

## Adam Watts

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**From:** Jennifer Margetts  
**Sent:** 28 February 2019 10:03  
**To:** Planning Idox  
**Subject:** FW: Historic England advice on Application no(s) 2018/3810  
**Attachments:** 20183810\_HERef\_P01019633\_L337268.doc

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-----Original Message-----

From: steve.hurst@HistoricEngland.org.uk <steve.hurst@HistoricEngland.org.uk>  
Sent: 26 February 2019 17:14  
To: Jennifer Margetts <JMargetts@elmbridge.gov.uk>  
Subject: Historic England advice on Application no(s) 2018/3810

Dear Ms Margetts,

Please find attached our advice on the following site -

Jolly Boatman And Hampton Court Station Redevelopment Area, Hampton Court Way, East Molesey, Surrey, KT8 9AE Application No(s):2018/3810

Please see previous advice on this consultation (attached)

Yours sincerely,

Steve Hurst on behalf of Jane Sidell  
Inspector of Ancient Monuments  
E-mail: jane.sidell@HistoricEngland.org.uk

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Our ref: P01019633

30 January 2019

Dear Ms Margetts

**T&CP (Development Management Procedure) (England) Order 2015  
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**JOLLY BOATMAN AND HAMPTON COURT STATION REDEVELOPMENT AREA,  
HAMPTON COURT WAY, EAST MOLESEY, SURREY, KT8 9AE  
Application No. 2018/3810**

Thank you for your letter of 10 January 2019 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

**Historic England Advice  
Significance**

The proposed development is in close proximity to several designated and undesignated heritage assets. These include the Kent Town conservation area, the locally listed Hampton Court railway station, the grade II listed Hampton Court bridge crossing the Thames (List entries 1358100 and 1030182), the Hampton Court Palace registered park and garden (List entry 1000108), and the scheduled monument of Hampton Court Palace (monument number LO83). Hampton Court Palace is an internationally significant historic and archaeological site, firmly rooted in British history through its association with the Tudor dynasty particularly and is considered the principal asset when considering this application. Taken as an ensemble, this is an exceptionally significant and sensitive group of heritage assets

**Impact**

The proposals for the former Jolly Boatman site will not physically affect the fabric of any of the designated heritage assets but there will be impact to their settings. The proposed development will incorporate the locally listed railway station, but this effect is outside our remit to provide advice on, as is the grade II listed bridge, both of which are wholly within the remit of the local authority.

**Conservation Area** - the development is located within the Kent Town conservation



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area, which is largely designated on the basis of the residential development begun by Francis Jackson Kent in the mid-nineteenth century. The proposed development is on the edge of the conservation area and separated from the residential fabric for which the area is designated. It will incorporate both commercial and residential buildings, which are already present within the conservation area, nevertheless, there will be some impact upon the conservation area and specifically upon the railway station building.

**Hampton Court Palace** - the principle heritage asset close to the development site is the scheduled monument of Hampton Court Palace. This monument is of exceptional significance through both its high quality of architecture, extent and survival, archaeological interest and historical association with key historical figures such as King Henry VIII, Cardinal Thomas Wolsey and Sir Christopher Wren. The submitted documents provide a number of views of the proposed development in the context of the palace, which is currently bounded to the south by the river Thames, the north by limited development and Bushy Park, to the east, by Home Park, and to the west by slightly more developed areas and the common.

The key views to the palace as presently experienced by visitors include from Trophy Drive to the west front, from the gardens to the east front, and from Barge Walk to the Privy Garden and south front. The proposed development will not be visible in these views to the palace. Key views from the palace across the river have been shown in the documents submitted and from these the development will be extensively but not entirely screened by trees present both within the palace grounds and also on the river banks. Views from Trophy Drive, the west front and from the Privy Garden all indicate that the development will also be almost entirely screened by the trees when in leaf. The development will be more visible from the roof of Hampton Court Palace, and there are periodic tours on the roof, allowing the palace to be experienced by visitors from an elevated perspective.

**Registered park and garden** -the application site is incidental in any of the designed or other significant views of the designed landscape at Hampton Court Palace, but it does form a prominent part of the setting of numerous designated heritage assets and occupies a key location from which many visitors gain their first glimpse of Hampton Court Palace as they emerge from the railway station.

While existing views from Barge Walk, Hampton Court Palace's western forecourt and tiltyard, (likely) the Banqueting House, and (to a lesser extent) the raised walks within the Privy Garden include glimpses of existing buildings on both sides of the river, the proposed development will be a large new built form within the landscape of a greater scale, massing and height than these existing buildings [save for Hampton Court Palace itself]. Efforts have been made by the applicant to mitigate and reduce such visual impacts, such as: orienting the layout to Hampton Court Station and the train line so that the development does not directly from the river; staggering the northern, river frontage and setting it back from the river behind an area of public realm ('Riverside Gardens'); breaking up the eastern frontage with podium (1st floor)





gardens; introducing a varied roofline; and utilising a conservative materials palette, including visually lighter treatments to upper storeys. While existing mature broadleaf trees within the registered park and garden and public open space at Cigarette Island will help to break-up the form of the buildings and provide some year-round screening in these views, parts of the development will remain visible even when the trees are in leaf. As such, the proposed development still represents some harm to the settings of the registered park and garden and palace.

## Policy

Several policy documents are relevant and should be taken into account when considering this planning application.

The *Planning (Listed Buildings and Conservation Areas) Act 1990* is relevant particularly regarding the Conservation Area and the listed buildings outwith Hampton Court Palace (which as a scheduled monument, albeit incorporating several listed buildings, is regulated under different legislation, the *1979 Ancient Monuments and Archaeological Areas Act*). Section 66 should be considered with reference to the impacts upon the setting of the listed buildings, '*in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority... shall have special regard to the desirability of preserving the building or its setting...*'

Section 72 should also be considered with reference to the impacts upon the Kent Town Conservation Area, '*...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*'

The key policy document of relevance here is the *National Planning Policy Framework*, (July 2018), specifically section 16 '*Conserving and enhancing the historic environment*'. This relates to all the heritage assets noted above.

The 1979 Ancient Monuments and Archaeological Areas Act does not specifically mention setting, however, this is covered in the NPPF, specifically paragraph 190 which states that '*development affecting the setting of a heritage asset*' should be taken into account when assessing planning applications.

Further, paragraph 194 notes 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.*'

Paragraph 196 notes that '*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...*'

In addition to national policy, several local policy documents are relevant and should





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be taken into account, including the Elmbridge Heritage Strategy (2015) and the Elmbridge Development Management Plan (2015), which notes that '*development must have a sensitive and appropriate response to context and good attention to detail, and where less than substantial harm arises, a proposal will be weighed against any public benefits of the proposal*'.

Having reviewed the documentation submitted with the planning application, the impact on the designated heritage assets is confined to issues of setting. The development within the conservation area is on the edge of the area and reasonably distant from the key residential zone within the Kent Town conservation area.

The setting of the principle assets, Hampton Court Palace and the registered park and garden will sustain some harm from the development, although it will be largely screened behind trees when in leaf both within the palace, and on the other side of the river. Clearly the continued presence of trees will be important to screen the development from views from the palace.

In accordance with the NPPF (paragraphs 194 and 196), the impact upon setting will need to be weighed against heritage benefits. The proposed development addresses a complicated site, the current (and long-standing) state of which has had an adverse effect on the settings of multiple designated heritage assets. The proposed development is less impactful upon heritage than previous applications and will replace the existing car park and station forecourt/car dealership and include public realm improvements to remove visually-intrusive elements such as the hoarding around the 'Jolly Boatman' site. In particular, the proposed 'Riverside Gardens' will create an area of public realm which will greatly improve the sense of arrival at Hampton Court.

**Recommendation**

Historic England has no objection to the application on heritage grounds.

Yours sincerely

**Jane Sidell**

Inspector of Ancient Monuments

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