

December 2025

Pontoon & adjacent land at Richmond Bridge Pier

Proof of Evidence

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1 Introduction

Author

- 1.1 I am Nick Collins BSc (Hons) MSc MRICS IHBC. I hold an honours degree in Land Management, I am a member of the Royal Institution of Chartered Surveyors. I also have a Masters (with Distinction) in Historic Conservation and am a full member of the Institute of Historic Building Conservation.
- 1.2 I am a consultant providing advice and guidance on all aspects of the historic built environment. I have undertaken this work since July 2014. Prior to this I was a Project Director in the heritage team at Alan Baxter Associates.
- 1.3 Between 2004 and 2012 I was an Inspector of Historic Buildings and Areas in the London Region of English Heritage (now Historic England) dealing with a range of projects involving listed buildings and conservation areas in London. Prior to this, I was Conservation Officer with the London Borough of Bromley. I began my professional career at Jones Lang LaSalle as a Chartered Surveyor.
- 1.4 I was appointed by the appellant in respect of this Appeal in November 2023. I have visited and inspected the appeal scheme site and its surroundings. I have carefully assessed the appeal scheme and the reasons for Enforcement.
- 1.5 The evidence that I have personally prepared and provide for this appeal on behalf of the appellant is my professional opinion and has been prepared and is given in accordance with the guidance of my professional institutions. I confirm that the opinions expressed are my true and professional opinions.
- 1.6 This Proof of Evidence has been produced particularly to address Ground 'a' of the Appeal – that planning permission should be granted for what is alleged in the notice.

2 The site and its context

- 2.1 The site is described in detail in the Statement of Common Ground. The pontoon is just to the north of Richmond Bridge, adjacent to Richmond Riverside. The 'Peggy Jean' barge is moored alongside on the 'bank' side of the pontoon.

Historical development of Richmond

- 2.2 The history of Richmond is well documented and is summarised in the Council's Conservation Area Appraisal¹.
- 2.3 Never a medieval town, the settlement grew up around the manor house of Shene from the 12th century onwards. A series of royal palaces were constructed by Henry V and VI and subsequently rebuilt by Henry VII after a fire in 1497. After 1501 the village, and palace, of Shene came to be known as Richmond, as Henry VII was also the Earl of Richmond in Yorkshire. The 'New Park' and Richmond Park were created by James I and Charles I.
- 2.4 The Appraisal describes: 'the civil war and execution of Charles I in 1649 led to the sale and demolition of most of the palace, with Trumpeter's House (1702-4), Old Court House, Wentworth House and Maids of Honour Row (1724-5) gradually being built on the site of the old palace during the 18th century. The Gate House and associated walls and the Wardrobe survive.
- 2.5 The village gradually developed into a town by the early 17th century due to the presence of the palace, and decline followed its demolition. Prosperity returned towards the end of the 17th century as Londoners fled the plague and the discovery of a spring led to Richmond becoming a popular spa town over the following century.
- 2.6 Richmond Bridge, built in 1774-7, and the arrival of the railway in 1846 were key developments leading to the quadrupling of the population from 1810 to 1890, the impetus for growth leading to the loss of many of the original large houses and grounds for redevelopment.
- 2.7 The arrival of the railway also led to a shift in river activity from agricultural and shipping to leisure, including the replacement of the river ferry with Richmond Bridge. As the area filled with wealthier inhabitants the riverfront's importance as a place of leisure increased and included working boatyards to supply this demand.
- 2.8 Richmond Lock and footbridge opened in 1894. The popularity of the motor car saw a number of road improvements in the early 20th century, most notably the construction of

¹https://www.richmond.gov.uk/services/planning/conservation_and_urban_design/conservation_areas/richmond_river_side_conservation_area_appraisal

the Great Chertsey Road and Twickenham Bridge (opened in 1933). The redevelopment of large houses continued and notable buildings of the time include the Odeon cinema of 1930 and the railway station of 1937'.

- 2.9 Historic images from the 19th century illustrate the historic activity along the Thames in the vicinity of Richmond Bridge. These images, reproduced from the Council's Conservation Area Appraisal, illustrate the activity found on the eastern banks of the Thames, with the town behind, in contrast with the more rural context of the western bank (fig 2).



Figure 1: 1820 Drawing of Richmond Bridge (from the Council's Conservation Area Appraisal)



Figure 2: Richmond Riverside c.1856 (from the Council's Conservation Area Appraisal)



Figure 3: Richmond Bridge c.1875 (from the Council's Conservation Area Appraisal)



Figure 4: Thames towpath 1895 (from the Council's Conservation Area Appraisal)

- 2.10 The images would appear to show both 'commercial' craft (figures 1, 2 & 4) as well as pleasure craft (figure 3) moored alongside what is now known as Richmond Riverside, just to the north of Richmond Bridge.

Site Context

- 2.11 The following section considers the context most pertinent to the site and its setting. Perhaps the most important structure in close proximity to the pontoon and barge is Richmond Bridge.

Richmond Bridge

- 2.12 Listed Grade I, the bridge was built between 1774 and 1777 to the designs of James Paine and Kenton Couse, the bridge replaced a ferry crossing that had connected Richmond town centre with Twickenham. It was funded by a private tontine scheme, for which tolls were charged until 1859. It is now the oldest extant bridge crossing within London.
- 2.13 Constructed in Portland stone, the bridge gracefully stretches across the river supported on five elliptical arches of varying heights topped with a balustraded parapet, solid over the cutwaters, above which are iron lamp standards.



Figure 5: Richmond Bridge 'original' downstream elevation, November 2025

- 2.14 By the early 20th century the bridge was not able to cope with the volume of traffic, so despite the construction of Twickenham Bridge in 1933 the decision was made to widen Richmond Bridge by 11 feet. This was undertaken between 1937 and 1940, with the upstream side of the bridge dismantled, and rebuilt in its new position.
- 2.15 The bridge provides an important gateway to the town with the tower of the former Palm Court Hotel (11,12 & 13 Bridge Street), the varied roofline of the Riverside development and the 1930 Art Deco front to the listed Odeon Cinema emphasising this.

Richmond Riverside

- 2.16 The eastern side of the river is dominated by the Richmond Riverside development which, between 1984-87, skilfully combined a series of Grade II listed structures with a large development of offices, flats, shops, two restaurants, community facilities, underground car parks, an urban square and riverside gardens². Quinlan Terry Architects describe that it 'exhibits the richness of English 18th century architecture using a wide pallet of traditional materials, and all of the 5 architectural orders. It draws inspiration from the work of Palladio, Longhena, Sansovino, Hawksmoor, William Chambers and the Gothic Revival of the 19th century'³.

² <https://qtarchitects.com/projects/richmond-riverside/>

³ Ibid.

- 2.17 The two sets of listed buildings forming part of the overall composition are 10, 11 & 12 Bridge Street and the former Palm Court Hotel (now offices) – all of which once formed the Palm Court Hotel.
- 2.18 10, 11 & 12 Bridge Street are a series of mid 19th century stucco fronted buildings that face onto the River Thames from Bridge Street – immediately adjacent to Richmond Bridge. The Bridge Street frontage has a single storey loggia and five-storey Italianate tower with pyramidal roof whilst the river frontage (which drops down to expose a full height basement) has a canted bay and three-storeyed wing.



Figure 6: 10, 11 & 12 Bridge Street from Richmond Bridge

- 2.19 Further to the north is the former Palm Court Hotel, now office accommodation. Originally an ensemble comprising Heron House and extensions to the south connecting with Tower House in Bridge Street, Heron House dated to the 18th century, extended largely by Henry Laxton in the 19th century.
- 2.20 The building is now entirely subsumed within the wider 1980s Riverside development by Quinlan Terry forming part of the overall picturesque neo-Georgian composition.
- 2.21 In front of the development a formal riverside terrace steps down to the river alongside four boathouses that project forwards of 10, 11 & 12 Bridge House, alongside Bridge Street and the Bridge itself. On top of the boathouses is a restaurant/café with seating and covered pergola structures. A new conservatory structure has recently been constructed on top of the terrace.
- 2.22 The development is bookended, at the north, by Whittaker House, which sits perpendicular to the river frontage with the Grade II listed Warehouse building, at the bottom of Water Lane, just beyond. The Grade II listed War Memorial now forms a focal point in front of Whittaker House and Richmond Museum at the top of the terrace and the end of the Whittaker Avenue.

- 2.23 Dating to the 18th century, the former warehouse is three storeys high with a pantile roof, presenting five bays to Water Lane and three to the river front where there is also a central door. The building is typically austere, with timber sash windows and is devoid of any decoration or detailing.

Water Lane & beyond

- 2.24 Water Lane is a historic route through to the riverbank. The narrowness of the street, granite setts and cart tracks as well as the 18th century warehouse at the end reinforces the historic character of the street and the commercial as well as pleasure associations between Richmond and the Thames.
- 2.25 The slipway into the Thames at the bottom of Water Lane also marks a change in the line of the riverbank, to the north which is dominated by the White Cross Hotel, St Helena Terrace, St Helena House and 1-3 Friars Lane.
- 2.26 As described in the Council's Appraisal, 'the scale of the buildings gradually decrease as one moves away from the bridge, but the presence of St Helena Terrace is heightened by the visual effect of sitting above the ground-level boat sheds'. Beyond, the gardens of Trumpeter's House stretch down to the riverbank and just before the Richmond Railway Bridge Asgil House stands prominently just back from the river tow path.

Twickenham 'west' Bank

- 2.27 The nature of the west bank of the River Thames is in contrast to the urban character of the Richmond east side. This is created by set back of development – notably Richmond Bridge Mansions - behind wide gardens filled with mature trees and planting which screen the buildings beyond – close to Richmond Bridge and the nature of the development – primarily residential – giving the area a more suburban/semi-rural character.
- 2.28 The presence of Corporation Island further adds to the semi-rural views across the river.



Figure 7: Looking south towards Richmond Bridge with Richmond Riverside to the left and Corporation Island/west bank to the right (November 2025)

The Site Today

- 2.29 The appeal site is in the vicinity of the historic landing and mooring points (figures 1-4). The former Jesus College Barge (now the Peggy Jean Barge) pontoon and gangway from the riverbank are interlinked. In addition to providing access, the gangway and pontoon have also, since the first arrival of the Jesus College Barge in the early 1990s, and following the 1992 planning permission (92/0659/FUL), been used for servicing of the restaurant. Since this time there has also been seating and tables on the pontoon.
- 2.30 Positioned close to Richmond Bridge the pontoon provides a combination of functions, including an access, storage and mooring point for a number of river-related activities as well as restaurant and ancillary restaurant uses associated with the adjacent Peggy Jean barge.
- 2.31 At the time of the 1992 planning permission to grant consent to moor the 'Jesus College Barge' off the pontoon, the Council's Leisure Services Department noted that 'Richmond Riverside is an under-used public space which the floating restaurant would enhance. Its nature would emphasise the availability and attractiveness of the Riverside Development as well as the two adjacent piers offering passenger boat trips'⁴.
- 2.32 Since those approvals were granted both the barge and pontoon have required periods away from their moorings for repair and refurbishment, including alterations to the deck levels. In the case of the pontoon this led to an alteration in its form – in particular, the partial raising of the deck level.
- 2.33 Whilst its use for the mooring of rivercraft and river related activities has continued it also has a partial restaurant use associated with the Peggy Jean barge.
- 2.34 The following images show the pontoon and barge as they are found today. Both images show how they sit within their context, with other boats surrounding them – as to be expected at a pontoon, the gang-plank access and other boating paraphernalia as well as the umbrellas of the Peggy Jean restaurant.

⁴ Appeal Appendix: 1992 Committee Report



Figures 8 & 9: The Peggy Jean Barge & Pontoon in its Richmond Riverside context November 2025

3 The heritage significance of the site and its context

The heritage context of the site

- 3.1 The pontoon is located on the River Thames, within the Richmond Riverside Conservation Area. The pontoon itself is not listed however it is moored within the setting of a number of statutory listed buildings. The following are those that I believe are most relevant in terms of their setting to the appeal site:
- Richmond Bridge : Grade I⁵
 - 10, 11 & 12 Bridge Street : Grade II⁶
 - (former) Palm Court Hotel : Grade II⁷
 - Warehouse on Water Lane : Grade II⁸
 - Richmond War Memorial : Grade II⁹
 - White Cross Public House – Grade II¹⁰
- 3.2 There are no buildings identified by the Council as being 'Buildings of Townscape Merit'¹¹ (figure 10) whose setting, I believe, would be affected by the appeal site – either through lack of inter-visibility, proximity or association.
- 3.3 The following map extract was prepared by the Council, identifying listed buildings, (maroon), buildings of townscape merit (outlined in maroon), local landmarks (*) and local views/vistas (arrows).

⁵ Historic England LEN: 1180951

⁶ Historic England LEN: 1358055

⁷ Historic England LEN: 1357681

⁸ Historic England LEN: 1253166

⁹ Historic England LEN: 1447856

¹⁰ Historic England LEN: 1250279

¹¹ Appeal Appendix : Richmond Riverside Conservation Area Analysis Map

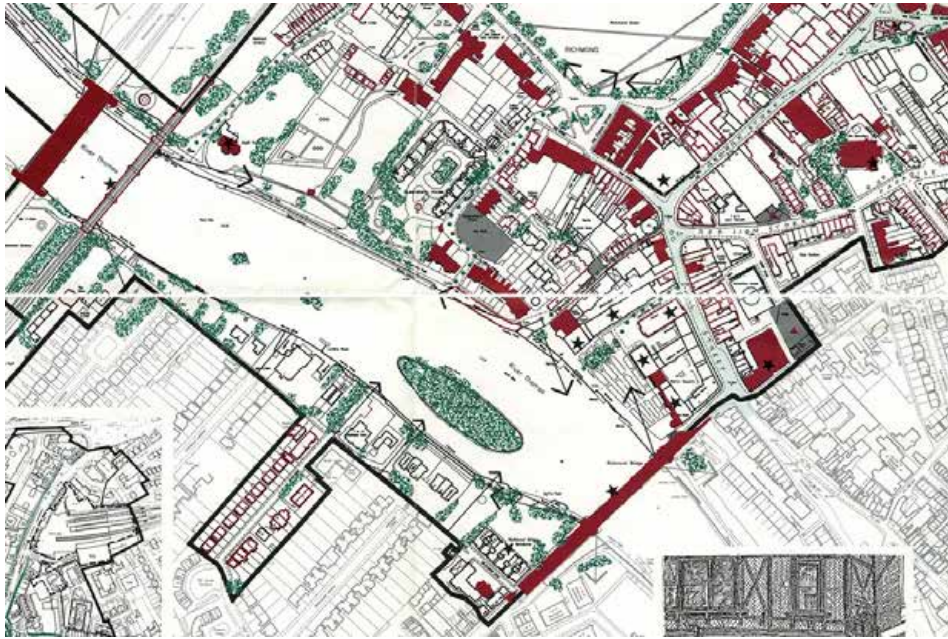


Figure 10: Extract from London Borough of Richmond's Analysis Map

Heritage Significance

Assessing heritage significance and setting: concepts and terminology

- 3.4 The legislation governing listed buildings and conservation areas is the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act').
- 3.5 Section 66(1) of the Act says that 'in considering whether to grant planning permission or 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 exercise of any features of special architectural or historic interest which it possesses'.
- 3.6 Listed buildings are 'designated heritage assets', as defined by the National Planning Policy Framework (NPPF). Locally listed buildings or structures identified as being 'Buildings of Townscape Merit' can be considered as 'non-designated heritage assets'.
- 3.7 'Significance' is defined in the NPPF as the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic'. The Historic England "Historic Environment Good Practice Advice in Planning Note 2' puts it slightly differently – as 'the sum of its architectural, historical, artistic or archaeological interest'.
- 3.8 'Conservation Principles, Policies, and Guidance for the sustainable management of the historic environment' (English Heritage, April 2008) describes a number of 'heritage values' that may be present in a 'significant place'. These are evidential, historical, aesthetic and communal value.
- 3.9 The setting of a heritage asset is defined in the NPPF as:

‘The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral’.¹²

- 3.10 Within the context of this application the relevant heritage assets to be considered are the character and appearance of the Richmond Riverside Conservation Area and the setting of the nearby listed buildings.

Richmond Riverside Conservation Area

- 3.11 The character and appearance of the conservation area is articulated by the Council in their Conservation Area Appraisal (adopted November 2023) and is summarised in the following Statement of Significance:

Richmond Riverside forms an important part of the historic settlement of Richmond, which has origins dating from the 14th century. The area is characterised by a mixture of development types, periods, and styles, most of which address or are associated with the Thames, ranging from robust, detached houses and villas with large gardens, to boathouses and workshops which remain actively used. There is a significant amount of public realm along the River allowing for its enjoyment and long views across and along the embankment are key to its character and appearance. The Conservation Area also includes important pieces of infrastructure, Richmond Bridge, Twickenham Bridge, Richmond Railway Bridge and Richmond Local, which add visual interest and serve as local landmarks. Although less apparent than in adjacent Conservation Areas Richmond centre and Richmond Green, part of Richmond Riverside Conservation Area is built on the site of the former Richmond Palace, with potential for further archaeological evidence.

- 3.12 The two sides of the River Thames are very different in character, particularly in the immediate vicinity of the appeal site with the eastern side noted for its ‘well ordered urban landscape’ with the west bank having a more ‘semi-rural character’.
- 3.13 The Appraisal notes that ‘the Thames is a major contributor to activity in the area and today adds to an active daytime and night-time economy, housing a number of businesses including many bars and restaurants. Its association with leisure remains strong with public gardens and towpaths forming a popular destination for pedestrians, joggers, and cyclists. The area is well connected to its surroundings, with the riverfront walkway providing access to residences, pubs, terraces, various greens, as well as multiple lanes and footpaths through Richmond. Much of the Riverside was restored in a neo-Georgian style by the architect Quinlan Terry from 1984-87’.
- 3.14 Richmond Bank is further described: ‘Richmond Bridge is the gateway to the town from the west. It allows many fine views and vistas of the river environment, both into the Conservation Area and south towards Richmond Hill. It provides a dramatic and high-quality image to the town. However, views from the bridge are dominated by the

¹² <http://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary>

Richmond Riverside development of 1988 by Quinlan Terry. A formal and well-maintained stepped riverside terrace in front of the development emphasises the river as an open space for popular enjoyment.

- 3.15 *Downstream from the Riverside development, the bank retains its urban character but takes on a more intimate scale at St Helena Terrace as the buildings are domestic and set much closer to the river edge above a row of boathouses. Granite sett paving and the boat houses with their brick piers and arched entrances with timber doors and bottle balustrade parapet add to this character. However, the presence of cars detracts from the well-maintained riverside atmosphere. Motorised traffic at busy periods conflicts with the leisure uses, especially boat launching and use of the public houses by pedestrians. Beyond the boat houses the urban character gives way to a more open landscape, with a fully pedestrianised towpath leading north to Twickenham Bridge and Richmond Lock and Weir'.*
- 3.16 The Richmond Riverside development helped to integrate parts of the existing urban fabric with the new, creating a '*rich tapestry of buildings that shape the urban space of the river frontage*'. The Appraisal notes that '*the tiered urban space is popular with people for outdoor activities including alfresco eating and drinking*'.
- 3.17 As previously described, a number of the buildings that make up the development are statutory listed. Others are identified as 'local landmarks' by the Council and overall the development can be regarded as making a positive contribution to the character and appearance of the conservation area.
- 3.18 The Council's 'Analysis Map' identifies two local views of relevance to this appeal (see figure 10). One, from Richmond Bridge looking downstream towards the Richmond Riverside Development, White Cross Hotel and Richmond Lock, and the other from the bottom of Water Lane looking towards Richmond Bridge.

3.19 'Upstream View'



Figure 11: Upstream View November 2025 (also shown in figure 8)

3.20 The focal point of this view is the River Thames in the foreground and Richmond Bridge in the centre. The wider view illustrates the different character of each side of the river – the more urban, formal composition on the east and the more semi-rural suburban character of the west bank.

3.21 'Downstream View'





Figures 12&13: Downstream View November 2025 & 2023

- 3.22 The downstream view focusses on the relationship between the Richmond Riverside development and the river. This viewpoint, 'raised up' on the bridge, allows a full appreciation of the Quinlan Terry development, combining the listed buildings, tiered terraces and the boat houses leading down to the riverbank.
- 3.23 Above the boathouses are areas of café/restaurant seating, both open and covered. On the river itself, the Peggy Jean barge is moored alongside the pontoon which as well as providing restaurant space also has pleasure craft moored alongside it.
- 3.24 This view perhaps best typifies the reference in the Council's Conservation Area Appraisal that *'The Thames is a major contributor to activity in the area and today adds to an active daytime and night-time economy, housing a number of businesses including many bars and restaurants. Its association with leisure remains strong with public gardens and towpaths forming a popular destination for pedestrians, joggers, and cyclists'*.
- 3.25 The Peggy Jean barge and pontoon are prominent in the foreground alongside the riverbank with the myriad moored boats surrounding them.

The contribution that the site makes to the Conservation Area

- 3.26 The Peggy Jean barge and pontoon are moored close to Richmond Bridge, in front of the Richmond Riverside development. At the time that consent was granted for the mooring of the barge in 1992, Council Officers commented *'the barge would be tucked between the permanently moored pontoon and the hard edge of the river bank...the barge is likely to enhance the river life and scene...it is felt that the...barge would make a positive contribution to the character and appearance of the conservation area and would not detract from the setting of neighbouring listed buildings including Richmond Bridge'*¹³.

¹³ Appeal Appendix: 1992 Committee Report

- 3.27 Since then the pontoon has been altered with parts decreased and others slightly increased in height and tables, chairs and umbrellas erected on the pontoon. These changes, most notably the umbrellas, have undoubtedly increased the visual prominence of the pontoon (although there is still visibility through/around when open or closed and when demounted) however this does still highlight the identified contribution that the Thames makes to the activity of this specific area.
- 3.28 From Richmond Bridge – from which the Conservation Area Appraisal notes ‘provides a dramatic and high-quality image to the town’ the appeal site is seen within the context of similar restaurant/café tables, chairs and structures on top of the boat houses in front of 10-12 Bridge Street and the wider Richmond Riverside development – all of which make a positive contribution to the character and appearance of the conservation area, containing a number of new, landmark, buildings and the War Memorial.

Listed Buildings

- 3.29 The listed buildings in the vicinity of the site clearly have special architectural and historical interest and thus significance. Much of this is articulated in the previous section. Of most relevance to this appeal is the setting of these assets and how setting contributes that significance. In most cases the setting of each of the buildings is inter-related – all forming an integral part of the character and appearance of the conservation area as articulated above.

Richmond Bridge : Grade I

- 3.30 Richmond Bridge, now London’s oldest remaining river crossing, is visible in long views from Richmond Railway Bridge ‘downstream’ and Terrace Garden ‘upstream’. In terms of its setting, due to the open nature of the river its elegant architectural form can be particularly appreciated from the river towpath, the stepped terraces of Richmond Riverside and from the river itself. The buildings and character of both sides of the river also form part of the bridge’s setting and contribute to its significance, including the economic vibrancy of the downstream eastern bank – helping to reinforce the bridge’s ‘gateway to Richmond’ function – which is also reinforced by the contrasting semi-rural and suburban nature of the east bank.
- 3.31 Views across the bridge from east and west also contribute to its setting – particularly those looking towards Richmond Town Centre – even though the river might not be visible the town is visible beyond and the bridge is a recognised and known ‘gateway’ to the town.
- 3.32 As is illustrated in the images in figures 1, 3 & 4 the bridge’s setting, particularly from the tow path, has often been slightly obscured, or at the least seen in the context of other rivercraft, pontoons and river-related activity.
- 3.33 Different elements of the bridge’s significance are revealed at different points within its setting. For example longer views allow for an appreciation of its overall graceful

classical form spanning the river from bank to bank; views across the bridge allow for an appreciation of its 'gateway' function and views close up on the tow path allow for an appreciation of its architectural detailing.

The contribution that the site makes to setting of the bridge

- 3.34 The Peggy Jean barge and pontoon are positioned in close proximity to the downstream side of the bridge and sit within its downstream setting.
- 3.35 The historic images show that it has often been the case that rivercraft and boats have been moored in this location and therefore views of the bridge will often have been partially obscured.
- 3.36 As referred to earlier, at the time the mooring of the barge as a restaurant was consented it was felt by Officers that its presence, alongside the pontoon, would not detract from the setting of neighbouring listed buildings including Richmond Bridge.
- 3.37 The presence of the umbrellas (and previously the 'enclosed sides') has obscured some views of the bridge, however this only has a detrimental impact on an ability to appreciate the significance of the bridge in a number of limited positions and has been considerably reduced with the reduction in their number and size.

10, 11 & 12 Bridge Street & (former) Palm Court Hotel : Grade II

- 3.38 Whilst these structures still retain special architectural and historical interest in their own right, they now form an integral part of Quinlan Terry's 1980s Riverside development.
- 3.39 Their setting is similarly integrated within the setting of the whole development and the presence that it has on the eastern side of the river alongside Richmond Bridge – from where it is perhaps best appreciated.
- 3.40 Of particular individual note is the landmark nature of the Italianate 'campanile' tower on Bridge Street – which acts not only as a marker for the listed building but the development and the gateway to Richmond Town Centre.



Figure 14: 11-12 Bridge Street & former Palm Court Hotel from west bank of Thames November 2025

The contribution that the site makes to setting of the listed buildings

- 3.41 Whilst the appeal site sits in front of the listed buildings and is therefore visible in the foreground of some views, particularly from Richmond Bridge, the river is considerably lower than the Riverside development such that the architectural composition of the development is not obscured by either the pontoon or the barge.
- 3.42 Even where the pontoon, barge and development are seen together the overall architectural composition of the development is sufficiently strong and robust that the visual impact of the appeal site is minimal in terms of an ability to appreciate the special interest of the listed buildings. The umbrellas are, nevertheless, visually apparent in the foreground.

Warehouse on Water Lane : Grade II

- 3.43 The special interest of the warehouse relates to its 18th century industrial architecture, character and historical importance in reflecting Richmond's commercial past and relationship to the River Thames. The warehouse is now a restaurant bar with tables and chairs that spill out onto the towpath in front – adding to the commercial/leisure vibrancy of the area.
- 3.44 Its immediate setting relates to the historic and tightly formed Water Lane along its northern flank and its direct relationship with the river and slip just in front. To the south the warehouse is now adjacent to the characterful but largely 1980s Richmond Riverside development which has knitted together the more historic buildings with new to provide the formal neo-Georgian character seen today.

The contribution that the site makes to setting of the listed building

- 3.45 The appeal site has a limited impact on the setting of the listed warehouse being approximately 100m to the south where the pontoon can only be seen 'end-on'. The pontoon does not impact on an ability to appreciate the significance or special interest of the listed building.

Richmond War Memorial : Grade II

- 3.46 The War Memorial is located at the bottom of Whittaker Avenue, opposite the Museum at the top of the Riverside Terrace. Its immediate backdrop (towards the river) is framed by mature trees.
- 3.47 The river forms part of the war memorial's setting with Richmond Bridge visible to the left. Whilst the Peggy Jean barge already appears in the setting, the pontoon is almost entirely obscured and it is only the tops of the umbrellas that are visible. From the War Memorial these appear within the context of the vibrant activity of the riverside – which has previously been noted as part of the character of this part of the conservation area – and do not detract from an appreciation of the special interest of the listed structure.

White Cross Public House – Grade II

- 3.48 The White Cross is a prominent building adjacent to the Water Lane slipway which is historically important as a surviving early-mid 19th century public house, forming an important component of this historic stretch of the river. In front of the building are tables chairs and umbrellas.
- 3.49 It has group value with the listed St Helena Terrace to its north and Richmond Bridge to the south¹⁴.
- 3.50 This visual inter-relationship is picked up in the 'upstream' view within the Conservation Area Analysis Map.
- 3.51 Protruding forwards of Water Lane and the listed warehouse the view towards Richmond Bridge is more direct.

The contribution that the site makes to the setting of the listed building.

- 3.52 The appeal site does not directly contribute to the setting of the listed building within the context of appreciating its specific architectural and historical interest, however it does form part of the setting of the group of buildings of which the pub forms part – in particular the pub and Richmond Bridge. In this respect the pontoon provides part of the contribution to activity in the area, adding an active daytime and night-time economy.

¹⁴ Historic England LAN: 1250279

4 The Appeal Scheme

- 4.1 This chapter of this Proof of Evidence addresses appeal ground 'a' – that planning permission should be granted for what is alleged in the notice. These works, alleged by the Council comprise:
- 4.2 '...Alterations to the existing pontoon, which have consisted of increasing its height with an additional lower deck and raised seating area, altering the external materials, erecting fixed covers with heaters, external railings, lower deck kitchen facilities and ancillary storage space.... a material change of use of the pontoon into a restaurant'.¹⁵
- 4.3 With regards the physical structure the pontoon had raised elements at its downstream and upstream end.
- 4.4 Since that time the pontoon, when in situ, has been used by a number of groups as a base for their river-related activities and a location to moor boats as well as its restaurant use.
- 4.5 The existing pontoon rises to 1.37m above water level. Although a larger proportion of the pontoon is at this higher level this is still considerably lower than the permanent 2.60m highest point of the former structure on the pontoon.
- 4.6 Since the pontoon was moored, consent was subsequently granted in 1992 for the mooring of the Peggy Jean barge, as a restaurant, alongside the pontoon. As noted in the previous section, Council Officers regarded the use of the Peggy Jean barge as a restaurant in this location, alongside the pontoon, to be a positive contributor to the character and appearance of the conservation area that would not detract from the setting of neighbouring listed buildings including Richmond Bridge.
- 4.7 Since the Enforcement Notice has been served, the plastic covers have been removed from pontoon, the number of umbrellas has been reduced, their size reduced and a more subdued colour used for the canopies – all of which can be lowered out of hours.

¹⁵ Appeal Appendix : Enforcement Notice

The Reasons for Enforcement Notice

- 4.8 With regards the historic environment, the reasons given for issuing the notice are as follows:

The pontoon, as altered, appears as a dominant and unsympathetic addition to the riverside, due to its size being disproportionate to similar structures within the Conservation Area and the use of large umbrellas and transparent plastic covers to enclose the area, representing a poor-quality design, which fails to preserve or enhance the character or appearance of the Conservation Area. The pontoon also affects the setting of the Grade I listed Richmond Bridge, due to the poor-quality design and materials and the increased size and therefore dominance on river frontage, it negatively affects the setting of that listed building. The alterations to the pontoon result in a dominant and incongruous structure on the river frontage, which negatively affects the conservation area and grade I listed Richmond bridge. The alterations to the pontoon amount to less than substantial harm to the designated heritage assets however there are no public benefits attributable that outweigh this harm. Accordingly, this development does not comply with the local Plan Policy LP3, Draft Local Plan Policy 28 or the National Planning Policy Framework.

- 4.9 As described above, many of these reasons have been addressed through changes already made. The following assessment considers the impact of those elements remaining.

Assessment

- 4.10 Whilst the works have an overall impact on heritage assets, the impact has first been broken down into the component parts.

Restaurant Use

- 4.11 In consenting the mooring of the Barge in 1992 Officers believed that in this specific location, within the Richmond Town Centre Area, restaurant use was considered appropriate. Moored alongside a part of the riverbank that had been specifically designed and landscaped to encourage activity, this use appears to be consistent with the character and appearance of the conservation area.
- 4.12 Within this context, I do not believe that the part-use of the pontoon for restaurant use, per se, would have a detrimental impact on the character and appearance of the conservation area, or the setting of the nearby listed buildings. A combination of uses and activities café/restaurant/boat hire/moorings all contribute to the historic and more recently encouraged economic vibrancy of the area – just as the tables and chairs that spill out of the former warehouse (Slug & Lettuce); on top of the boat houses (Gold) and in front of the White Cross Hotel all add to the sense of destination.

Physical changes to the Pontoon

- 4.13 As described previously, the pontoon has altered from that which was first granted consent in 1985. This houses the identified lower deck kitchen facilities and ancillary storage space.

Impact on surrounding heritage assets

- 4.14 The visibility of the pontoon depends on where it is viewed from. From the busier, more accessible eastern bank of the river the pontoon is largely obscured by the Peggy Jean barge and other rivercraft (figures 8&9). Where it is visible in longer views from 'downstream' - particularly the identified view point from the Water Lane slipway and beyond, this is primarily 'end on' where the height of the pontoon itself is lower than the height of the consented pontoon, sitting alongside the barge.
- 4.15 In longer views, particularly from downstream, the changes to the pontoon itself have a negligible visual impact on the character of the river – being moored where a pontoon would be expected to be located, with a consented barge alongside and other rivercraft moored around it (see figure 8 & 15).
- 4.16 Similarly the pontoon itself is barely visible from the top of the terrace or close to the war memorial.
- 4.17 The alterations to the pontoon are most obvious in views from Richmond Bridge looking across towards the landmark Richmond Riverside development which includes the listed buildings on Bridge Street and former Palm Court Hotel. In these views the Riverside development dominates the views, with the barge and pontoon set much lower down (even at high tide) and the pontoon is usually partially obscured by moored boats.
- 4.18 The pontoon sits just in front of Richmond Bridge and clearly within its setting. As is identified in the conservation area appraisal, this location has historically been the site for the mooring of boats and rivercraft and therefore the presence of a pontoon is not unusual.
- 4.19 Whilst there is clearly a small visual difference between what was consented and the existing pontoon this does not cause harm to an appreciation of the character of the conservation area or the setting of the listed buildings and Riverside development. The special interest of the listed buildings is still fully appreciable and the pontoon, with its mixture of uses and moored boats, still preserves the riverside character and appearance of the conservation area.
- 4.20 The pontoon has multiple uses and users and represents an element of the multi-use vibrancy of the Richmond Riverside area – in contrast to the western bank and other stretches of the River Thames.



Figure 15: Looking upstream, the pontoon structure barely visible beyond the moored boats

Raised seating area, fixed covers with heaters, external railings & umbrellas

- 4.21 Since the issuing of the Enforcement Notice the fixed side covers have been removed, three further umbrellas at the upstream end of the pontoon removed and the remaining umbrellas reduced in height and their colour changed to a more subdued oyster white. Therefore, this element of the assessment has limited itself to the potential impacts of the remaining seating, umbrellas and railings on top of the pontoon.
- 4.22 It has been recognised by the applicant that it was the transparent plastic covers to the sides of the umbrellas that had the greatest visual impact on the pontoon – effectively creating a new enclosed structure on top of the pontoon. The covers not only gave a sense of solidity but were also brightly coloured, drawing the eye in some of the views towards and from Richmond Bridge and across the Conservation Area thus having a detrimental impact on the setting of the heritage assets.
- 4.23 Their removal has considerably lessened the impact of the ‘above-deck’ equipment.
- 4.24 The remaining items, including tables and chairs and umbrellas are all temporary in nature and capable of being removed or lowered. It is common to see external railings around a busy, well-used pontoon.
- 4.25 The pontoon still retains its ‘mixed-use’, providing access to moored boats, and other river related activities as well as providing seating for the restaurant.
- 4.26 Nevertheless, it was recognised that the presence of the umbrellas, in particular, do – when up – have a distracting impact on the setting of Richmond Bridge and character and appearance of the conservation area and caused an element of less-than-substantial harm, at the lower end of the scale. This harm has been much reduced through a reduction in the number of umbrellas, a reduction in their size and the use of a more subdued colour.

Summary of Impact

Restaurant Use

- 4.27 In summary, I do not believe that the part-use of the pontoon for restaurant use has any impact on the character and appearance of the conservation area, or the setting of any of the surrounding heritage assets – for reasons similar to those given by Council Officers in 1992 – the use adds to the riverside environment and activity at this particular location.
- 4.28 The restaurant contributes to the vibrancy of this part of the town centre which is both historic (White Cross Public House) and more recent with the Riverside development, terraces, cafes and restaurants.

Alterations to the pontoon, tables, chairs & railings

- 4.29 Whilst the alterations to the pontoon have lead to a physical change to the pontoon itself, the impact on the setting of surrounding heritage assets is minimal. In most views the pontoon is only seen obliquely and obscured by the barge in its foreground, and where it is seen ‘full-length’ from the western side of the river or Richmond Bridge it is partially obscured by the moored rivercraft and still allows for unencumbered views of the surrounding heritage assets. The presence of railings on a pontoon is not an unusual sight.
- 4.30 Similarly the presence of tables and chairs and people using the pontoon – either for river or restaurant related uses is not incongruous and does not have a harmful impact on the character of the conservation area or the setting of nearby heritage assets – when visible, it is seen in the context of the riverbank terrace, the boathouses and cafes.
- 4.31 I do not believe that these elements cause harm to the character and appearance of the conservation area or the setting of any of the surrounding heritage assets.

Umbrellas & transparent plastic sides

- 4.32 It was recognised that the use of the transparent plastic sides along with the umbrellas did have a dominant and distracting impact on the character and appearance of the conservation area and the setting of nearby heritage assets, most notably Richmond Bridge – particularly with their bright colour.
- 4.33 The removal of the transparent plastic sides has reduced this impact considerably. However, even with the removal of the transparent plastic sides, it was recognised that the umbrellas still appeared relatively prominently within some of the views from and towards Richmond Bridge and caused an element of less than substantial harm at the lower end of the scale, to the character and appearance of the conservation area, a number of the listed buildings within it, and the setting of Richmond Bridge.

- 4.34 The removal of further umbrellas at the upstream end of the pontoon, the reduction of the height of the remaining ones and a change of colour to an oyster white has reduced this low level of harm to a nominal level.
- 4.35 This less than substantial harm needs to be weighed against the public benefits of the proposals.

5 Compliance with policy & guidance

- 5.1 This section of the report considers the reasons for the service of the Enforcement Notice in terms of policy and guidance as well as considering why the proposals could be regarded as acceptable.

The National Planning Policy Framework

- 5.2 The revised version of the National Planning Policy Framework (NPPF) was published in December 2024.

Proposals affecting heritage assets

- 5.3 Chapter 16 of the National Planning Policy Framework: 'Conserving and enhancing the historic environment' deals with Heritage Assets describing them as 'an irreplaceable resource' that 'should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations'.
- 5.4 Paragraph 207 says that:
- 5.5 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.'
- 5.6 Paragraph 210 says that
- 5.7 'In determining applications, local planning authorities should take account of:
- 5.8 'a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- 5.9 b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- 5.10 c) the desirability of new development making a positive contribution to local character and distinctiveness.'

Considering potential impacts

- 5.11 Paragraph 212 advises local planning authorities 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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'

5.12 Paragraph 214 says:

5.13 'where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

5.14 the nature of the heritage asset prevents all reasonable uses of the site; and

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

5.16 conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and

5.17 the harm or loss is outweighed by the benefit of bringing the site back into use.'

5.18 Paragraph 215 says 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 including, where appropriate, securing its optimum viable use'.

Paragraph 216 states '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 judgment will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

5.19 The NPPF introduces the requirement that 'Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.' (paragraph 217).

5.20 In terms of enhancing the setting of heritage assets the NPPF states that 'local planning authorities should 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. 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. (paragraph 219).

London Borough of Richmond-upon-Thames Local Plan

5.21 The Council's Local Plan was adopted in October 2025 and replaces that which this Appeal was previously considered.

5.22 Policy 29 relates to Designated Heritage Assets. Of relevance to this application, this states:

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: Give great weight to the conservation of the heritage asset when considering the impact of a proposed development on the significance of the asset.

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 logging the significance of the heritage assets, 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 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. 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 SPD's.

The proposals

National Planning Policy Framework

- 5.23 In respect of the National Planning Policy Framework this report provides a description of the significance of the heritage assets potentially affected, including any contribution made by their setting as required by paragraph 207.
- 5.24 In terms of paragraph 214 it is common ground between the appellant and the Council that the proposals do not cause substantial harm to any designated assets or their setting.
- 5.25 With regards paragraph 215, whilst it is accepted that there was an element of less than substantial harm caused by the umbrellas and side panels, this has been considerably reduced by the removal of the side panels and the removal of two umbrellas closest to

the bridge. The remaining harm is caused primarily through the presence of the umbrellas on the pontoon acting as a 'distraction' to appreciating the setting of the surrounding heritage assets.

- 5.26 I believe that this less-than-substantial harm is at the lower end of the scale and only relates to the umbrellas and not to the use – which contributes not only to the vibrancy of the area but also allows for the continued use of the pontoon for river-orientated uses – or the pontoon itself which, even as altered does not have a detrimental impact on the setting of any heritage assets.
- 5.27 If it is agreed by the Inspector that an element of less than substantial harm is caused, this should be weighed against the public benefits, including where appropriate, securing optimum viable use. The public benefits of the scheme are addressed in the Planning Statement.

Richmond Local Plan

- 5.28 With regards to the Council's Local Plan policy 29 it was established in 1992 that this part of Richmond Town Centre was an appropriate place for restaurants and commercial activity. I do not believe that the part-use of the pontoon as a restaurant, as well as all of the other uses and activities that take place on the pontoon have a detrimental impact on the character of the conservation area or the setting of surrounding heritage assets. On the contrary it would appear to add to the activity and character.
- 5.29 Similarly, the alterations to the pontoon alone, as well as the chairs and tables, do not detrimentally impact the setting of any surrounding heritage assets – it leads to a small visual change that does not adversely affect an appreciation of heritage significance.
- 5.30 With regards the umbrellas on the pontoon, whilst this may be regarded as causing an element of less than substantial harm at the lower end of the scale to the character of the conservation area and the setting of surrounding listed buildings, most notably Richmond Bridge, this has been considerably mitigated since the Enforcement Notice was served and should be considered in the context of the public benefits identified, including the continuation of other river-based activities from the pontoon itself.

6 Alternative Proposals

- 6.1 In order to assist the Inspector, the following alternative proposals have also been considered and their impact assessed in terms of heritage impact.

Option 1

- 6.2 Umbrellas removed from upstream end of the pontoon; tables and chairs removed from upstream end (6 tables); railings removed from upstream end only.

Option 2

- 6.3 Umbrellas removed from upstream end; tables and chairs removed from upstream end (6 covers); bulk of upstream end lowered; railings retained.

Option 3

- 6.4 Umbrellas removed from upstream and middle (4 removed); tables and chairs removed from upstream end (6 tables); bulk at upstream end lowered; railings removed.

Option 4

- 6.5 Umbrellas removed at upstream end, retained for downstream (x3); tables and chairs removed from upstream end and middle of pontoon (7 tables); bulk of upstream end lowered; railings removed at upstream end.

Option 5

- 6.6 Umbrellas removed across the pontoon; 6 tables and chairs removed upstream; bulk lowered at the upstream end; railings removed from upstream end; railings retained at the downstream end.

Option 6

- 6.7 Umbrellas removed from the pontoon; railings at the upstream and middle of the pontoon retained; tables and chairs in the middle and upstream end; bulk lowered at upstream end.

Option 7

- 6.8 Bulk at downstream end retained for the kitchen below deck; no railings/tables and chairs/umbrellas/railings or upstream bulk.

Heritage Impact - Options

- 6.9 The approach to my assessment is articulated in detail in the previous section — this identifies that the only element of the proposals that cause a low level of less-than-substantial harm to any heritage assets is the presence of the umbrellas.
- 6.10 Therefore, in respect of all Options outlined above, a reduction in the number of umbrellas will further reduce the small level of less-than-substantial harm caused.
- 6.11 Whilst their total removal from the pontoon would lead to a situation where no harm is caused at all by the part-use of the pontoon for restaurant use in association with the Peggy Jean barge, their presence at the downstream end of the pontoon has an almost *de minimis* impact as they are seen within the context of those already permitted on top of the Peggy Jean Barge.

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