion in 1888.

Between 1903 and 1984 the gardens were administered by the Ministry of Agriculture, Fisheries and Food. Under the National Heritage Act 1983 a Board of Trustees were appointed to manage the gardens, an arrangement which continues today (1998).





**Plate 2.1** 1734 *Rocque Map*



**2.2** *A Plan of Richmond and Kew gardens, c.1794.*



**Plate 2.3** Plan of Richmond and Kew Gardens, 1800, British Library





**Plate 2.4** *Royal Gardens, View 1837.*



**Plate 2.5** *1<sup>st</sup> Edition Ordnance Survey map, 1861-71.*

## 2.2 Sources and Bibliography

### British Library

Maps Collection

### National Archives

Office of Works: WORK32

Crown Estate: CRES38

### Kew Archives

Kewensia Collection

Map Collection

Plans

### London Borough of Richmond Planning Archives

Building Case File

Redevelopment Drawings

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Desmond, Ray. Kew: The History of the Royal Botanic Gardens. Random House, 1998

Hemsley, W. B. Article in The Garden. April 11, 1903

Cherry, Bridget; Pevsner, Nikolaus. Buildings of England: London 2: South. Yale, 2002

### Unpublished Sources

World Heritage Scanned Nomination: Royal Botanic Gardens, Kew, 5<sup>th</sup> July 2003

Historic England Listing Description: <https://historicengland.org.uk/listing/the-list/list-entry/1000830>

Dictionary of Scottish Architects: [http://www.scottisharchitects.org.uk/architect\\_full.php?id=200584](http://www.scottisharchitects.org.uk/architect_full.php?id=200584)

London Borough of Hounslow: [http://www.hounslow.gov.uk/kew\\_gardens\\_draft\\_masterplan.pdf](http://www.hounslow.gov.uk/kew_gardens_draft_masterplan.pdf) <http://www.kew.org/collections/spiritcol.html>



## **3.0 Site Survey Descriptions, Description of Proposals and Views Analysis**

### **3.1 The Wider Setting**

The Royal Botanic Gardens are located in outer south-west London on the south bank of the River Thames, around 500m south west of Kew Bridge. The River Thames provides the boundary to the west and Kew Green to the north. To the east the grounds are bounded by Kew Road and to the south-east by the railway line. The Old Deer Park (139ha) is separated from the Botanic Gardens (128ha) by the 18<sup>th</sup> century ha-ha. The fairly level ground of the Old Deer Park is screened from the river by thick boundary plantings.

The Gardens, founded in 1759 by Princess Augusta, and subsequently expanded in the 18<sup>th</sup> century to include two further gardens and other areas, now total 132 hectares in area and constitute a major cultural landscape. As noted above, the Gardens contain many buildings of special architectural or historic interest ranging from former Royal residences such as Kew Palace (1631) and the Queen's Cottage (c.1771), through garden buildings such as the Orangery (1761) and the Pagoda (1761), to major botanical buildings of the 19<sup>th</sup> and 20<sup>th</sup> centuries such as the Palm House (1844-48) – perhaps the world's most famous extant conservatory.

### **3.2 Description of Proposals and Views Analysis**

The proposed sculptures are all situated within the eastern half of the Gardens, located either in the Palm House Zone or the Pagoda Vista Zones.

On the following pages a description of each of the sculptures and their impact on the setting of the heritage assets is provided.

### Burning Desire (1x4m)

This sculpture is formed in the shape of an orchid, painted a deep red.

It is situated within the Japanese Garden, adjacent to the west side of the Pagoda (Grade I). This area is defined by open grassland but interspersed with both clusters and individual trees. The trees are a mix of evergreen conifers and deciduous trees, which due to their density result in medium to longer views being obstructed.

Orchids are plants of Asian origin and the juxtaposition with the pagoda will make people view the pagoda temporarily in a new light. The orchid is of course, like all the sculptures, part of a temporary exhibition to encourage visitors to reflect on the historic global connections engendered by Kew Gardens.



Before



After



### Photosynthesis (1x1m)

This freestanding sculpture standing on a pedestal will be situated within the Central wing of the Temperate House (Grade I).

As the sculpture is to be situated temporarily internally and not fixed to the original fabric of the Temperate House, the sculpture will have no permanent impact on the heritage assets.



Before



After



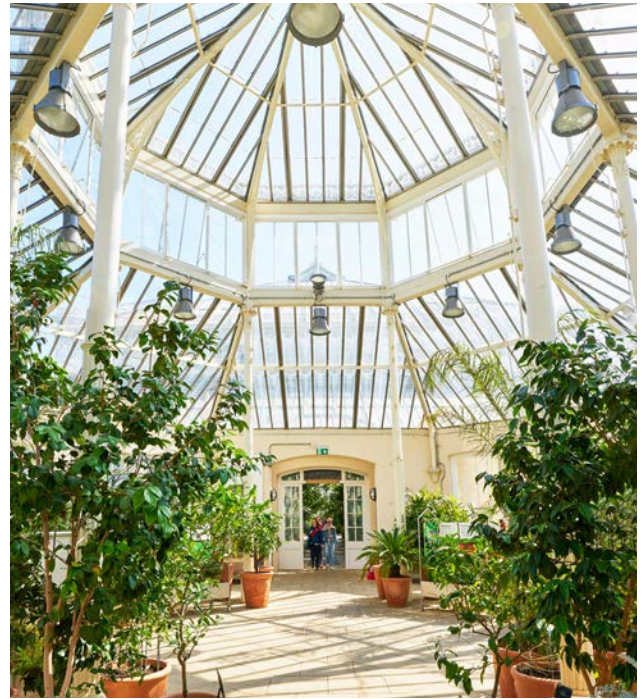
### Held by Desire 1 and 2 (5x2m)

These two free-standing sculptures are to be situated internally within the north and south Octagons of the Temperate House (Grade I). Their design is representative of Juniper bonsai trees, patinated in a bronze finish.

As the 2No. sculptures are to be situated temporarily internally and not fixed to the original fabric of the Temperate House, the sculptures will have no permanent impact on short or medium views or impact on the heritage assets. Indeed bonsai trees are temperate climate trees, so their placement in the Temperate House is wholly appropriate to encourage visitors to consider the relationship between nature and art.



Before



After



Before



After



#### 4No. Medicinal plants (4x3m)

These reflective leaf-shaped metallic sculptures are proposed to be situated outside the east entrance of the Temperate House (Grade I), at the base of the grassed embankment. They are proposed to be situated between each of the five diverging paths that emerge from the east entrance of the Temperate House.

This area is defined by open grassland but interspersed with both clusters of trees and individual trees. The trees are a mix of deciduous varieties and evergreen conifers.

Although there is a minor secondary axis that is defined by the eastern elevation of the Temperate House and the Marianne North Gallery, due to the small scale of the sculptures and their careful placement between the pathways to maintain symmetry, the visual impact on their setting will be minor. Indeed their positioning would temporarily enhance the visitor experience, as the surrounding vegetation is reflected in their polished steel finishes and their shapes complement the surrounding broad-leaved deciduous trees that define their context.



Before



After

### 1No. Medicinal plant (1x3m)

This leaf-shaped reflective metallic sculpture is proposed to be situated immediately outside the Shirley Sherwood Gallery. This area is characterised by open grassland but interspersed with primarily individual trees of a mix of evergreen conifers and deciduous trees. The grey tarmac pathway in front of the Shirley Sherwood Gallery extends in a north-south orientation along the site's eastern boundary, and is well-trafficked due to its position close to the main eastern entrances to the Gardens.

By nature of its size, design and positioning next to a contemporary unlisted building, it does not have any impact on significant views or have any impact on the heritage assets. The positioning of the distinctive reflective sculpture in this location signifies that the exhibition continues within the Shirley Sherwood Gallery, which therefore promotes the engagement of visitors with botanical art.



Before



After



### Pink Orchid (1x3m)

This reflective metal sculpture is in the shape of an orchid leaf, and is proposed to be positioned adjacent to the Temple of Belladonna (Grade II), on the border between the Pagoda Vista Zone and the Palm House Zone. The immediate context is defined by open lawn, interspersed with individual trees. Immediately northeast of the proposed position is the Victoria Gate plaza, making this area one of the busiest in RBG, Kew. To the east of the proposed location beyond the tarmacked path is the eastern boundary of the site.

Although its position on an area of grassland means it is visually prominent, it is not situated on any significant view or vista. Due to its high quality design that complements the botanical setting, it would not have any impact on the significance of the heritage assets. Indeed through its careful positioning and elegant shape, it can be seen as temporarily promoting botanical art.



Before



After

### Sobrali (1x3m)

This reflective metal sculpture is proposed to be situated to the west of the Palm House (Grade I) within the Rose Garden, in the centre of the Syon Vista. The immediate context is defined by rose beds, which are arrayed in a semi-circular shape centred on the west entrance of the Palm House.

The Syon Vista is one of the three most significant primary vistas in RBG, Kew. The Syon Vista extends on a south-west orientation, defined by the west entrance of the Palm House and the east elevation of Syon House across the River Thames.

The Sobrali is an orchid that is native to Panama. Therefore its positioning adjacent to the Palm House on the primary vista would enhance the visitor offer, by promoting the knowledge of tropical botany in the setting of a historic landscape and tropical glasshouse.



Before



After



### Sabal Palm 1 (2x3m)

This reflective metallic sculpture is proposed to be situated on the terrace on the western edge of the Pond. This area is defined by the Palm House to the southeast, which defines an axis from its east elevation to the Botanical Brasserie across the Pond. This area is the most trafficked within the Gardens, and primarily characterised by wider tarmacked paths, formal planting beds, and stone and terracotta statuary.

Being situated between the Victoria Plaza and the Palm House on an open area of lawn, it is in a highly prominent position where it will be seen by the majority of visitors to RBG, Kew. As the sculpture has been shaped by a scan of a real Sabal palm leaf, from Kew's living collection, its situation on the lawn southeast of the Palm House would therefore offer a temporary enhancement to the visitor offer and encourage visitors to enjoy botanical art.



Before



After



### Sabal Palm 2 (2x3m)

This sculpture complements the first Sabal Palm, and is proposed to be situated northeast of the Palm House.

This sculpture similarly is not situated on a significant vista therefore will not have any impact on significant views. As with Sabal Palm 1, its placement adjacent to the Palm House would promote the public's enjoyment of botanical art and increase the awareness of the rare tropical palms that are housed within it.



Before



After

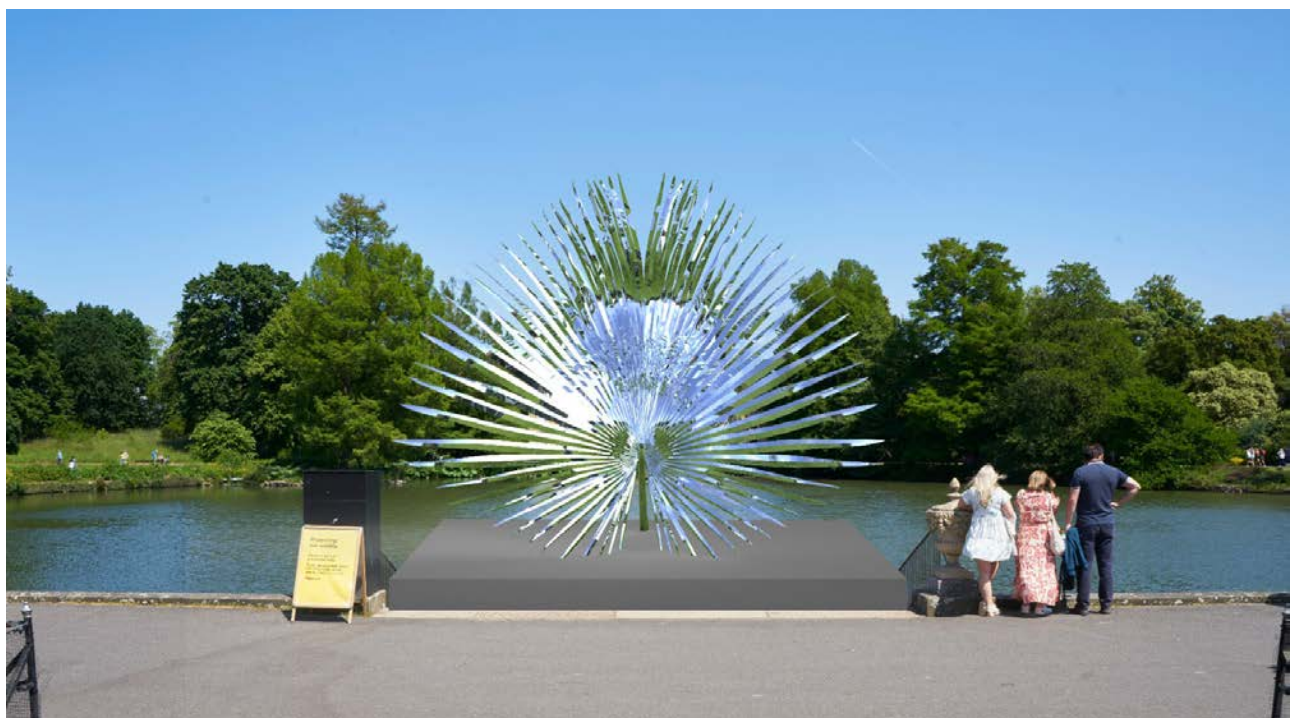
### Bismarkia Palm (1x5m)

This polished steel sculpture comprises reflective metal fronds, and is proposed to be situated on the terrace on the western edge of the Pond. This sculpture has been formed from a scan of a real Bismarkia Palm from Kew's collection.

The sculpture is to be situated on the axis of the Palm House to the Botanical Brasserie, which is not a significant view. Indeed the placement of the sculpture in such a prominent position where it will be viewed by the majority of visitors to the Palm House, will enhance the setting of the heritage assets, by increasing an understanding of the purpose of the Palm House to house rare tropical specimens.



Before



After



### Holy Ghost Orchid (1x2m)

This small metal sculpture is to be situated internally within the Princess of Wales Conservatory.

As it is to be situated internally within the Princess of Wales Conservatory which is unlisted, it is not therefore considered to have any detrimental impact on heritage assets. The Princess of Wales Conservatory houses many orchids, hence the careful situation of this orchid sculpture complements the purpose of the glasshouse and will enhance the visitor offer.



Before



After



### **3.3 Summary of view analysis**

Viewpoints and vistas are an integral part of the value of the World Heritage Site. As shown in the previous section, only the Sobrali sculpture is proposed to be situated on a significant vista, the Syon Vista. However as the sculpture is only to be temporary, its visual impact will only be temporary. Indeed the placement of the sculpture adjacent to the Palm House would enhance the visitor offer by promoting the knowledge of tropical botany in the setting of a historic landscape and glasshouse.

With regards the other sculptures, due to the presence of surrounding vegetation which precludes long distance views, and due to their temporary nature, there would be no long term impact on key views or vistas.

### **3.4 Justification of the Proposals**

This report concludes that no harm would be caused to any of the heritage assets, due to the temporary nature of the sculptures, their high quality design by a world-renowned artist, and their careful positioning throughout the gardens. After the exhibition ends the concrete foundations will be removed and the ground would be returned to its original condition.

It is also useful to outline the benefits of the proposed scheme:

- Enhanced visitor offer during both the daytime during the summer months, which would assist in ensuring the economic viability of the Gardens, guaranteeing its long-term conservation.
- The wider public benefit of promoting the collaboration between horticulture and art, which will allow RBG, Kew to convey its knowledge and mission to a wider audience.

### **3.5 Conclusion**

The proposals have been assessed against relevant national and local planning policies and guidance and the impact on the protected landscape and on the setting of nearby heritage assets has been analysed.

It is the conclusion of this report that the temporary sculptures would sit harmoniously within the Gardens, providing a temporary modest enhancement to the character and appearance of the conservation area and the World Heritage Site, and causing no harm to the setting of nearby heritage assets.

The proposals are minor in nature, have been sensitively designed and would further visitor engagement.

It is considered, therefore, that the proposals would sustain the significance of the designated heritage assets in accordance with paragraph 192 of the National Planning Policy Framework. The proposals would also preserve the significance of the Royal Botanic Gardens World Heritage Site, the character and appearance of the Royal Botanic Gardens Kew Conservation Area, and the setting of the neighbouring statutory listed structures in accordance with the statutory duties set out in Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. They would also accord with policies LP1, LP3, LP6 and LP13 of the Richmond Upon Thames Local Plan (July 2018). The proposals are, therefore, considered to be acceptable in heritage terms.

## Appendix I - Statutory List Descriptions

### THE PALM HOUSE

**Grade:** I

**Date first listed:** 10 January 1950

**Date of most recent amendment:** 25 October 1983

This list entry was subject to a Minor Amendment on 04/10/2017

TQ 1877 9/52 TQ 1876 10/52

ROYAL BOTANIC GARDENS KEW The Palm House

(Formerly listed as The Palm House, ROYAL BOTANIC GARDENS previously listed as The Palen House)

10.1.50

I 1844-1848. Designed by Richard Turner engineer of Dublin, with Decimus Burton as architect. Iron and glass, the roof curved throughout. "One of the boldest pieces of C19 functionalism in existence". 362ft long, at the centre 67ft high, and the wings 33ft high. Central oblong chamber with double curved glass roof covering "nave" and "aisles". Apsidal ends. Central entrance to each of long sides, with glass barrel vaults. Galleried interior.

Listing NGR: TQ1865476949

### RETAINING WALL IN FRONT OF PALM HOUSE

**Grade:** II

**Date first listed:** 25 May 1983

This list entry was subject to a Minor Amendment on 04/10/2017

TQ 1877 9/53 TQ 1876 10/53

RETAINING WALL OF POND IN FRONT OF PALM HOUSE, ROYAL BOTANIC GARDENS KEW, KEW GREEN, RICHMOND UPON THAMES, TW9 3AB

(Formerly listed as Retaining wall of pond in front of Palm House, ROYAL BOTANIC GARDENS)

II 1847 by W.E Nesfield who also designed the four main vistas (Broad Walk, Holly Walk, Pagoda Vista and Cedar Vista). Surmounted by 26 buff terracotta urns and vases.

Listing NGR: TQ1870477026

### WATERLILY HOUSE

**Grade:** II

**Date first listed:** 25 May 1983

This list entry was subject to a Minor Amendment on 04/10/2017



TQ 1877 9/50

ROYAL BOTANIC GARDENS KEW Waterlily House

(Formerly listed as Waterlily House, ROYAL BOTANIC GARDENS)

II 1852. Probably by Burton. Built to house the recently introduced Victoria Regina Waterlily. Pitched roofed cast-iron and glass rectangular building with lower porch. Scrolled ironwork spanning the roof supported by slender cast-iron columns.

Listing NGR: TQ1861677051

TEMPLE OF BELLADONA

**Grade:** II

**Date first listed:** 10-Jan-1950

**Date of most recent amendment:** 25-Oct-1983

This list entry was subject to a Minor Amendment on 05/10/2017

TQ 1876 10/5 ROYAL BOTANIC GARDENS KEW Temple of Bellona

II 1760. Sir William Chambers. Whitewashed stucco. The facade has a portico of two pairs of Doric columns with a metope frieze pediment and an oval dome behind. Inside is a room with an oval domed centre. On the walls garlands and medallions with the names and numbers of British and Hanovarian requirements connected with the Seven Years' War.

Listing NGR: TQ1875576744

**TEMPERATE HOUSE**

**Grade:** 1

**Date first listed:** 10 January 1950

TQ 1876 10/10

ROYAL BOTANIC GARDENS KEW Temperate House

(Formerly listed as Temperate House, ROYAL BOTANIC GARDENS)

Begun in 1860 under Decimus Burton; not completed until 1897-99. Three communicating conservatories in iron, glass and stucco. Central rectangular building with pitched, glazed roof, "clerestory" and "aisles". Outer walls formed by stucco piers with segmental arches between and topped by urns. Triple central entrance with stucco piers surmounted by statues and urns. Central pediment with semi-circular fanlight. Central body is flanked by octagonal iron and glass pavilions to both ends and beyond these smaller rectangular conservatories with similar roof to central body. Entered at either end. Whole composition 628 ft long. Interiors aisled with iron columns. Central body galleried.

Listing NGR: TQ1847776452

## **MARIANNE NORTH GALLERY**

**Grade:** II\*

**Date first listed:** 10 January 1950

List Entry Name: Marianne North Gallery, Royal Botanic Gardens, Kew

TQ 18682 76431

Purpose-built picture gallery, opened in 1882, designed by the architect and architectural historian James Fergusson for Marianne North to house the collection of 848 flower paintings that she executed between 1872 and 1885.



## **ROYAL BOTANIC GARDENS, KEW**

**Heritage Category:** Park and Garden

**Grade:** I

**Date first listed:** 1 October 1987

A botanic garden established in the early C18 and increased in size under Sir William Hooker in the mid C19. The gardens were set within a royal park and remodelled periodically by leading designers.

NOTE This entry is a summary. Because of the complexity of this site, the standard Register entry format would convey neither an adequate description nor a satisfactory account of the development of the landscape. The user is advised to consult the references given below for more detailed accounts. Many Listed Buildings exist within the site, not all of which have been here referred to. Descriptions of these are to be found in the List of Buildings of Special Architectural or Historic Interest produced by the Department of Culture, Media and Sport.

### **HISTORIC DEVELOPMENT**

The new Palace of Sheen surrounded by a new royal park was created under Henry V and Henry VI c 1414-54, the palace being rebuilt for Henry VII after a fire destroyed it c 1499. A new and larger royal park, known as the New Park, was created by James I in 1603, on former Charterhouse lands and the site of the earlier royal park. It is thought that Solomon de Caus may have worked on the gardens of Richmond Palace between 1603 and 1612 (The Old Deer Park 1990). A hunting lodge, Richmond Lodge, was built for James c 1605-6. The park became known as the Old or Little Park when, in 1637, Charles I (1600-49) created his New or Great Park (now known as Richmond Park) c 1km to the south.

In c 1721 the Richmond Lodge estate was acquired by George Augustus, Prince of Wales and became the centre of the Royal Court. Five years later, after his accession to the throne, George II gave the estate to Queen Caroline and it became the favourite residence of the royal family. By 1727 Caroline had already made several embellishments to the grounds, employing Charles Bridgeman (d 1738) in favour of Stephen Switzer (1682-1745). William Kent (1684-1748) was also employed at Richmond from c 1730 and designed first a Grotto or Hermitage and by 1735, Merlin's Cave.

In 1731 Frederick, Prince of Wales acquired White House, Kew, to the north of Richmond Lodge and employed William Kent to work on the house and garden. Frederick indulged in his taste for exotic buildings which included Chinese and Indian houses and in the last years of his life began a collection of exotic plants at Kew. Under the care of the Dowager Princess the gardens at Kew developed and were extended. The Princess used Sir William Chambers as her architectural advisor, with Lord Bute providing advice on the botanical collection.

Richmond Lodge estate was inherited in 1760 by George III and became the summer residence of the King and Queen Charlotte. In 1764 George III appointed Lancelot Brown (1716-83) Royal Gardener, and one of his first tasks was alterations to the Richmond Lodge estate. By 1767 the ha-ha had been constructed and by 1770 most of the works of Bridgeman and Kent had been removed, as had the village of West Sheen which stood in the Old Deer Park. The Lodge was found to be too small for the royal family and they moved to the White House. Although members of the royal family had lived in the neighbouring Dutch House (built 1631 by Samuel Fortrey)

from 1734 onwards it was not until 1781 that George III bought the freehold of it. After 1802 when the old White House was demolished, Kew Palace, as the Dutch House was now called, became the principal royal residence.

Sir Joseph Banks (1743-1820), President of the Royal Society acted as botanical advisor to George III and with William Aiton (1731-93) as Head Gardener the botanical collection at Kew expanded rapidly. In 1802 the lane that divided the Richmond Lodge gardens and the Kew Palace gardens was closed and the gardens became one unit. By 1841, when the botanic garden was taken over by the state, it was already semi-public. Visitors were admitted daily between 1pm and 6pm, except for Sundays, and there were no admission charges. Under the first Director, Sir William Hooker (1785-1865), the size of the botanic gardens increased to over c 100ha. From 1843 they were relandscaped by William Andrews Nesfield (1793-1881), the architect Decimus Burton (1800-81) working on the buildings.

The C19 saw many changes at Kew. In 1848 the extension of the London and South-Western Railway from Richmond was built along the south-east boundary of the Old Deer Park. In 1876 the Jodrell Laboratory was founded by the then director of the botanic gardens, Sir Joseph Hooker (1817-1911), son of Sir William Hooker. In 1885, Richmond Town Cricket Club and Athletic Association secured a lease from the Crown of c 3.5ha of land on the south-east side of the Old Deer Park and the Royal Mid-Surrey Golf Course a lease of c 92ha in 1892. In the 1850s the responsibility of Kew passed from the Commissioners of Woods and Forest to the Commissioners of Works and Buildings and in 1898 they instructed the director to extend the opening hours for visitors in the summer.

As a prominent public space, the Gardens became the focus of women's rights protests in the early C20. Kew Gardens was the site of militant protests by the Women's Social and Political Union (WSPU), a suffrage organisation formed by Emmeline Pankhurst in 1903. Its members used direct action to get the vote, starting with civil disobedience and progressing to more militant acts including criminal damage and arson. Criminal damage was carried out in secret, but clues would be left to link the attack to suffragettes. On 10 February 1913 three of the Orchid Houses at Kew were attacked overnight; many windows were smashed and flowers were scattered onto the floor. An envelope reading 'votes for women' was left at the scene. Two weeks later a fire was started in the tea pavilion in the early hours of the morning. Olive Wharry and Lilian Lenton were spotted running away from the scene carrying bags containing paraffin, a hammer and a saw; both women were imprisoned for the attack.

Between 1903 and 1984 the gardens were administered by the Ministry of Agriculture, Fisheries and Food. Under the National Heritage Act 1983 a Board of Trustees were appointed to manage the gardens, an arrangement which continues today (1998).



## SUMMARY DESCRIPTION

The Royal Botanic Gardens are located in outer south-west London on the south bank of the River Thames c 500m south west of Kew Bridge. Richmond Park (qv) lies c 1km to the south-east with the town of Richmond on the south-east boundary of the Old Deer Park. To the east lies the dense residential development of North Sheen. The River Thames provides the boundary to the west and Kew Green to the north. To the east the grounds are bounded by Kew Road and to the south-east by the railway line.

The Old Deer Park (139ha) is separated from the Botanic Gardens (128ha) by the C18 ha-ha. The fairly level ground of the Old Deer Park is screened from the river by thick boundary plantings.

The main approach to Kew Gardens is from Kew Green to the north-east through iron gates (listed grade II\*) designed in 1848 by Decimus Burton. Numerous other gates provide entrances around the site, most dating from the mid C19 (and most listed grade II).

The botanic gardens contain many areas of different horticultural and botanic interest. The gardens contains over fifty thousand taxa of living plants from all parts of the world, used for research and education. In addition there is an Herbarium of about six million specimens, an extensive collection of anatomical slides, about one million specimens of plant products, and a comprehensive reference library. The Jodrell Laboratory, nursery, and lecture theatre lies in the north-west corner of the site and provides extensive educational facilities.

A network of paths provide access round the gardens. Five major features dominate the gardens: the Palm House by Decimus Burton with Richard Turner, c 1844(8 (listed grade I), to the east; the Temperate House by Decimus Burton, c 1845-6 (listed grade I) and the Pagoda by Sir William Chambers, c 1761 (listed grade I) to the south; the lake excavated c 1845 to the west; and Kew Palace, formerly known as the Dutch House, c 1631 (listed grade I), to the north. A number of other buildings of historical importance, many from the C18 by William Chambers for Princess Augusta, survive within the botanic gardens.

To the north of the lake a vista extends from the iron and glass Palm House across the river to Syon House (qv), horticultural interest in this area including the Rhododendron Dell, and the Bamboo and Azalea Gardens. To the south of the lake the paths lead past land set aside for a conservation area, to The Queen's Cottage (listed grade II\*) built 1772. The path system continues in a south-easterly direction towards the Temperate House, extended 1898(9 and restored 1978-82, and the Pagoda from where there is a vista north-north-west to the Palm House.

The perimeter path on the east side of the garden leads under the arch (listed grade II\*) designed as a ruin by Chamber c 1760, past the Marianne North Gallery (listed grade II), by James Ferguson c 1882, to the Palm House and Palm House Pond. The Pond, remodelled by Nesfield in 1847, is all that remains of the great lake made for George III which covered the area now occupied by the Palm House and beyond.

From the Palm House the Broad Walk leads north-west back towards the main gate passing to the east the Orangery (listed grade I), by Chambers c 1761 and now (1998) used as a shop and restaurant. Kew Palace (refurbished late 1990s) stands to the north-west flanked on either side by

C20 service buildings, laboratories, and a nursery.

Loss and damage to trees caused by the storms of 1987 and 1990 was considerable but between the Orangery and the Pagoda to the south examples of planting of c 1760 survive.

To the south of Kew Gardens lies the Old Deer Park, physically separated from the botanic gardens by the mid C18 ha-ha and formally separated in 1841 when Kew Gardens was taken into state control. Much of the parkland to the north is used by the Royal Mid-Surrey Golf Club (founded 1892); the remainder is divided up between the Athletic Ground, open grass recreation ground, tennis courts, and the public swimming pool first opened in 1966. The Royal Observatory (listed grade I) built for George III in 1768-9 to the design of William Chambers lies within the golf course in the north-west part of the park. The Observatory, which maintained its scientific role under a number of owners, closed in 1980. The building continues to be used as offices following its restoration in 1983. The three obelisks or meridian marks (listed grade II), erected in the park in 1778 to enable observation instruments to be adjusted, survive, one near the river bank to the north-west and two near the river bank at the southern tip of the site.

In c 1930 the new Twickenham Road was made, cutting across the south-east corner of the Old Deer Park. A strip of parkland, now (1998) used for car parking, is separated from the main body of the Old Deer Park by the dual carriageway. Access over the road to the park is via a C20 footbridge.

This list entry was amended in 2018 as part of the centenary commemorations of the 1918 Representation of the People Act.

This list entry was subject to a Minor Enhancement on 01/06/2018

## REFERENCES

Note: There is a wealth of published material about this site. The key references are listed below.

B Cherry and N Pevsner, *The Buildings of England: London 2 South* (1983), pp 506-12 R King, *Royal Kew* (1985) *The Old Deer Park, Richmond*, report produced by the Old Deer Park Action Group and The Friends of Old Deer Park, (1990) [copy on EH file]

Maps Richmond and Kew, Works 32/99, 1637 (PRO) [copy on EH file]  
J Rocque, *Plan of the Cities of London and Westminster and Borough of Southwark and the country near ten miles around*, surveyed 1741-5, published 1746 R Greening, *Richmond Lodge Estate and Kew*, 1748 (London Metropolitan Archives)

OS 60" to 1 mile: 1<sup>st</sup> edition published 1864 2<sup>nd</sup> edition published 1897

Description written: June 1998 Register Inspector: LCH  
Edited: November 2001



**Royal Botanic Gardens, Kew****Heritage Category:** World Heritage Site**Date first listed:** 2003**Date of most recent amendment:** 2010**Summary**

This historic landscape garden features elements that illustrate significant periods of the art of gardens from the 18<sup>th</sup> to the 20<sup>th</sup> centuries. The gardens house botanic collections (conserved plants, living plants and documents) that have been considerably enriched through the centuries. Since their creation in 1759, the gardens have made a significant and uninterrupted contribution to the study of plant diversity and economic botany.

This is a cultural World Heritage Site in England located at N51 28 55.0 W0 17 38.5. It measures 132 hectares and its buffer zone measures 350 hectares.

The Management Plan for the World Heritage Site is being revised (2010). The Royal Botanic Gardens Kew has a lead officer for the World Heritage Site who is responsible for implementation of the objectives and action plan. A Steering Group made up of key stakeholders oversees World Heritage activities.

**Criteria**

This entry is compiled from information provided by UNESCO who hold the official record for all World Heritage Sites at their Paris Head Quarters. This entry is provided for information only and those requiring further assistance should contact the World Heritage Centre at UNESCO.

Criterion (ii): Since the 18<sup>th</sup> century, the Botanic Gardens of Kew have been closely associated with scientific and economic exchanges established throughout the world in the field of botany, and this is reflected in the richness of its collections. The landscape and architectural features of the Gardens reflect considerable artistic influences both with regard to the European continent and to more distant regions

Criterion (iii): Kew Gardens have largely contributed to advances in many scientific disciplines, particularly botany and ecology

Criterion (iv): The landscape gardens and the edifices created by celebrated artists such as Charles Bridgeman, William Kent, Lancelot 'Capability' Brown and William Chambers reflect the beginning of movements which were to have international influence.

**Legal Statement of Outstanding Universal Value**

This was approved in 2010 by the World Heritage Committee in Brasilia.

**Brief synthesis**

Set amongst a series of parks and estates along the River Thames' south-western reaches, this historic landscape garden includes work by internationally renowned landscape architects Bridgeman, Kent, Chambers, Capability Brown and Nesfield illustrating significant periods in garden design from the 18<sup>th</sup> to the 20<sup>th</sup> centuries. The gardens house extensive botanic collections (conserved plants, living plants and documents) that have been considerably enriched through the centuries. Since their creation in 1759, the gardens have made a significant and uninterrupted contribution to the study of plant diversity, plant systematics and economic botany.

The landscape design of Kew Botanic Gardens, their buildings and plant collections combine to form a unique testimony to developments in garden art and botanical science that were subsequently diffused around the world. The 18<sup>th</sup> century English landscape garden concept was adopted in Europe and Kew's influence in horticulture, plant classification and economic botany spread internationally from the time of Joseph Banks' directorship in the 1770s. As the focus of a growing level of botanic activity, the mid-19<sup>th</sup> century garden, which overlays earlier royal landscape gardens is centred on two large iron framed glasshouses - the Palm House and the Temperate House that became models for conservatories around the world. Elements of the 18<sup>th</sup> and 19<sup>th</sup> century layers including the Orangery, Queen Charlotte's Cottage; the folly temples; Rhododendron Dell, boundary ha-ha; garden vistas to William Chambers' pagoda and Syon Park House; iron framed glasshouses; ornamental lakes and ponds; herbarium and plant collections convey the history of the Gardens' development from royal retreat and pleasure garden to national botanical and horticultural garden before becoming a modern institution of conservation ecology in the 20<sup>th</sup> century.

Criterion (ii): Since the 18<sup>th</sup> century, the Botanic Gardens of Kew have been closely associated with scientific and economic exchanges established throughout the world in the field of botany, and this is reflected in the richness of its collections. The landscape and architectural features of the Gardens reflect considerable artistic influences both with regard to the European continent and to more distant regions

Criterion (iii): Kew Gardens have largely contributed to advances in many scientific disciplines, particularly botany and ecology

Criterion (iv): The landscape gardens and the edifices created by celebrated artists such as Charles Bridgeman, William Kent, Lancelot 'Capability' Brown and William Chambers reflect the beginning of movements which were to have international influence

#### Integrity (2009)

The boundary of the property contains the elements that bear witness to the history of the development of the landscape gardens and Kew Gardens' uninterrupted role as national botanic garden and centre of plant research. These elements, which express the Outstanding Universal Value, remain intact. The Buffer Zone contains the focus of one of the garden vistas on the opposite bank of the Thames River - Syon Park House - together with other parts of the adjacent cultural landscape (Old Deer Park - a royal estate south of Kew Gardens, Syon Park on the opposite bank of the Thames, the river from Isleworth Ferry Gate to Kew Bridge, the historic centre of Kew Green with the adjacent buildings and the church, and then to the east, the built-up sectors of 19<sup>th</sup> and 20<sup>th</sup> century houses). Development outside this Buffer Zone may threaten the setting of the property.



## Authenticity (2009)

Since their creation in the 18<sup>th</sup> century Kew Gardens have remained faithful to their initial purpose with botanists continuing to collect specimens and exchange expertise internationally. The collections of living and stored material are used by scholars all over the world.

The 44 listed buildings are monuments of the past, and reflect the stylistic expressions of various periods. They retain their authenticity in terms of design, materials and functions. Only a few buildings are being used for a purpose different from that originally intended (the Orangery now houses a restaurant). Unlike the works of architecture, in each of the landscaped garden areas, the past, present and future are so closely interwoven (except in the case of vestigial gardens created by significant artists, such as the vistas), that it is sometimes difficult to separate the artistic achievements of the past in terms of the landscape design of the different periods. Recent projects such as recutting Nesfield's beds behind the Palm House have started to interpret and draw attention to the earlier landscapes created by Capability Brown and Nesfield. Other projects are proposed in the overall landscape management plan subject to resourcing.

## Protection and management requirements (2009)

The property includes the Royal Botanic Gardens of Kew, Kew Palace and Queen Charlotte's Cottage, which are the hereditary property of Queen Elizabeth II and are managed for conservation purposes by the Royal Botanic Gardens of Kew and Historic Royal Palaces.

The property is included in a conservation area designated by the London Borough of Richmond upon Thames. Part of the Buffer Zone is protected by a conservation area in the London Borough of Hounslow. Forty four buildings and structures situated on the site have been listed under the Listed Buildings and Conservation Areas Act 1990 as buildings of special architectural and historical interest. The whole site is Grade I on the English Heritage Register of Park and Gardens of Special Historic Interest in England. Permission to carry out works or change functions is subject to the approval of the local authorities, who consult English Heritage in the case of listed buildings and conservation areas.

Protection of the property and the Buffer Zone is provided by development plans in the planning systems of the London Boroughs of Richmond upon Thames and Hounslow and by the London Plan (the Regional Spatial Strategy) and by designation.

Kew Gardens' conservation work has continued at an international level, notably for the cataloguing of species, supporting conservation projects around the world, the implementation of the Convention on International Trade in Endangered Species (CITES, 1975) and the Convention on Biological Diversity (CBD, 1992).

The property has a World Heritage Site Management Plan, a Property Conservation Plan, and a Master Plan. Implementation of the Management Plan is coordinated by the Royal Botanic Gardens, Kew. The World Heritage Site Management Plan is currently being revised alongside a specific landscape master plan.

At the time of inscription the World Heritage Committee encouraged

the State Party to include on the staff of the Royal Botanic Gardens a landscape architect or other specialist qualified in the history of art and history in general, so that architectural conservation activities can be coordinated on-site. Landscape architects with experience of working in historic landscapes have been appointed to provide this advice.

World Heritage Site inscribed by the World Heritage Committee of UNESCO in 2003.



## Appendix II - Planning Policy and Guidance

### National Policy

#### Planning (Listed Buildings and Conservation Areas) Act 1990

The Act is legislative basis for decision making on applications that relate to the historic environment.

Sections 16, 66 and 72 of the Act impose a statutory duty upon local planning authorities to consider the impact of proposals upon listed buildings and conservation areas.

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

[...] in considering whether to grant listed building consent for any works the local planning authority or 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.

Similarly, section 66 of the above Act states that:

In considering whether to grant 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.

Similarly, section 72(l) of the above Act states that:

[...] with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

### Local Policy

#### The London Borough of Richmond Upon Thames Local Plan (July 2018 and March 2020)

The Local Plan was adopted by the Council on 3 July 2018, and replaced previous policies within the Core Strategy and Development Management Plan. The Plan sets out policies and guidance for the development of the borough until July 2033 or until it is superseded. On 3 March 2020 the Council adopted the two issues related to the legal challenges only within the Local Plan.

#### Policy LP 1

##### Local Character and Design Quality

A. The Council will require all development to be of high architectural and urban design quality. The high quality character and heritage of the borough and its villages will need to be maintained and enhanced where opportunities arise. Development proposals will have to demonstrate

a thorough understanding of the site and how it relates to its existing context, including character and appearance, and take opportunities to improve the quality and character of buildings, spaces and the local area.

To ensure development respects, contributes to and enhances the local environment and character, the following will be considered when assessing proposals:

1. compatibility with local character including the relationship to existing townscape, development patterns, views, local grain and frontages as well as scale, height, massing, density, landscaping, proportions, form, materials and detailing;
2. sustainable design and construction, including adaptability, subject to aesthetic considerations;
3. layout, siting and access, including making best use of land;
4. space between buildings, relationship of heights to widths and relationship to the public realm, heritage assets and natural features;
5. inclusive design, connectivity, permeability (as such gated developments will not be permitted), natural surveillance and orientation; and
6. suitability and compatibility of uses, taking account of any potential adverse impacts of the colocation of uses through the layout, design and management of the site.

All proposals, including extensions, alterations and shopfronts, will be assessed against the policies contained within a neighbourhood plan where applicable, and the advice set out in the relevant Village Planning Guidance and other SPDs relating to character and design.

### **Policy LP 3**

#### **Designated Heritage Asset**

A. The Council will require development to conserve and, where possible, take opportunities to make a positive contribution to, the historic environment of the borough. Development proposals likely to adversely affect the significance of heritage assets will be assessed against the requirement to seek to avoid harm and the justification for the proposal. The significance (including the settings) of the borough's designated heritage assets, encompassing Conservation Areas, listed buildings, Scheduled Monuments as well as the Registered Historic Parks and Gardens, will be conserved and enhanced by the following means:

1. Give great weight to the conservation of the heritage asset when considering the impact of a proposed development on the significance of the asset.
2. Resist the demolition in whole, or in part, of listed building. Consent for demolition of Grade II listed buildings will only be granted in exceptional circumstances and for Grade II\* and Grade I listed buildings in wholly exceptional circumstances following a thorough assessment of the justification for the proposal and the significance of the asset.
3. Resist the change of use of listed buildings where their significance would be harmed, particularly where the current use contributes to the character of the surrounding area and to its sense of place.
4. Require the retention and preservation of the original structure, layout, architectural features, materials as well as later features of interest within listed buildings, and resist the removal or modification of features that are both internally and externally of architectural importance or that contribute to the significance of the asset.
5. Demolitions (in whole or in part), alterations, extensions and any other modifications to listed buildings should be based on an accurate understanding of the significance of the heritage asset.



6. Require, where appropriate, the reinstatement of internal and external features of special architectural or historic significance within listed buildings, and the removal of internal and external features that harm the significance of the asset, commensurate with the extent of proposed development.
7. Require the use of appropriate materials and techniques and strongly encourage any works or repairs to a designated heritage asset to be carried out in a correct, scholarly manner by appropriate specialists.
8. Protect and enhance the borough's registered Historic Parks and Gardens by ensuring that proposals do not have an adverse effect on their significance, including their setting and/or views to and from the registered landscape.
9. Protect Scheduled Monuments by ensuring proposals do not have an adverse impact on their significance.
- B. Resist substantial demolition in Conservation Areas and any changes that could harm heritage assets, unless it can be demonstrated that:
  1. in the case of substantial harm or loss to the significance of the heritage asset, it is necessary to achieve substantial public benefits that outweigh that harm or loss;
  2. in the case of less than substantial harm to the significance of the heritage asset, that the public benefits, including securing the optimum viable use, outweigh that harm; or
  3. the building or part of the building or structure makes no positive contribution to the character or distinctiveness of the area.
- C. All proposals in Conservation Areas are required to preserve and, where possible, enhance the character or the appearance of the Conservation Area.
- D. Where there is evidence of intentional damage or deliberate neglect to a designated heritage asset, its current condition will not be taken into account in the decision-making process.
- E. Outline planning applications will not be accepted in Conservation Areas. The Council's Conservation Area Statements, and where available Conservation Area Studies, and/or Management Plans, will be used as a basis for assessing development proposals within, or where it would affect the setting of, Conservation Areas, together with other policy guidance, such as Village Planning Guidance SPDs.

## **Policy LP 6**

### **Royal Botanic Gardens, Kew World Heritage Site**

The Council will protect, conserve, promote and where appropriate enhance the Royal Botanic Gardens, Kew World Heritage Site, its buffer zone and its wider setting. In doing this, the Council will take into consideration that:

- The World Heritage Site inscription denotes the highest significance to the site as an internationally important heritage asset.
- The appreciation of the Outstanding Universal Value of the site, its integrity, authenticity and significance, including its setting (and the setting of individual heritage assets within it) should be protected from any harm.
- Appropriate weight should be given to the Royal Botanic Gardens, Kew World Heritage Site Management Plan and the Royal Botanic Gardens, Kew Landscape Master Plan.

D. The Council requires developments to contribute towards the Mayor of London target of 25% of heat and power to be generated through localised decentralised energy (DE) systems by 2025. The following will be required:

## **Policy LP 43**

### **Visitor Economy**

A. The Council will support the sustainable growth of the visitor economy for the benefit of the local area by:

1. supporting proposals which promote and enhance the borough's existing tourist attractions, including the unique, historic and cultural assets that are connected via the River Thames, such as The Royal Botanic Gardens, Kew, Ham House and Hampton Court Palace;
2. proposals that lead to increased visitors and tourists need to be of an appropriate scale for the size of the centre and will be assessed against the transport policies of this Plan;
3. requiring accommodation and facilities to be accessible to all; at least 10% of hotel bedrooms should be wheelchair accessible;
4. enhancing the environment in areas leading to, within and around visitor destinations where appropriate.

### **Royal Botanic Gardens Kew: World Heritage Site Management Plan, 2020-2025**

The WHS Management Plan is an operational and planning document, to be used by RBG Kew and key stakeholders to inform policy decisions, assist in planning decisions, inform capital development planning and revenue expenditure, and aid discussion with potential funding partners.

## **Regional Policy**

### **The London Plan (March 2021)**

In March 2021 the Mayor adopted The London Plan. This is operative as the Mayor's spatial development strategy and forms part of the development plan for Greater London. Policies pertaining to heritage include the following:

#### **Policy HC1 Heritage Conservation and Growth**

(C) Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

#### **Policy HC2 World Heritage Sites**

(B) Development proposals in World Heritage Sites and their settings, including any buffer zones, should conserve, promote and enhance their Outstanding Universal Value, including the authenticity, integrity and significance of their attributes, and support their management and protection. In particular, they should not compromise the ability to appreciate their Outstanding Universal Value, or the authenticity and integrity of their attributes.

## National Planning Policy Framework

Any proposals for consent relating to heritage assets are subject to the policies of the NPPF (December 2023). This sets out the Government's planning policies for England and how these are expected to be applied. With regard to 'Conserving and enhancing the historic environment', the framework requires proposals relating to heritage assets to be justified and an explanation of their effect on the heritage asset's significance provided.

Paragraph 7 of the Framework states that the purpose of the planning system is to 'contribute to the achievement of sustainable development' and that, at a very high level, 'the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs'.

At paragraph 8, the document expands on this as follows:

*Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives:*

*a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

*c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

and notes at paragraph 10:

*10. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).*

With regard to the significance of a heritage asset, the framework contains the following policies:

*201. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.*



In determining applications local planning authorities are required to take account of significance, viability, sustainability and local character and distinctiveness. Paragraph 203 of the NPPF identifies the following criteria in relation to this:

*the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*

*b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*

*c) the desirability of new development making a positive contribution to local character and distinctiveness*

With regard to applications seeking to remove or alter a historic statue, plaque, memorial or monument (whether listed or not), paragraph 204 states that:

*...local planning authorities should have regard to the importance of their retention in situ and, where appropriate, of explaining their historic and social context rather than removal.*

With regard to potential 'harm' to the significance designated heritage asset, in paragraph 205 the framework states the following:

*...great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*

The Framework goes on to state at paragraph 206 that:

*Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:*

*a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*

*b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

Where a proposed development will lead to 'substantial harm' to or total loss of significance of a designated heritage asset paragraph 207 of the NPPF states that:

*...local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:*

*a) the nature of the heritage asset prevents all reasonable uses of the site; and*

*b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*

*c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*

*d) the harm or loss is outweighed by the benefit of bringing the site back into use*

With regard to 'less than substantial harm' to the significance of a designated heritage asset, paragraph 208 of the NPPF states the following;

*282. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*

In terms of non-designated heritage assets, the NPPF states:

*209. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect 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.*

The Framework requires local planning authorities to look for opportunities for new development within conservation areas and world heritage sites and within the setting of heritage assets to enhance or better reveal their significance. Paragraph 212 states that:

*... Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.*

Concerning conservation areas and world heritage sites it states, in paragraph 213, that:

*Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 207 or less than substantial harm under paragraph 208, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.*

Concerning enabling development, it states, in paragraph 214, that local authorities should:

*assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.*

## National Planning Practice Guidance

The National Planning Practice Guidance (NPPG) was published on 23 July 2019 to support the National Planning Policy Framework (NPPF) 2021 and the planning system. It includes particular guidance on matters relating to protecting the historic environment in the section: Conserving and Enhancing the Historic Environment.

The relevant guidance is as follows:

### Paragraph 2: What is meant by the conservation and enhancement of the historic environment?

Conservation is an active process of maintenance and managing change. It requires a flexible and thoughtful approach to get the best out of assets as diverse as listed buildings in every day use and as yet undiscovered, undesignated buried remains of archaeological interest.

In the case of buildings, generally the risks of neglect and decay of heritage assets are best addressed through ensuring that they remain in active use that is consistent with their conservation. Ensuring such heritage assets remain used and valued is likely to require sympathetic changes to be made from time to time. In the case of archaeological sites, many have no active use, and so for those kinds of sites, periodic changes may not be necessary, though on-going management remains important.

Where changes are proposed, the National Planning Policy Framework sets out a clear framework for both plan-making and decision-making in respect of applications for planning permission and listed building consent to ensure that heritage assets are conserved, and where appropriate enhanced, in a manner that is consistent with their significance and thereby achieving sustainable development. Heritage assets are either designated heritage assets or non-designated heritage assets.

Part of the public value of heritage assets is the contribution that they can make to understanding and interpreting our past. So where the complete or partial loss of a heritage asset is justified (noting that the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted), the aim then is to:

- capture and record the evidence of the asset's significance which is to be lost
- interpret its contribution to the understanding of our past; and
- make that publicly available (National Planning Policy Framework paragraph 199)

### Paragraph 6: What is "significance"?

'Significance' in terms of heritage-related planning policy is defined in the Glossary of the National Planning Policy Framework as the value of a heritage asset to this and future generations because of its heritage interest. Significance derives not only from a heritage asset's physical presence, but also from its setting.

The National Planning Policy Framework definition further states that in the planning context heritage interest may be archaeological, architectural, artistic or historic. This can be interpreted as follows:



- **archaeological interest:** As defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.
- **architectural and artistic interest:** These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skill, like sculpture.
- **historic interest:** An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history, but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.

In legislation and designation criteria, the terms 'special architectural or historic interest' of a listed building and the 'national importance' of a scheduled monument are used to describe all or part of what, in planning terms, is referred to as the identified heritage asset's significance.

#### Paragraph 7: Why is 'significance' important in decision-taking?

Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals.

#### Paragraph 13: What is the setting of a heritage asset and how should it be taken into account?

The setting of a heritage asset is defined in the Glossary of the National Planning Policy Framework.

All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not. The setting of a heritage asset and the asset's curtilage may not have the same extent. The extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations. Although views of or from an asset will play an important part in the assessment of impacts on setting, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.

The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights of way or an ability to otherwise access or experience that setting. The contribution may vary over time.

When assessing any application which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change. They may also need to consider the fact that developments which materially detract from the asset's significance may also damage its economic viability now, or in the future, thereby threatening its ongoing conservation.

**Paragraph 15: What is the optimum viable use for a heritage asset and how is it taken into account in planning decisions?**

The vast majority of heritage assets are in private hands. Thus, sustaining heritage assets in the long term often requires an incentive for their active conservation. Putting heritage assets to a viable use is likely to lead to the investment in their maintenance necessary for their long-term conservation.

By their nature, some heritage assets have limited or even no economic end use. A scheduled monument in a rural area may preclude any use of the land other than as a pasture, whereas a listed building may potentially have a variety of alternative uses such as residential, commercial and leisure.

In a small number of cases a heritage asset may be capable of active use in theory but be so important and sensitive to change that alterations to accommodate a viable use would lead to an unacceptable loss of significance.

It is important that any use is viable, not just for the owner, but also for the future conservation of the asset: a series of failed ventures could result in a number of unnecessary harmful changes being made to the asset.

If there is only one viable use, that use is the optimum viable use. If there is a range of alternative economically viable uses, the optimum viable use is the one likely to cause the least harm to the significance of the asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and likely future changes. The optimum viable use may not necessarily be the most economically viable one. Nor need it be the original use. However, if from a conservation point of view there is no real difference between alternative economically viable uses, then the choice of use is a decision for the owner, subject of course to obtaining any necessary consents.

Harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused, and provided the harm is minimised. The policy on addressing substantial and less than substantial harm is set out in paragraphs 199-203 of the National Planning Policy Framework.

**Paragraph 18: How can the possibility of harm to a heritage asset be assessed?**

What matters in assessing whether a proposal might cause harm is the impact on the significance of the heritage asset. As the National Planning Policy Framework makes clear, significance derives not only from a heritage asset's physical presence, but also from its setting.

Proposed development affecting a heritage asset may have no impact on its significance or may enhance its significance and therefore cause no harm to the heritage asset. Where potential harm to designated

heritage assets is identified, it needs to be categorised as either less than substantial harm or substantial harm (which includes total loss) in order to identify which policies in the National Planning Policy Framework (paragraphs 199-203) apply.

Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated.

Whether a proposal causes substantial harm will be a judgment for the decision-maker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later additions to historic buildings where those additions are inappropriate and harm the buildings' significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm, depending on the nature of their impact on the asset and its setting.

The National Planning Policy Framework confirms that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). It also makes clear that any harm to a designated heritage asset requires clear and convincing justification and sets out certain assets in respect of which harm should be exceptional/wholly exceptional (see National Planning Policy Framework, paragraph 200).

#### **Paragraph 20: What is meant by the term public benefits?**

The National Planning Policy Framework requires any harm to designated heritage assets to be weighed against the public benefits of the proposal.

Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.

Examples of heritage benefits may include:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting



- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long term conservation.

## Appendix III – Royal Botanic Gardens Kew: World Heritage Site Management Plan 2020-2025

[Link to Royal Botanic Gardens Kew: World Heritage Site Management Plan 2020-2025](#)

