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Ms Nicola Smith
Group Management Development Control
Royal Borough of Kingston upon Thames
Guildhall 2
High Street
Kingston upon Thames
KT1 1EU

Our ref: P00486000

4th December 2015

Dear Ms Smith

**Arrangements for Handling Heritage Applications Direction 2015 &
T&CP (Development Management Procedure) (England) Order 2015
SITE AT EDEN WALK SHOPPING CENTRE, EDEN WALK, KINGSTON UPON
THAMES, KT1 1RP
Application No 15/13063**

Thank you for your letter of 9 November 2015 notifying Historic England of the above application.

Summary

We welcome your Council's aspirations for delivering intensification in the town centre and recognise that a thriving town centre is essential for securing the success of a place economically and socially, and is also the best way of ensuring that heritage assets make a positive contribution now and in the future. However, this intensification should be based on a robust understanding of the unique and positive qualities already present, and how the historic environment plays a vital role in providing the sense of local identity.

We believe that the current proposals cause harm to the historic environment that has not been adequately justified. In that regard, the proposals are contrary to Government objections of the delivery of sustainable development and we therefore cannot support them.

We also note that the proposals do not meet the Council's detailed guidance for development on this site.

Historic England Advice

Significance of the historic environment affected by the proposals

The settings of a number of listed buildings will be affected by the proposals. The most significant of these is the grade I listed All Saint's Church, much of which dates back to the 14th and 15th centuries. Its medieval and later tower is the most significant historic landmark in Kingston. In addition to its intrinsic architectural interest, the church site



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has strong historic associations with the coronation of Saxon Kings, making it of paramount importance to the history and identity of Kingston.

Other listed buildings affected by the proposals include the former Post Office and the United Reform Church (both grade II), which are attractive buildings in their own right and illustrate the development of Kingston in the 19th and early 20th century.

The Kingston War Memorial (grade II) is another important asset affected by this scheme. It was designed by the sculptor R.R. Goulden in 1920, designed with a defined viewing area visible in historic maps, which results in the statue being seen against the sky.

The site is adjacent to the Old Town Conservation Area, which covers Kingston's historic medieval core. The Market Place and network of roads and lanes around it, remain 'the best preserved medieval street plan in outer London' according to Pevsner. There are 37 listed buildings (including the Grade II* Market House), 30 buildings of local townscape merit, and a Scheduled Ancient Monument within the conservation area. This evocative collection of historic buildings makes Kingston one of the most significant town centres in London.

Impact

The proposed scheme would replace the existing shopping centre, excluding the car park, with three new buildings ranging from six to 17 storeys tall (including roof level detailing). It will be mixed use with retail, leisure and residential facilities set around a new public space. The scheme also involves the re-landscaping of the Memorial Garden, including the relocation of the war memorial.

The principal impacts are on the settings of listed buildings and the adjacent Old Town Conservation Area.

Policy

When considering whether to grant planning permission, Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on local authorities to consider the impact of the proposals upon listed buildings and their settings. Similarly, Section 72 of the Act requires local authorities to have special regard to the desirability of preserving or enhancing the character or appearance of conservation areas.

The Government places particular weight on the quality of the design of new proposals. The NPPF provides clear guidance on how schemes in historic areas should integrate into their context. Paragraph 58 states that the planning process should ensure that developments "respond to local character and history, and reflect the identity of local surroundings and materials". In terms of making decisions on cases that affect the historic environment the NPPF requires local planning authorities



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to take account of “the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation” (para 131). Paragraph 131 also requires LPAs to consider “the desirability of new development making a positive contribution to local character and distinctiveness.” We would like to draw particular attention to this policy, as we consider that an appropriately scaled development on the Eden Walk site could greatly enhance the character, appearance and function of this metropolitan centre and better reveal its heritage significance.

Paragraph 132 of the NPPF underlines that “heritage assets are irreplaceable, any harm or loss should require clear and convincing justification”. To date we do not consider that a convincing justification has been put forward. This is partially because the documentation does not acknowledge the harm that would be caused. In respect of the impact of the new buildings on heritage assets, paragraphs 129, 131-134 and 137-138 of the NPPF are highly pertinent. These refer to the need of fully understanding the heritage significance of a site when making decisions, the desirability of sustaining and enhancing heritage significance through the planning process and a series of tests that need to be met when considering harm to heritage significance.

The 2015 London Plan provides a strategic framework for development in London. This includes key policies related to heritage assets (7.8). These seek to protect the historic environment from development that is not sympathetic in terms of scale, materials, details and form.

The Royal Borough of Kingston Core Strategy (2012) policies CS8 and DM10-12 relate to heritage and design, and aim to achieve Core Strategy Objective 7 to conserve, manage and enhance Kingston’s heritage assets. These policies seek to ensure that works affecting heritage buildings and the design of new buildings contribute to Kingston’s attractive and distinctive character. The Council recently adopted the Eden Quarter SPD which should guide planning decisions. If the SPD is to achieve its aims it is important that developments comply with its details.

The Eden Quarter SPD provides detailed guidance on what would be an appropriate height for development on this site and mass should be distributed. The approach taken in the SPD recognises the significance and historic scale of the conservation areas and listed buildings that surround the site, as well as the larger twentieth-century developments that complete the Eden Walk site’s context, providing a clear rationale for the policy approach. The SPD promotes a height of six-eight storeys for most of the site occupied by Neville Yard and Eden Crescent Buildings. It recommends that development should be lower (one-five storeys) beside the United Reformed Church, occupied by the Union Terrace Building, responding to the smaller scale of the listed building and the conservation area. While the height plan does suggest that a building of nine+ storeys may be appropriate on Eden Street, one of the key objectives for the



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Eden Walk site (p.38) is that new development should respect existing historic assets and character with new buildings relating in scale, materials and grain to their context. In relation to any taller buildings, the SPD (p.32) also requires development to protect important views, noting specifically the importance of views of All Saints Church. The SPD reiterates that new buildings should form a sensitive and attractive backdrop and setting for heritage assets, including significant open spaces both in Kingston and other boroughs.

Historic England Position

The information submitted in the TVHIA demonstrates that the proposed development would have an impact on the settings of numerous assets: All Saint's Church (grade I); the Post Office; the War Memorial (all grade II). The proposals would also have an impact on the setting of the Old Town Conservation Area.

The proposals would cause some harm to the significance of All Saints Church when viewed from Kingston Bridge, where the visual primacy and landmark character of the church tower would be reduced by the increase in new development and the decrease in the legibility of its silhouette.

The proposals would have a major impact on the setting of the United Reformed Church and the former Post Office. In both cases table 4.1 of the TVHIA correctly identifies these as prominent buildings, with clear architectural interest derived from their design. This is especially evident with the front façade of the United Reformed Church which has a strong pediment set above giant order pilasters, illustrating a careful use of scale and detail in the composition of the building. The prominence of these listed buildings within the street contributes positively to their significance, and makes an important contribution to the overall character and appearance of the town centre, including the setting of the conservation area. The Eden Crescent building would completely dominate these listed buildings due to its height, bulk and proximity. The busy facades would overwhelm the historic buildings, greatly reducing the contribution their setting makes to their significance.

We do not believe that the importance of the setting of the War Memorial to the monument's significance has been adequately assessed in the supporting documents. The scheme involves the relocation of the memorial to a less prominent site within a redesigned garden, which our view reduces significance of the grade II listed structure.

The NPPF requires that harm to the historic environment requires clear and convincing justification and is necessary to achieve substantial public benefits that outweigh the harm. We accept that the proposals will deliver some urban design and public realm improvements, but we are not convinced that these are so significant as to outweigh the harm identified above.

Other core planning principles set out in the NPPF include taking account of the



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different roles and character of different areas and conserving heritage assets in a manner appropriate to their significance. The government attaches great importance to the design of the built environment and in paragraph 58 of the NPPF advises that planning decision should aim to ensure that developments respond to local character and history and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.

The Neville Yard Building considerably increases the size and visual impact of the existing car park structure. The efforts to mask this additional height with new materials are unable to overcome the harm that this causes in one of the principal views of All Saints Church. The efforts to break the Eden Crescent Building into three distinct elements are not successful in our opinion, as these are set above a 10 storey base. This base is excessively bulky and overbearing, and does not respond to local character and distinctiveness as required in paragraph 58.

Recommendation

To be acceptable, very large developments should be in an appropriate location, of excellent design quality and should enhance the qualities of its immediate location and wider setting. Given its poor relationship to its historic context, and the harm it causes to the significance of a number of listed buildings, we believe the proposals in their current form fail to meet these tests. We acknowledge that efforts have been made to reduce the impact of taller elements of the scheme and to improve the public realm. However, we do not consider that these efforts go far enough to overcome the harm this scheme would cause. For this reason we would encourage the Council to negotiate significant alterations to overcome these concerns, and would welcome the opportunity to take part in these discussions.

Please note that this response relates to historic building and historic area matters only. If there are any archaeological implications to the proposals it is recommended that you contact the Greater London Archaeological Advisory Service for further advice (Tel: 020 7973 3712).

Yours sincerely

**David English**

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