



HAMPTON COURT STATION DEVELOPMENT – CURRENT PLANNING APPLICATION ELMBRIDGE 2018/3810

OBJECTION ON HERITAGE MATTERS RELATED TO TRAFFIC SIGNALS ON HAMPTON COURT BRIDGE

**Prepared by HCRC Committee Member Karen Liddell BA(hons), MRTPI(rtd),
IHBC(rtd)**

Summary of Objection

- This objection is solely related to the proposal for the installation of a set of traffic signals at the southern end of the Sir Edwin Luytens Hampton Court Bridge, included at Grade II on the National Heritage List for England;
- Hampton Court Rescue Campaign (HCRC) has taken professional historic environment advice and is of the opinion due regard has not been given hitherto by either the applicants, the Council, or Historic England to the need for Listed Building Consent for the proposed installation of a set of traffic signals on the listed bridge, or to the potential harm to the special interest and significance of the bridge and its setting resulting from such an installation;
- Even if an application for Listed Building Consent were to be submitted at this late stage, it could only be refused given the potential harm that the proposed installation would cause;
- If Listed Building Consent is submitted and refused, the highway scheme will be unworkable, and thus make the major development unimplementable without a significant amendment to the design layout and highway scheme;
- This statement, together with the attached Visual Impact Assessment (VIA) sets out the evidence to demonstrate that this important heritage consideration has been disregarded to date, and illustrates how the proposed installation of traffic signals would affect the special interest and significance of the listed bridge;
- **HCRC concludes that the matter must be resolved prior to a decision on 2018/3810, and we request the removal of the proposed traffic signals from Hampton Court bridge within the proposed highway scheme.**

Author & Contributors

1. The author has 40 years professional expertise advising on the historic built environment, worked in planning, conservation and design roles within Local Planning Authorities for 30 years, and was the Conservation & Design Manger at Kingston upon Thames for 21 years. She has been a HCRC Committee Member for 13 years and is a member of the East Molesey Conservation Areas Advisory Committee. In preparing this report she has collaborated with eighteen heritage professionals with extensive experience and expertise between them, and with heritage representatives from key bodies including Historic Royal Palaces, Richmond upon Thames, The 20th Century Society and The Luytens Trust. We consider the collected authority of these opinions presents a sound and credible case.

The Proposed Traffic Signals

2. The major development within the current application 2018/3810 (which has an agreed target date of 30th April 2021 for a decision) is accompanied by a highway scheme, to be implemented as part of a Section 106 Agreement, as it is beyond the application site boundary. The highway scheme is illustrated in the Watermans Proposed Highway Layout August 2018 drawing ref CIV16694CSA950047 A0112 (Figure 2 in the Visual Impact Assessment (VIA) contains the relevant extract). There is a four-way set of traffic signals proposed at the junction of Hurst Road, Hampton Court Road, and the new site access opposite Hurst Road. The extract within the VIA shows the set of traffic lights clearly sited on Hampton Court Bridge, a grade II listed structure, within the red ring, which allows sole access to the major development site around Hampton Court station, marked with black arrow. These traffic signals are a necessity to stop traffic, in order to allow vehicles to exit the only site access, and to allow traffic to access the site, when travelling north, that needs to do a right turn across the oncoming traffic. There is no illustrative material on the traffic signal pole design or dimensions.

The Elmbridge Heritage Advisers Consideration

3. HCRC has received the specialist heritage advice, provided by Ms Clare Smith, given to the application case officer, dated 22/1/2019 (copy in Appendix 1) on the current application 2018/3810, as supplied to the author, Ms Karen Liddell under a FOI Request on 11/02/2020 (necessary as the Council has a new administrative procedure not to publish such specialist advice until after the determination of applications). Having assessed the advice in the context of the application plans and documents and carried out much research and communications with key interested parties, and other historic environment professionals, HCRC is concerned that the Council has not fulfilled some of its key responsibilities in respect of assessing the impact on the historic environment under Section 66 of the Planning (Listed building and Conservation Areas) Act 1990 and Local Plan Policy DM12. This is a serious matter and to avoid the possibility of a court challenge we would urge the Council officer/s and the applicant to give this representation attention prior to making a recommendation on the application.

The Applicants Responsibility

4. Applicants are expected to describe in their application the significance of any heritage assets affected, including any contribution made by their setting (National Planning Policy Framework paragraph 189). In doing so, applicants should include analysis of the significance of the asset and its setting, and, where relevant, how this has informed the development of the proposals.
5. The applicant has produced in the Environmental Statement Volume 3 Heritage Townscape and Visual Impact assessment (HTVI) December 2018, an analysis of the historic environment and its heritage assets. Indeed, the Executive Summary (page 4) states that the redevelopment site*"has a historic and functional relationship with the adjacent Hampton Court Bridge and a visual relationship with the extremely sensitive Hampton Court Palace"*. The Grade II Hampton Court Bridge is one of many heritage assets described and assessed in this lengthy report, including specifically at page 38 which describes its significance and setting, and page 48 where it categorises it as of medium heritage value, and states that a full assessment is required. At page 70 the "Predicted Impact" of the redevelopment on the bridge is assessed, where the impact of the built forms and new open spaces are judged to have a "moderate beneficial effect" on the bridge. However, the HCRC objection is not related to the test of whether the setting of the listed bridge has been considered.
6. The applicant has failed to assess the impact of the highway scheme on the historic environment and its heritage assets, and more pertinently on the listed Hampton Court bridge. The highway scheme is a major element of the proposal, that is allegedly planning gain, although in the opinion of HCRC only necessary to make the major development proposal's only site access implementable and operationally effective. The applicant should be required to provide such a statement indicating the impact of the highway scheme on all heritage assets in the vicinity. This should by its nature identify if any elements of the highway scheme are attached to any listed building, or other heritage asset, that would require full assessment and a determination on whether listed building consent, or other approval, is require, including obtaining advice from the relevant authorities. The applicant has failed their responsibilities to properly assess the impact of the highway scheme on Hampton Court Bridge and thus HCRC has sought advice from appropriately qualified historic environment professionals and other interested bodies.

Historic England's Advice

7. In the Historic England letter dated 30/1/2019 (uploaded under consultation responses) at para. 3 it is made clear that the impact on Hampton Court Bridge as a grade II listed building is "wholly within the remit of the LA" and "outside" the remit of Historic England. The first part of this paragraph is also technically inaccurate (as will be identified below) in stating the proposals "will not physically affect the fabric of any of the designated heritage assets", which must cast doubt on the credibility of the Historic England's advice. There is an evidence trail which

suggests that Historic England did not give due regard to this proposal at pre-application stage, and that they were excessively hasty in issuing this “No Objection” letter before a key document, The Heritage, Townscape and Visual Impact Assessment was fully uploaded on 20/2/2019 to include the appendices containing the 101 pages with the Miller Hare Visual Impact Study, including the wireline images requested by both Historic Environment and Elmbridge Council.

8. If a Listed Building Consent application were submitted for any works to Hampton Court Bridge, it would be wise to consult Historic England so that they may consider the impact on the setting of the Grade I listed Hampton Court Palace and its Registered Parks & Gardens which are within their remit.

The LPA’s Duty

9. The NPPF makes reference to LPA’s using ‘any necessary expertise’ in decision making, which is a policy expectation that local planning authorities will obtain the services of heritage specialists, amongst others, to advise them in development management cases. The NPPF Planning Practice Guidance on Historic Environment also states *“Advice may be sought from appropriately qualified staff and experienced in-house experts or professional consultants, complemented as appropriate by consultation with National Amenity Societies and other statutory consultees and other national and local organisations with relevant expertise.”*
10. Most of the Historic England published guidance on conservation areas and listed buildings makes reference to the LPA’s requirement to use heritage specialists. Whether Ms Smith’s advice is “necessary expertise” is questionable as she did not have a recognised historic environment qualification, nor was she a member of a recognised historic environment professional body (such as the Institute of Historic Building Conservation IHBC). We are aware, from a former employee at Elmbridge BC, Mr Tony Hall MRTPI, IHBC, that Ms Smith is a qualified landscape architect who took on the heritage role at Elmbridge Council after his departure in 2001 when he was the remaining Conservation Officer. However, as she is no longer employed by Elmbridge Council, she will not be answerable to her advice. She gave the advice dated 22/01/19 again before a key document, The Heritage, Townscape and Visual Impact Assessment was fully uploaded on 20/2/2019 to include the 101 page appendices containing the Miller Hare Visual Impact Study presenting the views requested by both Historic England and Elmbridge Council. At the time of writing, we do not have any evidence that a replacement heritage adviser has been engaged on the current application 2018/3810.

Elmbridge Heritage Advice on the Listed Bridge

11. Ms Smith does make reference to Hampton Court Bridge on page 2 where it is stated:-
“With regard to the 1930s Grade II Listed Hampton Court Bridge there is concern regarding the proposed construction works, particularly the sheet piling operations. The vibration assessment in ES Chapter 10 is noted, para 10.53 recommends

monitoring of vibration levels and should permission be granted this needs to be secured by condition. There is opportunity for enhancement of the historic feature lighting on Lutyen's bridge, the London Borough of Richmond have recently refurbished eight metal columns and lighting units on the north section of the bridge while the remaining eight lights on the southern Surrey CC section remain in a poor condition. This might be considered as part of the CIL package proposed as of this application and which will improve the traffic movement and the environment on Hampton Court Way."

12. There is no reference in this paragraph, or other sections of the advice, to the set traffic signals being proposed, although there are references to an improvement to the 2008/1600 approved highway scheme. It is apparent that the writer is aware of the highway scheme but has not addressed the implications of its implementation. It should be noted that traffic signals were not proposed on Hampton Court Bridge as part of 2008/1600. It is relevant that the importance of the historic interest of the bridge lighting (the 16 lamp standards) is referenced as these are key features of the special interest of the bridge that will be impacted by the proposed traffic lights. The application does not include a proposal to refurbish the lights and the CIL package details are unknown.

Scoping Opinion Application 2018/2065

13. The Officer Delegated report on the Scoping Opinion application 2018/2065 includes the Elmbridge Planning Conservation (Ms Smith's) comments at paras. 11 & 82-86 although there are no significant references to Hampton Court Bridge and none to the traffic lights.
14. The above lack of consideration should be put in the context of the Surrey Highway Authority comments in paras 16 and 33-43 where it is clearly acknowledged that there will be significant highway changes and states at para.36 that "*Comprehensive changes to the existing road network are required to make access to the site safe*". And then "*All aspects of the design will need to be road safety audited and checked. Changes to the traffic signalling will be necessary to enable pedestrian movements across the road as well as safe access to all the junctions off Hampton Court Way.*" HCRC does not believe the Road Safety Audits have been submitted as application documents to demonstrate these traffic signals are necessary or acceptable.
15. It is apparent that although Surrey Highway Authority own the bridge and have responsibility for its maintenance, including preserving the listed building, they did not consult with the Elmbridge Planning Conservation/Heritage Services to obtain an opinion on the need for Listed Building Consent or appropriateness of siting traffic signals on the bridge before agreeing the highway scheme with the applicant in 2018 at the pre-application stage.

Surrey CC Highway Authority Advice

16. The Surrey Highway Authority consultation response dated 12 March 2019 (uploaded under consultation responses) specifies that an appropriate agreement

should be secured before the grant of planning permission to cover amongst other things *“New 4- way traffic signals at the junction of River Bank with Hampton Court Way and the new access road, adjacent to Cigarette Island Lane, into the development.”* The section on pages 4 & 5 under *“Highway Network”* heading specifically describe the highway scheme and finish with the statement that *“The construction works required on the public highway would be carried out under Section 278 of the Highways Act 1980. The developer would enter into an agreement to carry out all the necessary works to deliver the highway improvements.”*

17. Page 6 under the heading *“B. Road Improvements for Drivers”*, describes the 4-way set of traffic lights and the benefits but no mention is made of a set of traffic lights on Hampton Court Bridge. There is no evidence in this consultation response that the Highway Authority has pursued any discussion with either the applicant, or the Elmbridge Planning Conservation/heritage services of the implication of putting traffic lights on the listed Hampton Court Bridge.

Surrey CC responsibility as Bridge Owner

18. The Surrey CC Structures & Embankment Asset Manager, Dan Robinson is responsible for all works, maintenance, and the structural integrity of the bridge and has been approached informally (email chain with K Liddell available Jan – October 2020). He advises that he is aware of the proposed traffic signals, and confirms he has had no discussion with the applicants, his colleagues in Transport Development Planning or Elmbridge Council on the need for listed building consent. He advises that if Surrey were implementing these works, they would consult with Elmbridge on the need for consent. He advises that under S278 of the Highway Act that the responsibility transfers to the developer to obtain the necessary consents. HCRC has a fear that this important matter will not be addressed before the planning application decision is made, and indeed if approval is given the applicant may not address the matter before implementation.
19. The Surrey CC Conservation Officer, Martin Higgins, has advised us that he has not been contacted by the highway’s officers, the applicant or Elmbridge Council to seek advice on works to the bridge and would normally expect to be consulted on such planned works to a County owned heritage structure. His thoughts are that *“It would certainly be better if they (the traffic signals) could be well away from the bridge”*.

The Need for Listed Building Consent

20. Listed Building Consent is required by virtue of section 7 of the Planning (Listed buildings & Conservation) Areas Act 1990, comprising works of an alteration to a listed structure *“which would affect its character as a building of special architectural or historic interest unless the works are authorised”*. Although we do not have a detailed design and dimensions for the proposed traffic signals, the following elements of the works constitute an alteration that are potentially affixed to the bridges structure:-

- a. the installation of two traffic signal columns on the deck of the listed bridge – one on the existing footway: the other on a proposed island refuge located on the existing carriageway
- b. the fixing of the bases of the two columns to the sub-structure of the bridge deck beneath the highway, which may affect its structural integrity (the original Lutyens drawings are available to allow investigation, see Fig 29 in VIA);
- c. the construction of a raised island refuge in the centre of the carriageway;
- d. the installation of cables and conduits beneath the highway, the source of which are unknown and will require other areas of road and footway surfacing and sub-structure to be disturbed;
- e. Depending on their location and fixing, any signal control-box above or below ground (normally required nearby), and any columns supporting associated traffic-signs may also require Listed Building Consent;

21. It is a criminal offence under section 9 of the above Act to carry out works without Listed Building Consent. Such works would comprise permitted development under the GDPO and thus not require planning permission;

The Potential Effect on the Special Architectural and Historic Interest and Significance of the Bridge

22. The Historic England statutory listed building description, set out in Fig 30 of the VIA, is short and missing any references to the origins of the bridges design and its' setting. A conservation expert Dr Nigel Barker-Mills (see para.38.a) below) has provided his interpretation of the special interests:-

“What is important about Hampton Court Bridge, are the very generous dimensions of the bridge deck, deliberately designed by one of England’s greatest architects, Sir Edwin Lutyens, with an eye to landscape effect for both the users of the bridge and those in its setting alongside the careful interplay between the strong horizontals of the structure and the decorative, almost playful delicacy of the designed lighting. The design of the standards makes obvious references to the Tijou gates and railings of Hampton Court, imitating their decorative language, and the bridge itself shares the architectural language of the Wren phase of the Palace. These intangible and intellectual associations are part of the positive contribution made by the setting to both the Palace and the bridge. The fact that the bridge has minimal traffic signage and associated clutter at present is commendable and the introduction of clutter should be resisted.”

23. A Listed Building Consent application if submitted would have a harmful effect on the special architectural and historic interest, and significance of the bridge for the following reasons: -

- a. The bridge is currently devoid of highway structures and the street furniture is minimal, the two traffic signal columns and associated elements would in principle interrupt the simplicity of the structure and compete with its features setting a dangerous precedent. See figures 3, 8, 11 & 12 amongst others in the VIA;
- b. There are no other vertical structures on the bridge other than the integral historic lamp standards, and new vertical structures would compete with the original lamp standards which are recognised in the listing description (fig 30 in VIA) as a key architectural feature; by the Elmbridge Council's Heritage Adviser in her consultation response (see para 11 & 12 above); and the design of the standards has strong references to the Palace as described by an expert in para. 22 above. The signals and poles are likely to be at least as tall as the standards if not higher See figures 1, 3&4 & 20-24 in the VIA;
- c. We do not have a specification for the traffic signals and their poles but traffic regulations and our engineering advisers suggest they will at least 3.4m high, and could be up to 4.5m, and need 2.3m clearance at the underside of the signal head. The traffic signals will be located on the bridge above and near the southern embankment on the downstream side, and are likely to rise at least 2.3 metres above the bridge parapet walls which are 1.1m high, and therefore will be highly visible from the water and river banks, damaging the longer views of the bridge as seen in photos 17, 18 & 19. They will intrude in the views of the full width of the three elegant arches, the continuous horizontal parapets, and the full set of lamp standards, that as a composite give such a spectacular enclosure to the river view as vessels are approaching under the bridge towards East Molesey Lock;
- d. Similarly, from the upstream side on the water and at the banks, as seen in photos 13-16, the lamp standards on both sides of the bridge parapets give a strong rhythm to the structure, with the view bookended by the lamp standards in the niches, which will be complicated by the inclusion of traffic columns in these views;
- e. The views from the highway shown in photos 8, 9 & 10 and the renders at 1,3,4, 5, 6 & 7 will lose their clear lines of the parapets with the rising lamp standard by the interruption of the traffic columns towards the southern end;
- f. The long and shorter views of the bridge, from many public vantage points on the public footways and highway to the south of the bridge, will be dominated by the traffic lights as they will sit on the brow of the carriageway as it rises to the highest point adjacent to the niches as illustrated in figure 12. These niches are extremely important features of architectural and historic interest as one part was designed to house a pavilion as illustrated in figures 27 & 29 of the VIA;
- g. There is a concern that the traffic lights when on amber during hours of darkness will compete with the lamp standards which have very yellow lamps on the Surrey side, whereas they have white lamps on the

Richmond-upon-Thames side. Whilst this is detrimental to the architectural interest of the lamp standards, it could also give drivers a confusing view and lead to the drivers failing to stop;

- h. The views towards the Palace as seen in photos 25 & 26 demonstrate the strong intervisibility of the two heritage assets, and whilst these specific views may not change, this is a bridge that people walk and drive across, experiencing both static panoramic and moving dynamic views without interference from late 20th & 21st century visual clutter. The human eye cleverly pans between the built and landscape elements and relates and compares those of historic value. The installation of traffic signals on the bridge would clearly dilute its significance to the detriment of the setting of the Grade I listed Palace and its Registered parkland;
- i. The proposed traffic lights are located adjacent to the southern end niche (originally proposed as a pavilion building as seen in figures 27 & 29 in the VIA) which is an important architectural feature and a pedestrian resting and gathering point. The traffic lights would detract from the clear views of this niche and parapet from the west side of the bridge, as seen in the photo renders at 5, 6 & 7;
- j. There is a concern of increasing the detriment to the air quality from idling traffic at the lights, particularly at a stretch where the footway flows are very high and pedestrians stop at the niche to appreciate the river and Palace views. The area is already breaching the Air Quality Management Area limit. It is to the detriment of the historic interest of the bridge if the niches designed as viewing posts are not fit for purpose;
- k. The proposed lights do not include a pedestrian crossing phasing as there are no lights proposed on the western side. However, there is concern that pedestrians will attempt to cross at this point leading not only to danger but also a demand and future opportunity to include a more formal crossing point with the installation additional structures that would cumulatively detract from the interests and significance of the bridge;
- l. There is a risk that traffic will be stopping, rather than continuously moving, increasing the live load to the bridge. There needs to be an assessment on whether increasing the live load could affect the structural stability of the bridge to avoid expensive strengthening works that would damage the architectural integrity of the bridge. We wish to avoid the repetitions of structural failures at other London bridges including the closure of Hammersmith Bridge, and works to Tower Bridge and London Bridge caused by increases in traffic. There have been recent media reports on the worrying condition of many London bridges described as an embarrassment, see <https://www.bbc.co.uk/news/uk-england-london-54523663>.
- m. It is unknown whether signal control box equipment will accompany these traffic controls, but we are advised that it is normal to have one nearby either above or below ground, and either option will damage the fabric of the structure if below ground, or the appearance if above ground. The electrical supply source is unknown and no doubt will involve the removal and reinstatement of footway paving and

carriageway tarmac that is likely to leave scars to the detriment of the architectural interest of the structure;

- n. The intrusion of traffic lights on the bridge will undermine the likely success of obtaining a listing grade review to achieve a Grade II* status. An application to Historic England for a grading review should be a priority for the Elmbridge BC Conservation Officer.

Precedent set by historic decisions on Hampton Court Bridge

24. Figure 11 in the VIA shows that a set of traffic signals on the Richmond-upon-Thames side of the bridge have been located a reasonable distance away from the bridge, thus do not affect the character of the bridge and have minimal impact on its setting. It would appear that this was a conscious decision in recent decades;
25. Some years ago, a cycle lane was installed on half of the western footway which is marked by a change in the paving surface only, and at the northern and southern ends by simple timber low bollards topped with a cycle logo. This is very low key, and achieves the operational requirements without any visual clutter to compete with the architectural elements of the bridge.
26. Temporary anti-terrorist concrete barriers installed in 2017 were quickly removed and not replaced with any other physical deterrent, which could be an indication that a decision was made that such barriers were not in the interest of the heritage asset, although we have not seen an evidence trail;
27. The planning register history for the bridge includes an Objection raised by Elmbridge Council to a Richmond-upon-Thames boundary marker sign 3.3m high on the bridge (application ref 1990/0122) which appears to have been resolved by siting the boundary marker in the current location off the bridge on the footway on Richmond side near the Mitre Hotel. This implies a desire to keep the bridge free of street furniture over the past decades.
28. In 1991 listed building consent was granted for 1.6m high telescopes on each side of the southern end of the bridge (1991/0429) as they were not considered of sufficient size to have a harmful effect on the listed structure. This decision confirms that small vertical structures have in the past been considered to be an alteration requiring listed building consent, and whilst in this instance they were considered to have a negligible effect, HCRC's heritage advisers suggest this was possibly due to the limited height above the bridge parapets. However, they were considered visual clutter by the Conservation Areas Advisory Committee and the River Thames Society who both submitted objections. If these telescopes were ever installed, they have since been removed.

29. The above descriptions of past events and decisions are considered to represent five conscious decisions to maintain the architectural integrity of Hampton Court Bridge without the intrusion of visual clutter which should be maintained.

Precedents on other London bridges

30. There is an excellent video of all the London bridges starting at Hampton Court and none of them appear to have traffic signals on them, see <https://www.youtube.com/watch?v=jRrXI90m--4>. Even those bridges that meet a road running parallel to the river where traffic signals are necessary to control traffic movements, the traffic columns are normally positioned off the bridge structure, such as at Westminster Bridge. There are no examples of traffic lights located within the bridge deck structure. Maintaining the authenticity of London's bridges is paramount to an appreciation of the history of London, as illustrated in the Channel 5 documentary series by the engineer Rob Bell titled London's Greatest Bridges.

31. Kingston Bridge is the next river crossing downstream, and although of an earlier date built of 1825, it has some similarities in that it has elliptical arches and a stone parapet with integral lamp standards. This bridge was extended for the second time in 2000 and every effort was made to preserve its original appearance as confirmed by the author and Martin Higgins (see para. 19 above) who were the Conservation Officers responsible for advising on the Listed Building Consent. Any pedestrian or driver on the bridge will be able to identify the architectural features without them being interrupted by modern highway structures. There are no traffic signals on this nearby bridge which is not the responsibility Surrey CC Highway's;

32. HCRC's has sought the views of the Edmund Bird, The Heritage Adviser to Transport for London, a member of the Institute of Historic Building Conservation, who knows most London bridges and this officer cannot think of one that has traffic lights on, and considers that it is very likely that most London Boroughs would require Listed Building Consent for such works.

33. Traffic signals on a river crossing seem to HCRC to be contrary to the objective of keeping traffic flowing to ensure a bottleneck is not created on the surrounding highway network, which is most likely the reason that there are no precedents for traffic lights on London's bridges whether they are historic structures or otherwise.

Historic England's "Streets For All" Guidance

34. Historic England, and its predecessor, has published guidance for the last two decades providing practical advice for anyone involved in planning and implementing highway and other public realm works in sensitive historic locations, including highways engineers, planners and urban and landscape designers. The latest April 2018 edition of "Streets For All" contains advice in Section 3 on Street Furniture on the impact of traffic signals. In the General Principles it states "Seek permission to attach....traffic signals.....onto existing

...buildings”. Page 30 includes advice on traffic signs and other elements, and although much of the guidance relates to the relationship to streets containing buildings and the spaces between them, the message is clear to be sensitive to the historic environment and to minimise and co-ordinate the street furniture within it.

35. HCRC has sought advice from the authors of the early edition of “Streets For All”, Charles Wagner and Colin Davis. Charles, the Head of Planning at English Heritage until 2015, considers that the traffic lights require Listed Building Consent, and that they would “spoil the character” of the listed bridge. See his CV at <https://www.builtheritage.com/people/charles-wagner/>. Colin, who lives locally and is a specialist in “placemaking” (see <https://publicrealm.org/place-making/>), and an original contributor to Streets For All, is surprised that Surrey CC would accept traffic signals on the bridge. He believes there is a highway solution that does not include traffic signals and suggests the services of the international experts in placemaking at PJ Associates are employed to produce a non-traffic signalled solution. See <https://pja.co.uk/placemaking/>

36. The Department for Transport is equally committed to reducing clutter in the historic environment as illustrated in its publication of the Manual for Streets 2007 & Manual for Streets 2 September 2010 which includes detailed guidance on street furniture and street signing amongst other elements. The latter guidance is not specific to heritage settings but clearly states at 9.8.3

“Traffic signals add to street clutter, particularly layouts that require large numbers of signal heads and by other equipment. They can therefore have a severe visual impact.”

37. Phil Jones of PJA who was an author of Manual for Streets 2, says he is “pleased to see (it) is still favoured by Government, having been given a lot of weight in the new National Model Design Code”, see pages 29 and the references published January 2021.

Professional Opinions of Other Historic Environment Professionals

38. In addition to the opinion of others reference above, HCRC has also sought the opinions of other historic environment professionals, many of whom who have lodged an objection to the major application (2018/3810). All professionals **agree that listed building consent (LBC) is required** for a set of traffic signals on Hampton Court Bridge, and that if submitted consent should be refused. The list of those who have agreed to their names being put to this statement include:-

- a) Dr Nigel Barker-Mills, BA(hons), PhD, Dip Cons(AA), IHBC, FSA, conservation consultant and former London Planning Director Historic England 2012-2016,
- b) Paul Velluet RIBA, IHBC, conservation consultant, who served as Regional Architect and Assistant Regional Director for English Heritage London Region 1991-2004.

- c) Chris Sumner RIBA and former Heritage Inspector at English Heritage, and former Chairman of the London Parks and Gardens Trust. Main objection letter dated 10/2/19
- d) Keith Garner RIBA, with expertise in the historic environment and a former consultant to Historic Royal Palaces. Main objection dated 20/3/2019 & see <http://www.kgarch.co.uk/about/about.htm>
- e) Jack Warsaw RIBA, IHBC of the consultancy Conservation Architecture and Planning and former English Heritage Inspector. Main objection letter dated 6/2/19 & see <https://capstudios.co.uk/>
- f) Tony Hall MRTPI, IHBC former Senior Conservation Officer at Elmbridge Council & Kingston upon Thames.
- g) Dr Sarah Rutherford, Dip.Hort (Kew), M.A., PhD, historic environment consultant specialising in designed landscapes, and specialist on Capability Brown

39. HCRC has consulted Nicolette Duckham, Conservation Officer at Richmond-upon-Thames Council, as the adjoining authority is a statutory consultee and they lodged a strong objection dated 21/03/2019 to the major application 2018/3810. On 6/7/20 in an official email the Conservation Officer, also a IHBC member, advised:-

*“Having discussed the proposals with colleagues, the view is that **listed building consent would be required.***

The proposals would have an impact on the special character and setting of the listed structure. “

40. HCRC has also consulted Historic Royal Palaces who have also lodged several objections and concerns to 2018/3810 & 2018/3803 dated 8/2/19, 27/2/19, 1/3/19, 22/3/19, 25/6/19 & 10/2/20. In an email dated 26/10/20, Adrian Phillips the Director of Places & Collections, states:-

*“I would agree that the proposal would require **Listed Building Consent** and would argue that it would be of detriment to the setting of the listed bridge and should not be approved and would be happy to be quoted as supporting that view.”*

41. HCRC has informally consulted East Molesey CAAC, who also submitted a strong objection dated 19/3/2019, and three registered architects have individually commented (as they have no formal LBC application before them) that:-

- “I would object..... violently” (*to the traffic signals*)
- “I ...agree to going for LBC” (*for the traffic signals*)
- “Happy to support” (*the report*) and “The proposed road and junction against the riverside has never seemed ideal.”

42. In total this amounts to **eighteen** individual professionals with expertise in the historic environment, many of whom are members of the Institute of Historic Building Conservation (including the author) who agree that listed building consent is required for a set of traffic signals on Hampton Court bridge, and that consent, if submitted, should be refused. If there is any doubt on the need for Listed Building Consent it is suggested that an opinion is obtained from the Head of Legal at Historic England.
43. HCRC has made contact with The Lutyens Trust, a charity dedicated to the preservation of the architectural works of Lutyens, the designer of the bridge, see <https://www.lutyenstrust.org.uk/>. The Trustees consider that “it would be preferable if there were no lights” (*on the bridge*).
44. Lastly, the national amenity body, the 20th Century Society, a statutory consultee on some LBC applications, has responded informally to HCRC stating “the work would require Listed Building Consent”.

Suggested Alternative Approaches

45. HCRC cannot see that there is an easy design solution to amend application 2018/3810, or the highway scheme, so as to exclude or relocate the traffic signals. HCRC has already submitted numerous additional grounds of objection to this major application. However, one of the major failings of the design layout is that the sole access into the site is positioned in close proximity to the bridge, and it would need moving a significant distance from the bridge to enable re-siting of the traffic lights beyond the curtilage of the bridge and thus not require a Listed Building Consent application. The site access location is a critical failure of this proposal as it does not enable the long-term ambition to create a pedestrian only green and open space adjacent to the river frontage and linked to Cigarette Island Park. The current open space design is split by the access road and creates several unusable raised irregular shaped spaces that do not relate to the river or the landing stage.
46. To remove the traffic lights from the bridge the access would need to be relocated further south, near to the north face of the station, with an entrance at the point of the existing pedestrian crossing and an exit opposite Creek Road, which could be a formal traffic signalled junction with a pedestrian crossing facility combined. This could be achieved if the station building ticket office and entrance points were reconfigured, which would be in the architectural interest of the building as the north elevation is much altered and unattractive, dominating views from the bridge and Barge Walk. However, the restoration and reuse of the station building does not form part of the current application, even though it was part of the extant permission 2008/1600. We are told that Network Rail will realise £1.5 million from their profits to spend on the restoration of the station, whereas in 2008 the approved refurbishment package was costed at £1.6 million. This of course conflicts with the Viability Report which claims the meagre profit of £1.1 million is shared by both applicants, Alexpo and Network Rail. Clearly the details of implementing this major development, on a site that has been in development planning for nearing 40 years, are not well thought out, and suggest it is likely to

be unviable, and remain unimplemented leaving the site derelict and hoarded for years to come.

47. This site of such international importance deserves the best that British engineers and designers can produce to find a solution that respects the bridge and its setting. The applicant's transportation agent, Watermans have presented a conventional solution including traffic-controlled junctions where other engineers and designers would present a more sympathetic non-traffic signalled solution. Surrey CC as the highway authority should be encouraging more creativity for such a sensitive public realm in times of post Brexit and Covid living. The best public realm experts referenced in paras. 34-37, and in particular PJA are confident that there is a design solution that avoids traffic signals at the Hurst Road junction, and they have experience of designing what is termed the Poynton-style junction approved for use at a West Midlands Rail station.

Conclusion

48. HCRC considers that the above assessment read together with Visual Impact Assessment demonstrates that no consideration has been given to the impact of installing traffic signals on Hampton Court Bridge by the applicant, their agents, the planning authority, or the highway authority. Historic England clearly gave flawed advice stating that the proposals will not affect the physical fabric of any heritage assets. Our professional heritage advisers and interested parties are of the opinion, for the reasons set out, that Listed Building Consent is required for the set of traffic signals, that they would detrimentally affect the special architectural and historic interest of the bridge structure, which has significance as a designated asset, and the setting of the Grade I listed Place and its Registered parkland. For these reasons if an application is submitted it should be refused.
49. If the planning authority and the applicant choose to proceed without the consideration of the need for Listed Building Consent for the traffic signals, they will be left, assuming the application for major development is approved, with a proposal that is unimplementable until either Listed Building Consent is approved or an alternative highway and access solution is found and approved which may involve an amended planning application. In short, if the highway scheme fails on listed building grounds, the access proposed for the complete development is not useable in its current design. For this reason, HCRC considered the matter must be resolved before the major application is determined. This is **not** a matter that can be covered by a condition as the location of the traffic signals are outside the site boundary.
50. HCRC suggests that the given the weight of our evidence on the detrimental impact of the traffic signals to the bridge as a heritage asset, and the setting of the Royal Palace, that significant weight should be given in a decision on 2018/3810, and we consider that a stand-alone reason for refusal can be justified alongside several others. If the Council and the applicant choose to ignore our serious representations HCRC are likely to seek a judicial review of the decision.



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Hampton Court Rescue Campaign

Appendices

1. Ms C. Smith Elmbridge Heritage Officer advice 22/1/19 - below
2. HCRC Visual Impact Assessment (VIA) – separate document

Appendix 1.

Clare Smith advice dated 22/1/19

Planning application 2018/3010 Landscape and Conservation consultation response for:

Development to provide 97 dwelling units, a hotel (84 bedrooms) and retail units (within use classes A1, A2 and/or A3) together with access, station interchange, car parking, servicing, new public realm, landscaping and other associated works following demolition of some existing buildings and structures on site including Hampton Court Motors.

Located at the Jolly Boatman and Hampton Court Station redevelopment area, Hampton Court Way, East Molesey

Background

Prior to submission the applicant has sought pre-application advice from the Council which has included landscape, design and heritage aspects.

Although the Jolly Boatman site is currently vacant the whole site does have a current planning permission 2008/1600 comprising a hotel, care home and residential buildings with car park access running below the railway track at the southeast part of the site and this should also be considered in evaluating the current proposal.

The applicant has provided comprehensive information within the Planning, Design and Access Statements and other drawings and documents plus specific studies for the heritage, townscape and visual impact of the proposed development. Inevitably there is overlap between these and the subject headings below are therefore not mutually exclusive. Any comments from the Council's Conservation Officer and Listed Building Advisor have been incorporated to provide a comprehensive response.

Heritage

The application site lies within the East Molesey Kent Town Conservation Area, contains the Locally Listed Hampton Court Station building, a very small section of the Grade II Listed Hampton Court Bridge and is adjacent to or near a number of others including the Grade I Hampton Court Palace and Park. There are a number of heritage assets potentially affected by the application and these are identified in the Environmental Statement Volume 3 prepared by Montague Evans in table 4.1 Heritage Receptors. There are a few generalised statements made which need clarification e.g. para 1.5 "The application site does not contain any heritage assets, although there are heritage assets in the wider area" and in the Executive Summary that "impact on setting itself is not a consideration". The current NPPF defines a heritage asset as "A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing)" and that "Significance derives not only from the heritage asset's physical presence but from its setting"

The impact of the proposed development on the heritage assets identified is summarised in table 6.1 and I generally agree with the findings and conclusions apart from the Station Building where the Operational Likely Effect is described as "Long term Minor Beneficial" and the Kent Town Conservation Area as "Moderately Beneficial". No reference has been made to the impact of the 2008 permitted development which, because of its layout and design would probably compare less favourably to the current application. The Design and Access Statement identifies positive aspects such as improving setting of the Station Building through the creation of a shared space public realm, improved approach and removal of the advertising hoardings and retention of the platform canopies while the Environmental Statement (ES) focuses on the lack of harmful impact. There are also

opportunities to look at enhancement which is part the consideration process for planning authorities under Section 72 of the Planning (Listed Building and Conservation Area) Act 1990, the Council's Core Strategy CS7 and Development Plan DM12.

The Station building continues to be in poor condition and the Council have raised their concerns with Network Rail on previous occasions. The conservation and refurbishment of the building was an important consideration of the previous application and a condition survey and the proposed works secured under reserve condition 14. ES Vol 3 para 6.36 states that "Network Rail proposes to refurbish the station, and whilst these works do not form part of the planning application and are not weighed in the overall planning balance, they have the potential to further improve the character and appearance of this non-designated heritage asset." The application under consideration seeks permission for a number of alterations to this building, including the demolition of the flank wall and buildings to the north but there is no information about how the brickwork on the Station building would be made good. Therefore these cannot be considered as separate matters and should form part of this application, particularly because if permission were granted then the conservation and restoration agreements previously secured under 2008/1600 would become obsolete. With regard to the 1930s Grade II Listed Hampton Court Bridge there is concern regarding the proposed construction works, particularly the sheet piling operations. The vibration assessment in ES Chapter 10 is noted, para 10.53 recommends monitoring of vibration levels and should permission be granted this needs to be secured by condition. There is opportunity for enhancement of the historic feature lighting on Lutyen's bridge, the London Borough of Richmond have recently refurbished eight metal columns and lighting units on the north section of the bridge while the remaining eight lights on the southern Surrey CC section remain in a poor condition. This might be considered as part of the CIL package proposed as of this application and which will improve the traffic movement and the environment on Hampton Court Way.

In relation to the designated Conservation Area the Kent Town Conservation Area Appraisal identified a number of negative features about the general area, including traffic dominance and six negative aspects within the application site. Apart from the poor condition of the Station Building, all of these have the potential to be addressed through this application. One of the key views in the CA is discussed below (Viewpoint 10) and it is noted that whilst it would have a minor adverse effect. It can be concluded that the effect of the development proposals on the heritage assets within and adjacent to the site is not harmful and in some cases it would or, subject to enhancement works, could be considered on balance to be positive.

Townscape and Views

The Master plan approach to design a group of buildings that are distinct in terms of their form and function but not disparate because of the design elements such as materials, design and scale has been successful. Revising the transport and access arrangements, relocation of the hotel into the Hampton Court Way Building and removal of the care home has enabled greater set back of buildings from important river aspect to the north, creation of new amenity space, improved pedestrian and vehicular access and orientation and more interesting and interactive frontages with the cafe, hotel and retail proposals. Small but important design improvements have been made during the pre-application process by using projecting bays, window designs, different colours and materials to reduce the impression of scale and mass for the Hampton Court Way building. The roofline, window indentation and the volume and scale of projecting balconies on the Thames side aspect of the Riverside Building has been amended for similar reasons.

The Environmental Statement Vol 3 provides the Townscape and Visual Impact assessment The Townscape receptor impact is shown in Table 7.3 for 8 Character Areas with the conclusion that HC Palace will have a Minor Beneficial effect, Cigarette Island Park a Moderate Beneficial effect and East Molesey Centre and the Movement Corridor a Major Beneficial effect from the proposed development. Visual receptor impact is shown in Table 8.1 using 10 different views taken in winter. As with the previous study, some of these are

overly positive particularly for Viewpoints 1, 3 and 7. Viewpoint 1 is directly across the river where the trees on Cigarette Island are considered to heavily obscure the new built development. Viewpoint 3 is outside the Privy Gardens where trees are considered to obscure the development and public realm improvements adj to the bridge will be evident. The effect on both views is considered to be Moderate Beneficial despite the tree line being completely visible shown on the existing views as it is without any development and the distance being too great to see the new improvements at Riverside Gardens. Viewpoint 7 from Hampton Court Bridge shows the new Riverside Building and Hampton Court Way Building behind the existing Station building and this is described as a Moderate-Major Beneficial effect because the existing site is an unattractive and incoherent element, the hoardings creates a dead frontage and is a negative feature. It should be noted that hoardings are controlled by planning permissions and are therefore not permanent features and that single story buildings with some trees visible behind them are being replaced with 4 storey buildings. That these have been sensitively designed and orientated is not in question but whether their introduction constitutes moderate-major benefit is. In all cases it could be argued that a Neutral or Minor Beneficial effect is more accurate. Viewpoint 8 is taken from the site entrance looking across the JB site and whilst I agree that the proposed development would offer a Major Beneficial effect there are reservations about the status of site hoardings and the very green appearance and height potentially produced by existing trees either side of the river. Viewpoint 10 is taken from the Creek/Bridge/Wolsey Road intersection looking towards the Station Building and was identified as an important view terminated by the Station building in the Kent Town CA Appraisal. I agree with the conclusion that the new Riverside Building would be visible behind this building but that it would only have a Minor Adverse effect.

Landscape

The application site is only 1.7ha but its historical context and riverside location are very important. Paradoxically the landscape context for this 21st century development is best shown in the painting by Knyff of Hampton Court Palace c1702. This shows a bird's eye view of the Royal Palace and its imposing grounds with parterres and radiating avenues of trees to the north of the river and the small relatively insignificant built up area of Molesey on the south side. This has slightly altered over time, particularly in Victorian times with advent of the Station and riverside buildings, some of which such as the Castle Hotel were demolished to accommodate the new Hampton Court Bridge in the 1930s but the north-south hierarchical relationship, undeveloped public open spaces and riverbanks remain. The applicants have adopted an appropriate low key approach which does not compete with the size, scale and grandeur to the north of the river nor detracts from the river, bridges and footpaths. The design of new public realm Riverside Gardens is elegant and understated with its limited palette of hard and soft landscape elements, views to the Palace are kept open and decorative planting kept at a low level. The access road to the underground car back has been narrowed and brought back from the river to create open space on either side and this is a positive improvement, however there is opportunity for some limited tree planting to reflect the opposite side of the bank. The landscape layout helps to orientate visitors from the station and integrates access to Cigarette Island Park. Elsewhere space is limited but the opportunity has been used to create new woodland garden and river buffer zone to the south, podium gardens and green roofs. There is reliance on existing tree cover within Cigarette Island Park which is outside the site ownership for screening and privacy and its "occluding effect" (para 4.2 ES Vol 3) Nor is any space allocated within the site for any tree planting on the this boundary or along the road adjacent to the Hampton Court Way Building. However, this is the same situation as the current approved scheme. A small number of trees within the application site are to be removed and these are self seeded and of low quality. It is questionable whether it is worthwhile retained the self seeded Elder (T25) and Horse Chestnut (T26) along the Hampton Court bridge as these are both poor quality Cat C trees and it would be better to replace these with new trees, such as Limes within the Riverside Gardens to add some visual softening and interest to this area. The soft landscape

species, particularly the choice of trees (including Small-leaved Lime, Hornbeam, Cockspur Thorn and Amelanchier) and hard landscape materials are all appropriate and there are proposals to increase biodiversity. Subject to some additional tree planting being agreed sufficient information on planting specifications and maintenance is supplied but more information is required for the hard materials etc.

Conclusion

Despite its relatively small size this site is probably one of the most significant in the Borough because of its location and history. Inevitably there are high expectations for its future development and stakeholders and interested parties have expressed their different objectives and concerns. This applicant has engaged with both the Council and others from the outset, considered a wide range of options and has amended and refined the scheme as necessary. This is reflected in the final application which has designed a group of buildings that are distinct in terms of their form and function but not disparate because of the design elements such as materials, design details and scale. Compared with the approved 2008/1600 scheme the revision of the transport and access arrangements, relocation of the hotel into the Hampton Court Way Building and removal of the care home has enabled improvements such as the greater set back of buildings from important river aspect to the north, creation of new amenity space, improved pedestrian and vehicular access and orientation and more interesting and interactive frontages with the cafe, hotel and retail proposals. Overall any harm identified is either temporary or negligible and is likely to be outweighed by other the benefits of this proposed application. Subject to the suggested amendments being agreed, I consider that the development proposals comply with all the relevant policies and guidance relating to heritage and landscape aspects and have the potential to offer an appropriate and positive solution for the development of this key site.

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22nd January 2019