



# **S174 Appeal: Pontoon and land adjacent to Richmond Pier, Riverside**

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**Landscape and Visual Impact Proof of Evidence**

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## **Personal Qualifications**

My name is Liz Simes. My qualifications include a BA (Hons) degree and post graduate diploma in Landscape Architecture and post graduate diploma in Urban Design. I am a member of the Landscape Institute and a Chartered Landscape Architect (CMLI).

I have over 25 years post qualification experience in landscape planning and design. I have prepared landscape and townscape and visual impact assessments either as standalone documents or co-ordinated as part of environmental statements; and both the outline and detailed design of a range of residential, commercial, mineral and waste development projects throughout the UK. I have stood as an expert witness on both landscape / townscape and visual matters.

I have visited the Appeal Site and its surroundings and have examined the relevant plans and documents for this Appeal.

The evidence which I have prepared and provide for this Appeal in this report is true and has been prepared and is given in accordance with the guidance of my professional institute and I confirm that the opinions expressed are my true and professional opinions.

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## 1.0 Executive Summary

- 1.1 This proof of evidence deals with the landscape and visual impact matters relating to reasons b, c, e and f of the enforcement notice (principally relating to the change to the solid areas above the pontoon, the number and colour of the umbrellas and the plastic enclosures), relating to MOL, character, openness, views of the River Thames and effects on night-time character. The methodology employed for the landscape and visual impact assessment is contained at my Appendix 1; plans illustrating background plans and documents, the current situation and a series of photos are contained in my Appendix 2; and with photos of the Appeal Site in 2024 showing the scheme associated with the enforcement notice are included in my Appendix 3. The November 2025 Appeal Scheme and alternative options are contained in a series of plans submitted with the Appeal (drawing no's TUK03-MAA-XX-XX-A-1002- 1010, P01 and TUK03-MAA-XX-XX-RP-9002-VolumeStudy-P02).
- 1.2 The Appeal Site comprises a floating pontoon on the tidal part of the River Thames, fixed between two piles located north of Richmond Bridge. The pontoon comprises modifications to the elements sitting on top of the pontoon that existed pre-2021, resulting in a varied stepped outline above the water. On top of this stepped profile sits railings, tables, chairs and umbrellas (the latter on the downstream end only) reflecting the 2025 Appeal Scheme. The use of the pontoon is mixed and includes river related activities.
- 1.3 The immediate context to the Appeal Site is that of the Jesus Barge restaurant, the Riverside (the promenade, the terraces, the workshops and large scale buildings of the town centre) to the north / north-east; the busy transport corridor of Richmond Bridge (listed building) to the south; the River Thames with the residential area of Twickenham beyond to the west (filtered through intervening trees); and the River Thames, to the west / north-west. Building grain broadly follows the historic movement corridors and the orientation of the River Thames. Buildings are predominantly of larger scale, mass and density to the north-east and around the primary road corridors. To the west of the River the pattern is more aligned with the north-east to south-west orientation of the route to Richmond Bridge, again, with the larger scale and density of buildings associated with that main route. Buildings typically front on to the Riverside to the north / north-east of the Appeal Site and back on to the south-west / west. Building heights vary in the local townscape up to 5 storeys (on the western bank, including rooms in roofs), with the tallest buildings located to the north / north-east of the Appeal Site

between Water Lane and Richmond Bridge being again, up to 5 storey (considering rooms in roofs). In terms of pontoons and moored boats, the size and scale of these varies considerably along the eastern bank of the River, adding variety and interest along the promenade and Riverside.

- 1.4 With regards to published character assessments, the Appeal Site lies within Reach 9: Richmond and Character Area F: Richmond and Richmond Hill. These assessments describe the townscape context to the Appeal Site which is one where '*landing stages bring added activity to the extremely well used promenade*' and where '*cafes along Richmond Promenade provide magnificent havens to escape the hustle and bustle of the towpath*' making '*for a lively scene in good weather*' and where '*boats, boat houses and activity on the river create a recreational water frontage of much interest and setting to the important buildings*'. The combination of the promenade and the commercial enterprises with their range of outdoor activities and dining spaces all creates activity and vibrancy to the Riverside both during the day and at night. The movement of boats along the River adjacent to the Appeal Site creates a degree of activity and interest to the townscape and riverside. The mooring of a range of craft along this part of the River (either side of Richmond Bridge) off piers is a characteristic element.
- 1.5 In terms of landscape / townscape related designations, the Appeal Site lies within Metropolitan Open Land (MOL) and the Thames Policy Area associated with River Corridors. It lies adjacent to designated public open space to the north-east / east relating to the Riverside. Relevant extracts from the NPPF, London Plan, Adopted and Draft Local Plans are provided on Section 3. There are overlapping themes relative to MOL, Character, Green Infrastructure and Views and as such a response has been provided relative to these themes.
- 1.6 The field survey was carried out in November 2025 at both low and high tide, but also at night to understand the night-time character of the River, the riverside and the local townscape setting to the Appeal Site. The scheme as enforced against at October 2023 included the extension of the raised area at both downstream and upstream ends, with an additional minor increase in height at the upstream end, 6no. blue umbrellas at a height of 8.37m, plastic enclosure around the pontoon hanging from the umbrella's, 13 tables and associated chairs across the entire pontoon and railings around the pontoon (refer to drawing refer to drawing TUK03-MAA-XX-XX-A-1002-P01) and the photos included in my Appendix 3 reflecting the scene in January 2024.

1.7 A series of alternative Options are proposed for consideration and have been assessed in landscape and visual terms against the baseline scenario of the Pre 2021 situation, as shown on page 6 of the Matthew Allchurch Architects Volumetric Study (October 2025). The Options comprise the following (all of which could be controlled through suitable conditions if necessary):

- The scheme as it currently exists at November 2025, which includes extension of raised area at both downstream and upstream ends, with an additional minor increase in height at the upstream end (to enable access to below deck storage area), 13 tables and associated chairs, 3no. umbrellas (with heights reduced by 1.2m to 7.17m) and changed to a neutral colour (oyster white) and railings around the pontoon (refer to drawing refer to drawing TUK03-MAA-XX-XX-A-1003-P01);
- Option 1: Extension of raised area at both downstream and upstream ends, with an additional minor increase in height at the upstream end (to enable access to below deck storage area), 4no. umbrella's 7 no. tables and associated chairs and railings on downstream and middle sections only (refer to drawing TUK03-MAA-XX-XX-A-1004-P01);
- Option 2: Extension of raised area at downstream end and minor increase at upstream end (again, to enable access to below deck storage area), 4no. umbrella's, 7 no. table and associated chairs on downstream and middle section, railings across the whole length (refer to drawing TUK03-MAA-XX-XX-A-1005-P01);
- Option 3: Extension of raised area at downstream end, 2no. umbrella's and 7no. tables with associated chairs and railings on downstream end, with railings extending across middle section (refer to drawing TUK03-MAA-XX-XX-A-1006-P01);
- Option 4: Extension of raised area at downstream end, 3no. umbrella's and 7no. tables with associated chairs and railings on downstream and middle section only (refer to drawing TUK03-MAA-XX-XX-A-1007-P01);
- Option 5: Extension of raised area at downstream end only, 7no. tables with associated chairs and railings on downstream and middle section only (refer to drawing TUK03-MAA-XX-XX-A-1008-P01);
- Option 6: Extension of raised area at downstream end, 7no. tables with associated chairs and railings on upstream and middle section only (refer to drawing TUK03-MAA-XX-XX-A-1009-P01); and
- Option 7: Extension of raised area at downstream end for the kitchen below deck only (refer to drawing TUK03-MAA-XX-XX-A-1010-P01).

1.8 The landscape and visual impact assessment reveals the following insignificant effects:

- a) Minor adverse effect on the character of Richmond Riverside relating to the November 2025 situation and Options 1-4 and negligible for Options 5-6 and neutral for Option 7;
- b) Neutral effect on green and blue infrastructure relating to all the alternative scenarios;
- c) Minor adverse on night-time character relating to the November 2025 situation and Options 1-6, with neutral effect relating to Option 7;
- d) Minor adverse to neutral effects on a range of visual receptors (with options 5 and 6 being negligible and option 7 being neutral) and with all schemes being negligible on those at their place of work; and
- e) Minor adverse effect on the visual dimension of openness relating to the November 2025 situation, with negligible effect relating to Options 1 - 7.

1.9 A summary of the landscape and visual response to policy is set out in the following paragraphs.

#### Green Belt Purposes and MOL

1.10 The nature of the 2025 Scenario and the alternative Options:

- a) do not result in urban sprawl, as it remains fixed between two piles.
- b) do not physically result in the merging of Richmond and Twickenham. All the alternatives remain clearly distinguished from and between the built-up areas, albeit that it sits adjacent to an urban context.
- c) do not result in the encroachment into the countryside, as it remains fixed between two piles. The nature of that change relating to either the 2025 Appeal Scheme or the alternatives is insignificant in terms of the overall effect on the sense of the openness of the MOL and where the pontoon forms just over 0.20% of the MOL parcel 29 and 0.11% of the MOL covering the stretch of landscape / riverscape north of Richmond Bridge (MOL parcels 29 and 30). The 2025 Appeal Scheme or the alternative options do not interrupt, block or close down views of or across the River or open spaces in a significant way. Option 7 further reduces these limited and insignificant effects. Furthermore, the Appeal Scheme provides open air leisure and recreational uses and therefore maintains the 'open use' of the MOL.
- d) does not alter the setting of an historic town (considering the effects on the Conservation Area as described by Mr Collins).

### Local Character and Distinctiveness

1.11 The 2025 Appeal Scheme Scenario and alternative Options all:

- a) form part of the floating riverside scene which is already varied and adds movement and further vibrancy to the area and is therefore compatible with the Riverside, set against the dominant built form backdrop and provides the transition between the Riverside and the River. The pontoon itself is already permitted and therefore forms part of the riverside scene. The alternative Appeal Scheme options will not alter the dominance of the Richmond Riverside buildings providing the gateway to the town from the west.
- b) follow the grain and orientation of the River and Riverside.
- c) do not harm the individual natural landscape or built townscape elements and is compatible with the Riverside location, considering the varied activity associated with this part of the Riverside, allowing the appreciation of the Riverside from the River.
- d) do not close down or significantly interrupt views of Richmond Bridge and does not significantly affect views of the River. From the Riverside, adjacent to Richmond Bridge, the 2025 Appeal Scheme and options 1-4 at high tide will obscure views of Twickenham Bridge temporarily.
- e) form a small part of the wider character area and does not alter the special character of Reach 9 of area F relating to Richmond and Richmond Hill, continuing the use of landing stages, tables and chairs which all add a level of vibrancy as mentioned in the published character assessment documents.
- f) form part of the character of floating boats and boathouses, accessed off the Riverside, forming part of the activity on the river and recreational water frontage, creating interest.
- g) result in an extension of the solid elements of the pontoon to varying degrees and the range of elements above deck effects character, however the extent of these are limited to a such a small geographic area and therefore the effects as described are insignificant and reduce further considering the character area overall.
- h) is located within an area that is already influenced more readily by a range of lighting, which adds to the vibrancy of this part of the Riverside at night. As such the lighting associated with the Appeal Site is consistent with this existing established night-time environment. The additional night-time effects arising from the Appeal Scheme can be further reduced by a suitable planning condition.

#### Openness and Character of Views of River

1.12 As set out in the visual impact assessment, the effects of the 2025 Appeal Scheme and the alternative options:

- a) are insignificant on the character, amenity or openness of the view of the River;
- b) are insignificant on the views of the River;
- c) will not alter public access along or adjacent to the River;
- d) will not alter the river related uses;
- e) will not alter the visual envelope associated with the Appeal Site; and
- f) will not be apparent in views from Richmond Hill.

#### Green and Blue Infrastructure

1.13 The Appeal Scheme alternatives will not change the network of existing green and blue infrastructure.

#### Lighting

1.14 The Appeal Scheme alternatives will result in a minor increase in lighting within the local area, in a localized area, but will not significantly alter the night time character of this part of the Riverside. The nature of the lighting can be addressed by condition.

#### Conclusion

1.15 In light of the evidence, I find that the alleged detrimental impacts relating to the 2025 Scenario and alternative options are not correct.

## 2.0 Introduction

### Overview and background

2.1 The Appeal is against Richmond Borough Council relating to an enforcement notice associated with the 'Pontoon and land adjacent to Richmond Pier, Riverside' (the Appeal Site / Scheme).

2.2 The location and extent of the Appeal Site is shown on Figure 2.1 in my Appendix 2. The Appeal Site comprises a single pontoon, accessed via an existing pedestrian gangway from the riverside. The Jesus College Barge is moored at the pontoon. The barge and pontoon are used by a restaurant called 'Peggy Jean Riverside'.

2.3 This proof of evidence has been prepared focusing on the areas of difference between the main parties to assist the Inspector in the consideration of the Appeal. Reference is made to:

- The appendices associated with this proof;
- The Guidelines to Landscape and Visual Impact Assessment (GLVIA);
- The NPPF (December 2024);
- The London Plan (2021);
- Towards a New London Plan, Consultation on the Next London Plan (May 2025);
- The London Borough of Richmond Adopted Local Plan (2018);
- The London Borough of Richmond Draft Local Plan (2023);
- Richmond upon Thames Local Plan 'The best for our borough' (2024 to 2039), Adopted October 2025.

2.4 Against these backgrounds this proof sets out details of the:

- Relevant planning policy context, extracts and associated background documents relating to landscape / townscape and visual matters;
- Landscape and townscape character and appearance of the Appeal Site and its setting, the River and Metropolitan Open Land (MOL);
- Night-time character and appearance;
- Visual assessment, including views of the River;
- A description of the visual dimension of openness of the MOL;
- Impact of the alternative scenarios of the Appeal Scheme on the landscape / townscape and visual resources; and
- A response to the main issues.

## Enforcement Reasons

2.5 This proof responds specifically on the landscape / townscape and visual matters relating to reasons b, c, e and f of the enforcement notice. Heritage matters relating to reason d are dealt with by Mr Collins. With regard to reason f, this proof will only consider the effects on the night-time character, with further lux level detail on lighting matters addressed through the submission of a light study (the scope of which is to assess the lux levels in the evening hours and the impact this has on local and river ecology) and is to be dealt with via a planning condition. Matters relating to the spatial dimension of the Metropolitan Open Land (MOL) are dealt with by Mr Villars.

2.6 For ease of reference, those reasons that this landscape and visual proof respond to are set out below. Since the issue of the enforcement notice and the last appeal the Draft Local Plan has subsequently been superseded by a further amended, and now adopted, version. For completeness, the policies in the enforcement notice (both adopted and draft emerging) together with the now final adopted versions of those policies are included in this proof.

“b) *The alterations to the pontoon, by virtue of their siting, size, scale, mass and bulk, are harmful to the openness of the Metropolitan Open Land and constitute inappropriate development, for which there are no very special circumstances to justify this harm. The use of the pontoon as a restaurant (Class E) has an urbanising effect, which fails to preserve the openness of the Metropolitan Open Land. As such, these developments do not comply with the National Planning Policy Framework, London Plan Policy G3, Local Plan Policy LP13 or Draft Local Plan Policy 34.*

c) *The pontoon is far larger than any other examples in the locality and it is also enclosed which increases its overall height significantly and is now predominately used as a restaurant. The covered seating has been constructed by using large, fixed umbrellas and the sides have been enclosed with a transparent plastic material, it's a poor quality construction and detracts from the character of the area, which is predominately smaller, fleeting and open structures, with river uses, as well as river fronting buildings of high architectural quality. In summary, the pontoon appears as an incongruous structure and is unsympathetic to the character of the area. Accordingly, it does not comply with Local Plan Policy LP1, Draft Local Plan Policies 19 and 28 and the National Planning Policy Framework.*

e) *The alterations to the pontoon, by virtue of their siting, size, scale, mass and bulk are harmful to the character, openness and views of the river. The use of the*

*pontoon as a restaurant is not river dependent and results in the substantial reduction in the previous river dependent use, which was for the mooring of leisure boats, with the absence of any evidence to demonstrate that use was not feasible or viable. Accordingly, the development does not comply with Local Plan Policies LP18 and LP19 and Draft Local Plan Policies 40 and 41.*

*f) The alterations and material change of use to the pontoon, has resulted in a floating restaurant adjacent to the Richmond Riverside and Richmond Bridge. In the absence of any evidence to demonstrate that these developments will not give rise to unacceptable environmental impacts, including but not limited to, air pollution, noise pollution, light pollution and odours and fumes, the development does not comply with Local Plan Policy LP10 or Draft Local Plan Policy 53.”*

2.7 In addition to the policies cited in the enforcement notice above, the further policies which are relevant to landscape and visual matters include:

- The London Borough of Richmond former Adopted Policy LP 12 on Green Infrastructure;
- The London Borough of Richmond Adopted Draft and Adopted Policy 35 on Green Belt, Metropolitan Open Land and Local Green Space; and
- The London Plan Policy SI 16 on Waterways – use and enjoyment.

2.8 There are a number of overlapping issues in the reasons set out above. This proof of evidence therefore will provide a response to the reasons under the following themes.

- a) Character, appearance and openness of the area, the MOL and River;
- b) Green and blue infrastructure;
- c) Visual assessment and the visual aspect of openness; and
- d) Scale, mass and bulk of the Appeal Scheme (and the alternative scenarios).

2.9 The structure of this landscape and visual proof of evidence is to cover the following matters:

- Section 3.0 – Overview of landscape / townscape related designations, policy and associated evidence base
- Section 4.0 - Description of the landscape / townscape setting to the Appeal Site, the contextual landscape and of the Appeal Site itself
- Section 5.0 - Visual assessment
- Section 6.0 - Assessment of landscape / townscape and visual effects
- Section 7.0 - Response to the main issues relating to the landscape / townscape and visual reasons

- Section 8.0 - Conclusion

2.10 This document includes appendices which should be read in conjunction with this landscape and visual proof of evidence.

### **3.0 Overview of landscape / townscape related designations, policy and associated evidence base**

3.1 For ease of reference, the following paragraphs set out the relevant extracts of the policy and background documents.

#### **Metropolitan Open Land**

3.2 The Appeal Site, lies wholly within MOL and is therefore given the same level of protection as Green Belt. Para 142 of the NPPF, December 2024 states that: "*The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.*" Para 143 goes on to set out the five purposes of the Green Belt as:

- a. *to check the unrestricted sprawl of large built-up areas;*
- b. *to prevent neighbouring towns merging into one another;*
- c. *to assist in safeguarding the countryside from encroachment;*
- d. *to preserve the setting and special character of historic towns; and*
- e. *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*"

Subsection e is not relevant to the Appeal Site or Scheme.

3.3 Paragraph 154 states that: "*Development in the Green Belt is inappropriate unless one of the following exceptions applies:*

- a) *the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation...; as long as the facilities preserve the openness of the Green Belt and do no conflict with the purposes of including land within it;*
- b) *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;..."*

3.4 The relevant aspects of para 155 goes on to state that: "*The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate whereby the following apply:*

- a) *The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*

3.5 Policy G3 of The London Plan, March 2021 on Metropolitan Open Land states:

*A Metropolitan Open Land (MOL) is afforded the same status and level of protection as Green Belt:*

- 1. MOL should be protected from inappropriate development in accordance with national planning policy tests that apply to the Green Belt*
- 2. Boroughs should work with partners to enhance the quality and range of uses of MOL.*

*B The extension of MOL designations should be supported where appropriate. Boroughs should designate MOL by establishing that the land meets at least one of the following criteria:*

- 1. it contributes to the physical structure of London by being clearly distinguishable from the built-up area*
- 2. it includes open air facilities, especially for leisure, recreation, sport, the arts and cultural activities, which serve either the whole or significant parts of London*
- 3. it contains features or landscapes (historic, recreational, biodiverse) of either national or metropolitan value*
- 4. it forms part of a strategic corridor, node or a link in the network of green infrastructure and meets one of the above criteria.*

*C Any alterations to the boundary of MOL should be undertaken through the Local Plan process, in consultation with the Mayor and adjoining boroughs. MOL boundaries should only be changed in exceptional circumstances when this is fully evidenced and justified, taking into account the purposes for including land in MOL set out in Part B.”*

3.6 Further to the above, the consultation document on the New London Plan (May 2025) sets out at para 2.11 that: “*Unlike green belt purposes, MOL criteria does involve environmental considerations*”. It goes on to set out that protection to the MOL will continue, but that: “*... some areas of MOL, such as certain golf courses are not accessible to the wider public and have limited biodiversity value*”.

3.7 Under section 5.6 on ‘London’s Open Spaces’ at p64, it states: “*Changes to national policy require planning authorities to release green belt if they are unable to meet housing or other development needs. The current London Plan links London’s strategic open spaces (Metropolitan Open Land or MOL) to national green belt policy. Now that green belt policy has changed, this could also be interpreted as requiring London’s*

*MOL to be released for housing and other development. The Mayor is clear that MOL performs a vital role for Londoners, and will become even more important as more homes are built. The London Plan should be redrafted to distinguish between MOL and green belt, and protect MOL from green belt reviews.”*

3.8 The former adopted Local Plan Policy LP13 deals with Green Belt, Metropolitan Open Land and Local Green Space. The Appeal Site does not lie within a Local Green Space and therefore this section of the Policy has been excluded from the extract below.

*“A The Borough’s Green Belt and Metropolitan Open Land will be protected and retained in predominately open use. Inappropriate development will be refused unless ‘very special circumstances’ can be demonstrated that clearly outweigh the harm to the Green Belt or Metropolitan Open Land.*

*B Appropriate uses within Green Belt or Metropolitan Open Land include public and private open spaces and playing fields, open recreation and sport, biodiversity including rivers and bodies of water and open community uses including allotments and cemeteries. Development will be supported if it is appropriate and helps secure the objectives of improving the Green Belt or Metropolitan Open Land.*

*C It will be recognised that there may be exceptional cases where inappropriate development, such as small scale structures for essential utility infrastructure, may be acceptable.*

*D Improvement and enhancement of the openness and character of the Green Belt or Metropolitan Open Land and measures to reduce visual impacts will be encouraged where appropriate.*

*D When considering developments on sites outside Green Belt or Metropolitan Open Land, any possible visual impacts on the character and openness of the Green Belt or Metropolitan Open Land will be taken into account.”*

3.9 Whilst enforcement notice reason b cites comparative Draft Local Plan Policy 34, this policy relates to Green and Blue Infrastructure, whereas Draft Local Plan Policy 35 actually deals with Green Belt, Metropolitan Open Land and Local Green Space and is therefore the appropriate policy. The wording for Draft and 2025 Adopted Policy 35 is set out below, with those changes / additions / wholesale text replacements in the text from the former Adopted Local Plan Policy underlined for ease. *“A. The Borough’s Green Belt and Metropolitan Open Land will be protected and retained in predominately open use. Inappropriate development will be refused unless ‘very special*

*circumstances' can be robustly demonstrated that clearly outweigh the harm to the Green Belt or Metropolitan Open Land.*

*B. Appropriate uses within the Green Belt or Metropolitan Open Land include public and private open spaces and playing fields, outdoor recreation and sport, biodiversity including rivers and bodies of water, open community uses including allotments and cemeteries. Development will only be supported if it is appropriate and helps secure the objectives of improving the Green Belt or Metropolitan Open Land, subject to national planning policy tests.*

*C. 'Very special circumstances' must result in the improvement and enhancement of the openness, character and use of the Green Belt and Metropolitan Open Land. Measures could include improvements or enhancement to landscape quality (including visual amenity), biodiversity (including biodiversity net gain) or accessibility.*

*D. When considering developments on sites in proximity to Green Belt or Metropolitan Open Land, any possible visual impacts on the character, local distinctiveness, and openness of the Green Belt or Metropolitan Open Land will be taken into account."*

- 3.10 A review of the MOL has been carried out in the Metropolitan Open Land Review, Annex Report, Arup, 2021. The Appeal Site lies within parcel 29: Old Palace Lane Richmond Riverside. This parcel of land covers the eastern section of the River, between Richmond and Twickenham Bridges (with parcel 30 lying to the west). Parcel 29 covers the public open space along the riverside, east of Twickenham Road and extends north up to the "*irregular fronts and backs of residential terraces*" (p96) and covers private space, including the green space associated with Asgill House and allotments. Refer to my Appendix 2, Figure 2.5 for plan extract and summary table of the MOL assessment (Figure 2.5a). The Appeal Site is included in the photos on page 95 of the Arup report. The following provides the commentary relative to the southern and western sections of parcel 29.
- 3.11 The MOL Review makes observations relative to the southern parcel and each of the MOL criterion as follows with my emphasis added.

Criterion 1: contributes to the physical structure of London by being clearly distinguishable from the built-up area. Relative to this criterion, it states that this southern half is: *“bound to the east by buildings without screening, therefore urbanising influences are notable in parts of the parcel. It has a fairly weak landscape structure defined by hard standings paths, minor roads and open lawn. However, the slope down to the River Thames provides a mostly well-defined sense of openness.”* It goes on to state that the western edge of the parcel (River Thames) has: *“Inherent strong sense of openness due to large open water body, not development and well defined river edge topography. Open views of urbanised Richmond riverside within the southern section causes localised urbanising influences.”*

It then goes on to state for the whole parcel that: *“The parcel is part of the River Thames corridor, locally separating the urban areas of Richmond to the east and Twickenham to the west. At a wider scale, the River Thames is a very large river, providing a highly notable and prominent contribution to the structure of London and the wider region. Whilst the parcel contains a small section of the River Thames corridor, and therefore provides a highly notable contribution to the structure of London, due to localised urban views in multiple areas within the parcel it scores moderate (3) for criterion 1.”*

Criterion 2: Includes open-air facilities, especially for leisure, recreation, sports, the arts and cultural activities, which serve either the whole or significant parts of London. It states that: *“The southern half of the parcel provides terraced riverside seating opportunities, with a small riverside open space of neighbourhood value... The western edge of the parcel, the River Thames, includes St. Helena Pier and boat moorings and direct river access for a number of water sports.*

*As this parcel provides multiple sport and recreational open-air facilities associated with the River Thames of regional importance, and the rest of the accessible areas of parcel is largely neighbourhood value, it scores an average of moderate (3) for criterion 2.”*

Criterion 3: Contains features or landscapes (historic, recreational, biodiversity) of either national or metropolitan value. It states relative to this Criterion that: *“The parcel contains a section of the Thames Path National Trail and Capital Ring of metropolitan value...”*

*Western edge of parcel (River Thames): Small part of the River Thames of regional importance for water-based recreation...*

*As the parcel contains part of a regionally important river for recreation, multiple nationally significant heritage assets and forms part of both a national and metropolitan recreational trail, it scores moderate (4) for criterion 3.”*

Criterion 4: Forms part of a strategic corridor, node or link in the network of green infrastructure and meets one of the above criteria. It states that: “*The parcel meets criteria 1, 2 and 3. Forms a small section of the River Thames green and blue strategic corridor.*

*... The parcel forms part of the Thames Path National Trail and Capital Ring. Over half of the parcel is publicly accessible with good access along the eastern boundary from Richmond's centre, and along the river north and south.*

*As the parcel forms a small part of a River Thames corridor, which has a mostly well connected green link network apart from private sections, it scores moderate-strong (4) for criterion 4.”*

The Councils overall conclusion relative to parcel 29 is that it fulfils its role for MOL purposes, meeting criteria 1-4. The Appeal Site forms a 0.20% of this MOL parcel and therefore it's role in this particular parcel, forming only the eastern section of the River Thames is not significant.

### **Character**

3.12 Whilst no specific para number is referenced in the enforcement notice, it is considered that NPPF paragraph 135, under section 12 on 'achieving well-designed and beautiful places' is relevant, which states that decisions should ensure that developments:

c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change (such as increased densities);”*

3.13 The former Adopted Policy LP1 deals with Local Character and Design Quality and states:

*“A. The Council will require all development to be of high architectural and urban design quality. The high quality character and heritage of the borough and its villages will need to be maintained and enhanced where opportunities arise. Development proposals will have to demonstrate a thorough understanding of the site and how it relates to its existing context, including character and appearance, and take opportunities to improve the quality and character of buildings, spaces and the local area.*

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

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

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

3.14 Local Character and Design Quality is the topic of Draft and 2025 Adopted Policy 28. This is a strategic policy, which states, relative to landscape and visual matters and the Appeal Scheme:

*"A The Council will require all development to be of high architectural and urban design quality. The character and heritage of the borough has been identified in the borough-wide characterisation work undertaken as part of the Urban Design Study. The 'places' as identified in the Study will need to be maintained and their character enhanced where opportunities arise. Development proposals will have to demonstrate a thorough understanding of the site and how it relates to its existing context, including character and appearance, and take opportunities to improve the quality and character of buildings, spaces and the local area.*

*B. To ensure development respects, contributes to and maximises opportunities to enhance the local environment and character, proposals must reflect and*

*demonstrate the following principles:*

1. *Ensure the proposal is compatible with the local character, including the relationship to existing townscape, development patterns, views, local urban grain and frontages as well as scale, height, massing, density, landscaping, proportions, form, materials and detailing;*
2. *Ensure the development provides a high-quality sustainable design, construction and layout, including adaptability to climate change whilst responding positively to the local character as identified in the Urban Design Study and Conservation Area Appraisals/Statements;*
3. *Use a design-led approach to optimise the potential of a development site through layout, siting and access arrangements, to ensure the development integrates positively with its surroundings;*
4. *Ensure the development takes account of the existing urban grain and development patterns, including relationship of heights to widths;*
5. *Sympathetically upgrading and reusing existing buildings, rather than demolishing and building new, allows a better response to the local character...*
6. *Ensure the development responds to and where possible improves existing patterns of movement, permeability and street widths that encourage and promote active travel and well-being;*
7. *Maximise opportunities for urban greening, and integrate existing and incorporate new natural features into a multifunctional network that supports quality of place and biodiversity, which address climate change and resilience;*
8. *Ensure public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain (as set out in London Plan Policy D8);*
9. *Ensure the design, layout and materials respect and respond to the historic environment and any relevant heritage assets;*
10. *Ensure developments achieve the highest standards of accessible and inclusive design, in accordance with London Plan Policy D5, with the aim of providing connectivity and permeability throughout (as such gated developments will not be permitted);*
11. *Minimise opportunities for crime and antisocial behaviour, based on an*

*understanding of the locality and site-specific circumstances, utilising principles of natural surveillance and orientation of buildings as well as uses, with all major development expected to meet the standards and objectives of the Secured by Design initiative;*

12. *Consider the holistic impact on the local suitable microclimate, including as a result of lighting features; and*
13. *Ensure the development's proposed uses are suitable and compatible for the proposed location, providing a mix of uses including local services and facilities to support daily life and enable communities to 'live locally' in accordance with Policy 1, taking account of any potential adverse impacts of the co-location of uses through the layout, design and management of the site.*

C *All proposals, including extensions, alterations and shopfronts, will be assessed against the policies contained within an adopted neighbourhood plan where applicable, and the advice set out in the Urban Design Study and the relevant Village Planning Guidance and other SPDs relating to character and design.”*

3.15 Draft and 2025 Adopted Policy 19 on Managing the Impacts of Development Surroundings states relative to landscape and visual matters that:

*“A. The Council will support proposals which contribute to cultural and creative activities during the day and at night-time to stimulate vibrancy and viability and promote diversity in our centres, and will manage the impacts by ensuring that:*

- 1. new proposals and extensions to existing uses should be of a type and size appropriate to their location, the hours of use proposed, the nature and character of the area;*

*B. Proposals for evening and food and drink uses should be accompanied by a management plan, including mitigation measures for any negative impacts of these uses. Impacts such as noise and light pollution on local wildlife and biodiversity should be considered through appropriate location, design and scheduling...”*

3.16 Under sub section 8 of the Draft and 2025 Adopted Policy 28 it also makes reference to London Plan Policy D5 which deals with Inclusive Design, with Policy D8 relating to the Public Realm, which relative to the matters set out in the enforcement notice states that: *“development proposals should: A encourage and explore opportunities to create new public realm where appropriate.”*

The policy then goes on to set out the design and quality requirements of the public realm. The latter part of section B relates to lighting and states: “*Lighting, including for advertisements, should be carefully considered and well-designed in order to minimise intrusive lighting infrastructure and reduce light pollution.*”

3.17 London Plan Policy SI 17 deals with Protecting and enhancing London’s waterways (and is also cross referenced in Policy SI 16 relating to Waterways – use and enjoyment). Policy SI 17 state:

*“A Development Plans should support river restoration and biodiversity improvements.*

*B Development proposals that facilitate river restoration, including opportunities to open culverts, naturalise river channels, protect and improve the foreshore, floodplain, riparian and adjacent terrestrial habitats, water quality as well as heritage value, should be supported. Development proposals to impound and narrow waterways should be refused.*

*C Development proposals should support and improve the protection of the distinct open character and heritage of waterways and their settings.*

*D Development proposals into the waterways, including permanently moored vessels, should generally only be supported for water-related uses or to support enhancements of water-related uses.*

*E Development proposals along London’s canal network, docks, other rivers and water space (such as reservoirs, lakes and ponds) should respect their local character, environment and biodiversity and should contribute to their accessibility and active water-related uses. Development Plans should identify opportunities for increasing local distinctiveness and recognise these water spaces as environmental, social and economic assets.*

*F On-shore power at water transport facilities should be considered at wharves and residential moorings to help reduce air pollution.”*

3.18 The relevant extracts of London Plan Policy SI 16 on Waterways – use and enjoyment states:

*“C Development proposals should support and improve the protection of the distinct open character and heritage of waterways and their settings.*

*D Development proposals into the waterways, including permanently moored vessels, should generally only be supported for water-related uses or to support*

*enhancements of water-related uses..."*

3.19 The Appeal Site lies wholly within the Thames Policy Area relating to the former Adopted Local Plan Policy LP18 on River Corridors. The relevant parts of this policy to the Appeal Site and landscape and visual matters are as follows:

*"A The natural, historic and built environment of the River Thames corridor... will be protected. Development adjacent to the river corridors will be expected to contribute to improvements and enhancements to the river environment.*

*Thames Policy Area*

*B Development proposals within the Thames Policy Area should respect and take account of the special character of the reach as set out in the Thames Landscape Strategy and Thames Strategy as well as the Council's Conservation Area Statements, and where available Conservation Area Studies, and/or Management Plans.*

*Developments alongside and adjacent to the River Thames should ensure that they establish a relationship with the river, maximise the benefits of its setting in terms of views and vistas, and incorporate uses that enable local communities and the public to enjoy the riverside, especially at ground level in buildings fronting the river."*

3.20 Draft Local Plan Policy 40 on River and River Corridors states:

*A "The natural, historic and built environments of the borough's watercourses will be protected. Development adjacent to the river corridors will be expected to contribute to improvements and enhancements to the river environment, including improved public spaces, access to the borough's rivers, especially the Thames Path, the creation of new habitats, and improvements of flood defences and flood storage.*

*Thames Policy Area*

*B. Development within the Thames Policy Area should respect and take account of the special character of the reach as set out in the Thames Landscape Strategy and Thames Strategy (Kew to Chelsea) and the Council's Conservation Area Statements and Studies.*

C. *Developments alongside and adjacent to the River Thames should ensure that they establish a relationship with the river, maximise the benefits of its setting in terms of views and vistas. Buildings fronting the river should incorporate uses that enable local communities and the public to enjoy the riverside, especially at ground level in buildings fronting the river*

#### *Public Access*

D *All development proposals alongside or adjacent to the borough's river corridors should:*

- 1. Retain existing public access to the riverside and alongside the river; and*
- 2. Enhance existing public access to the riverside where improvements are feasible; or*
- 3. Provide new public access to the riverside where possible, which should be accessible at all times, and maintain existing points of access to the foreshore subject to health and safety considerations. All major development proposals adjacent to the borough's rivers are expected to provide public access to the riverside.*
- 4. Provide riparian life-saving equipment where required and necessary; this includes, where relevant, the provision of appropriate drowning prevention measures, such as edge protection and appropriate signage in riverside areas."*

3.21 The 2025 Adopted Local Plan Policy 40 on River and River Corridors takes forward the above, with the inclusion of an additional sentence after subsection A which is not relevant to landscape and visual matters.

3.22 Adopted Local Plan Policy 19 deals with Moorings and Floating Structures and states that:

*"A. There is a presumption against new proposals for houseboats, including extensions to existing houseboats and other moorings or floating structures designed for permanent residential use.*

*B. A mooring or other floating structure will be supported if it complies with the following criteria:*

- 1. it does not harm the character, openness and views of the river, by virtue of its design and height;*

- 2. the proposed use is river-dependent or river-related;
- 3. there is no interference with the recreational use of the river, riverside and navigation; and
- 4. the proposal is of wider benefit to the community.”

3.23 Draft and 2025 Adopted Policy 41 on Mooring and Floating Structures proposes the substitution of the above subsection B with a new section relating to replacement houseboats. Section C is then amended as follows:

*“C A new mooring or other floating structure or development of an existing mooring will be supported if it complies with the following criteria”*

It then adds as new subsection 2 the following: *“protects and / or enhances the biodiversity of the river.”*

Matters relating to the Conservation Area are covers by Mr Collins.

#### **Green and Blue Infrastructure**

3.24 In addition to the policies cited in the enforcement notice, formerly Adopted Local Plan Policy LP 12 is also cited in the Councils SoC and states that: *“Green infrastructure is a network of multi-functional green spaces and green features, which provides multiple benefits for people, nature and the economy.*

*A. To ensure all development proposals protect, and where opportunities arise enhance, green infrastructure, the following will be taken into account when assessing development proposals:*

- a. the need to protect the integrity of the green spaces and features that are part of the wider green infrastructure network; improvements and enhancements to the green infrastructure network are supported;*
- b. its contribution to the wider green infrastructure network by delivering landscape enhancement, restoration or re-creation;*
- c. incorporating green infrastructure features, which make a positive contribution to the wider green infrastructure network.*

*B. The hierarchy of open spaces, as set out in the table below, will be protected and used in accordance with the functions shown.”*

The policy then goes on to describe the main functions relating to each of the open space types relating to regional parks, metropolitan parks, district parks, local parks, small parks and open spaces, pocket parks and linear open spaces. The Appeal Site

lies next to the linear open space typology which describes these as: “*Open spaces and towpaths alongside the Thames and other waterways; paths, disused railways; nature conservation areas; and other routes that provide opportunities for informal recreation. Often characterised by features or attractive areas which are not fully accessible to the public but contribute to the enjoyment of the space and visual amenity.*”

3.25 Draft and 2025 Adopted Local Plan Policy 34 is a Strategic Policy and is cited in enforcement notice reason a. The policy states that:

“*A. Green and blue infrastructure is a network of multi-functional green spaces and green features, green space stepping-stone sites as well as rivers and other watercourses, ponds, floodplains and wetlands, which provides multiple benefits for people, nature and the economy, and which plays a significant role in both mitigating and adapting to climate change.*

B. *To ensure all development proposals protect and appropriately enhance and restore green infrastructure, the following will be taken into account when assessing development proposals:*

- 1. Protect and enhance the borough’s blue and green infrastructure networks, in particular, but not exclusively, the sites designated as Green Belt, Metropolitan Open Land, Local Green Space, Other Open Land of Townscape Importance other open spaces as well as areas designated for their biodiversity and nature conservation value.*
- 2. Protect and seek improvements to walking and cycling routes to and through the green infrastructure network, such as green spaces, and where opportunities arise create such routes, thereby promoting healthy lifestyles and active travel.*
- 3. Enhance the existing blue and green infrastructure network, including open spaces and green corridors, providing habitats for biodiversity to flourish and expand.*
- 4. Protect and enhance biodiversity within the green and blue infrastructure networks, particularly on sites designated for nature conservation interest, but also recognise the contribution that non-designated sites offer to increase biodiversity in the borough.*
- 5. Increase the provision of green and blue infrastructure in and around development sites through urban greening and other green and blue*

*infrastructure features, ensuring they complement the surroundings and link into existing networks.*

6. *Expect development to incorporate and maintain appropriate elements of green infrastructure which make a positive contribution to the wider network of open spaces.*
7. *Enhance accessibility to open spaces as well as to the blue infrastructure network, particularly to the borough's rivers and their banks, for recreational use, while ensuring that the biodiversity value is protected and enhanced in a measurable way.*
8. *Improve opportunities for local residents and visitors to experience nature and provide educational opportunities, both formal and informal, within the development, to allow the public to embrace their local environment and develop potential stewardship behaviours.*
9. *Make provision for the long-term sustainable maintenance and management of open space and green and blue infrastructure features on site, including supporting community involvement in stewardship of green and blue infrastructure networks, and ensuring there is space for growing food, including pollination and wildlife-friendly gardening.”*

### **Views**

3.26 Adopted Local Plan Policies LP18 on River Corridors, LP19 on Moorings and Floating Structures and draft Local Plan Policy 40 on River Corridors are also relevant relative to views and openness (extracts of these policies are included in my paras 3.16-3.23).

### **Local Environmental Impacts: Lighting**

3.27 In terms of lighting and the effects on night-time character covered in this landscape and visual proof, Local Plan Policy LP10 on Local Environmental Impacts, Pollution and Contamination relative to lighting states that:

*“A The Council will seek to ensure that local environmental impacts of all development proposals do not lead to detrimental effects on the health, safety and the amenity of existing and new users or occupiers of the development site, or the surrounding land. These potential impacts can include, but are not limited to, air pollution, noise and vibration, light pollution, odours and fumes, solar glare and solar dazzle as well as land contamination.*

*Developers should follow any guidance provided by the Council on local environmental impacts and pollution as well as on noise generating and noise sensitive development. Where necessary, the Council will set planning conditions to reduce local environmental impacts on adjacent land uses to acceptable levels.*

#### *Light Pollution*

D. *The Council will seek to ensure that artificial lighting in new developments does not lead to unacceptable impacts by requiring the following, where necessary:*

- 1. an assessment of any new lighting and its impact upon any receptors;*
- 2. mitigation measures, including the type and positioning of light sources;*
- 3. promotion of good lighting design and use of new technologies.”*

3.28 In terms of Draft and 2025 Adopted Local Plan Policy 53 on Local Environmental Impacts, with the exception that section D becomes section K, there are no changes to the text of the policy from the previous adopted version.

**4.0 Description of the landscape / townscape setting to the Appeal Site, the contextual landscape / townscape and of the Appeal Site itself**

4.1 The field survey was carried out in November 2025 at both low and high tide, but also at night to understand the night-time character of the River, the riverside and the local townscape setting to the Appeal Site. The restaurant was open at that time. The side panels and canopies (which connect with the umbrellas) which form part of the enforcement notice have all been removed, along with the two umbrellas at the upstream end of the pontoon, closest to Richmond Bridge. The visual assessment therefore captures the Appeal Site as it would look with 3 of the 6 umbrellas open (as shown on drawing TURK-MAA-XX-XX-A-1003-P01 – scheme as it currently exists). The representative views of the Appeal Site / Scheme are contained in my Appendix 2.

**Overview of Setting to Appeal Site**

Topography

4.2 The Appeal Site lies on a tidal part of the River Thames. Beyond the Appeal Site to the north, the landform rises from approximately 5m AOD along the Riverside up to the building line via a series of man-made terraces (comprising paving and grass). The buildings at approximately 10m AOD lie on the shallow and northern end of a ridgeline associated with Richmond Hill to the south-east of the Appeal Site. Refer to Figure 2.6 in my Appendix 2.

4.3 The urban area beyond the River to the south-west is broadly flat, at approximately 5m AOD.

Townscape pattern

4.4 The Appeal Site lies wholly on the River Thames, it is bound to the north by the riverside wall and wide formal promenade route associated with the Thames Path National Trail / Long Distance Path. Beyond the promenade is a short length of single storey workshop / boat repair / cycle hire premises (to the north-east / east) which includes a terraced outdoor seating above (with the latter associated with The Tower House restaurant) above and both the hard and soft landscape terraces adjacent, which step up to the Richmond Riverside buildings. The Richmond Riverside buildings range from 1 to 5 storeys (including rooms in roofs) and sit on top of the terrace and front the Riverside. The Tower House restaurant to the east of the Appeal Site has recently been extended with the inclusion of a glazed rectangular dining room to the west of the main

building – refer to photo from viewpoint 5. These Riverside buildings including restaurants, cafes, pubs, bars, all of which have external seating (the evolution of this area is described in Mr Collins proof). To the south, the Appeal Site lies adjacent to the listed structure of Richmond Bridge (again, the detail of which is described in Mr Collins proof) and the River Thames and a range of associated moored boats to the south-east. To the south and south-west, the River Thames and the rear of residential properties of Richmond Bridge Mansions beyond (up to 5 storeys) provide the immediate western context to the Appeal Site, with the well vegetated area associated with Corporation Island beyond. A number of smaller boats are moored alongside the Appeal Site to the north-west.

- 4.5 The range of buildings (which include listed buildings) are set back from the edge of, and either side of, the River either by the hard landscape of the promenade, the hard and soft terraced public spaces (north, north-west and south-east) or rear gardens associated with Willoughby Road and Ducks Walk (south-west).
- 4.6 The building grain broadly follows the historic movement corridors, that of the River and the roads, with buildings flanking the east side of the River aligned predominantly on a broadly north-west to south-east orientation. Buildings are predominantly of larger scale, mass and density to the north and around the primary road corridors, with a finer more domestic scale grain beyond these main routes further to the east. To the west of the River the pattern is more aligned with the north-east to south-west orientation of the route to Richmond Bridge, again, with the larger scale and density of buildings associated with that main route.
- 4.7 Buildings typically front on to the Riverside to the north / north-east of the Appeal Site and back on to the south-west and west. Building heights vary in the local townscape to the north of the bridge up to 5 storeys (on the western bank), with those on the east bank ranging predominantly between 1-5 storey (both including rooms in roofs). Refer to Figure 2.9.
- 4.8 In terms of pontoons and moored boats, the size and scale of these varies considerably along the eastern bank of the River (and are not shown on the figure ground diagram of Figure 2.8 in my Appendix 2, as both the static elements alongside the transient moor craft are not significant in comparison with the built form of the adjacent townscape), adding variety and interest along the promenade and Riverside. The context of this is shown on the aerial at Figure 2.10 in my Appendix 2.

4.9 The network of Public Rights of Way (PRoW), designated open spaces and open access land is shown on Figure 2.7 in my Appendix 2. These routes and spaces all influence the activity within the environs and the Appeal Site. North to south and east to west movement is restricted in places where public access via private courtyards is prohibited.

#### Character Context

4.10 The term 'landscape' commonly refers to the view or appearance of the land as perceived by people. Landscape applies to any natural, rural, urban or urban edge areas, in land, water and seascapes areas.

4.11 Landscape character is the combination of both natural / physical, cultural / social and perceptual / aesthetic influences, which give rise to a distinct, recognisable and consistent pattern of elements in the landscape that makes one landscape different from another and which define the 'sense of place'. The landscape is not therefore simply a visual phenomenon.

4.12 Considering the size and scale of the Appeal Site, the following sections set out the landscape character framework of the study area based upon existing character assessments undertaken by the Borough Council.

4.13 The landscape and townscape character context to the Appeal Site is contained in the following assessments:

- The Thames Landscape Strategy, December 2012;
- Urban Design Study, April 2023; and
- Richmond and Richmond Hill Village Planning Guidance, June 2016.

4.14 The Thames Landscape Strategy, December 2012 (Refer to Figures 2.3 and 2.4): The Appeal Site lies within Reach 9: Richmond. The landscape character of the area around the Appeal Site is described at para 04.09.2 where it states that (with my emphasis added): "... *Richmond Bridge acts as a magnificent entrance to the town, with the terraces of Richmond Riverside to the west, gigantic plane trees to the east and the lively neon of the Odeon cinema straight ahead.* Pausing on the bridge, the view downstream looks at the White Cross Hotel, Asgill House and the succession of the railway, Twickenham and Richmond Lock bridges. Upstream the view rises up the slopes to Richmond Hill to the Terrace and the spire of St Matthias' Church."

4.15 Para 04.09.8 goes on to state that: *"The landing stage brings added activity to the extremely well-used promenade. The little pocket-parks and cafes along Richmond Promenade provide magnificent havens to escape the hustle and bustle of the towpath. They have undergone much improvement over recent years... as have the paths and ramped access between Richmond Bridge and the Thames Path.... Richmond Bridge Boathouses uses one of the bridge arches for boat-building, and in the next arch is Tide Tables café; its gravelled outside area with tables overlooking the promenade makes for a lively scene in good weather, complemented by the much improved Bridge House Gardens on the slope above. The arched boathouses downstream of the bridge are used for boatbuilding; the building and repair of traditional wooden boats extends onto the Richmond Riverside, and attracts many passers-by to stand and watch. Rowing boats, camping skiffs and bikes can be hired from the boathouses..."*



Extract of the Thames Landscape Strategy, December 2012 (p309) illustrating the extremely well used promenade adjacent to Richmond Bridge



Extract of the Thames Landscape Strategy, December 2012 (p301) illustrating the 'lively scene in good weather' even in the winter

4.16 Para 04.09.9 goes on to state that: *"Further downstream of the bridge, the Richmond Riverside was enhanced as part of the re-development of the Richmond Riverside in the late 1980's, and opened as a series of sunny terraces overlooking the water... the riverside space is extremely successful with an exemplary quality of surfaces and furnishings although the riverside paving is now in need of repair. The brick and granite embankments, steps and slipways allow people to take full advantage of the river and spill out from adjacent pubs, wine bars and restaurants... The White Cross Hotel and the arched boathouses in the base of St Helena Terrace retain the atmosphere of the old town, connecting back to the centre along narrow cobbled alleys..."*

4.17 Para 04.09.13 describes that: *"Below the bridge, riverside sites are now entirely occupied by housing of widely varying design, including two timber clad houses*

*replacing the former boatyard used by the Sea Scouts and with associations with Commander Lightoller of Titanic renown... **Houseboats and private moorings form a varied scene**, and the restored early 20<sup>th</sup> century diesel launch Lillian is a fine sight, but there is no longer any working boatyard activity on this side of the river.”*

4.18 Para 04.09.14 sets out relative to the western banks of the River to the west of the Appeal Site that: *“Though partially screened by the willows on Corporation and Flower Pot Islands, this bank is prominent in the view from Asgill and Trumpeter’s Houses and the Richmond Palace towpath. Suburban housing can be glimpsed behind the thin river edge...”*

4.19 In terms of history, Para 04.09.17 states that: *“...Richmond’s dominant character is still one of residential elegance, based on its long connection with the court and the out-of-town world of wit and fashion. Its latest riverside development highlights the town’s determination to retain the atmosphere of its elegant past. A complex of buildings, designed by Quinlan Terry in Georgian style, evokes a memory of Richmond’s royal past. One, with its pediment and portico is based on one of William Chambers’ designs for a palace, never built, for George III in the Old Deer Park.”*

4.20 In terms of Richmond Bridge, para 04.09.19 states that it was: *“... was built on the site of the old ferry, transforming the appearance of the town. The bridge, built by James Paine, who had designed ornamental bridges in landscaped gardens, was hailed not only as a great convenience but as ‘one of the most beautiful ornaments of the river’.”*

4.21 With regard to nature conservation, para 04.09.24 states that: *“Though the towpath becomes more urban as it passes through Richmond, the substantial plane trees and small side parks continue the green corridor effect between Petersham and the Old Deer Park.”* Which is located north of the Appeal Site, predominantly beyond Twickenham Road.

4.22 In terms of flooding and high tide, para 04.09.26 sets out that: *“Long stretches of the towpath flood on the spring tides. This does not however, cause disruption to the boat repair yards or businesses located in the flood risk zone. As the high tide approaches, flood boards are positioned to protect dry areas or the building is simply allowed to flood – being designed to be managed this way. The high water, whilst providing much local amusement, does affect recreational patterns. The cobbled area near the White Cross is often under water and Richmond Riverfront, Promenade and Cholmondeley*

*Walk are inundated on the highest tides..."*

4.23 The assessment goes on to describe public access and recreation in para 04.09.27 where: "*The Richmond waterfront is one of the key gateways to the Arcadian Thames and one of the best-used promenades along the river, particularly on sunny weekends...*" Para 04.09.29 goes on to set out that: "*The Richmond Canoe Club, the Riverside and St Helena boatsheds and skiff hire from Richmond Bridge provide a range of sources for all the water recreation along the reach. Camping skiffs and bikes are also available for hire at Richmond Bridge Boathouses. The converted Oxford University Barge provides a popular floating restaurant.*"

4.24 The Appeal Site lies outside the zones subject to landscape guidelines, management and project proposals.

4.25 In the Urban Design Study, April 2023 the Appeal Site lies in Character area F: Richmond and Richmond Hill and on the western edge of sub-area F1: Richmond Town Centre and Riverside (refer to Figure 2.2). The overarching character area strategy is to 'conserve and enhance' where (with my emphasis added): "*The Richmond Town Centre and Riverside area has a strong sense of place and heritage, with several areas of high-quality townscape. The strategy is to conserve the richness of townscape and historic elements and enhance the identity of specific areas... and the functioning of the area as a town centre.*" The assessment on p198 states that: "*A townscape of consistently high quality and predominantly intact, reflected in the majority of the area being designated as conservation areas including part of Kew Foot Road CA, Central Richmond CA, Richmond Green CA, Richmond Riverside CA and part of Richmond Hill CA. There are also large numbers of listed buildings and buildings of townscape merit, registered parks and gardens at Richmond Terrace Walk (grade II\*) and Terrace Buccleugh Gardens (grade II) and Metropolitan Open Land at the Green and riverside. The diversity of architecture, with many exuberant individual buildings, details, textures such as independent or traditional shopfronts, creates a coherent and vibrant street scene.*

*Balance and harmony of building heights and skylines. Buildings are 2-3 storeys in the historic part of the town centre and 3-4 storeys along the high street. Characteristic materials and features include gables, mixture of brick, stone and render...*

*The riverside and its public realm provides a sense of openness, spaces to gather and functions as a flood zone area. The tree-lined banks, promenade, boats, boat houses and activity on the river create a recreational water frontage of much interest and setting to the important buildings.”*

4.26 P200 identifies the valued features as:

- *“The exceptional high quality townscape, buildings and historic character.*
- *The Green, including its high scenic quality, harmonious relationship between the significant open space and the grand, historic buildings fronting it.*
- *The activity from public buildings including pubs and the library, ensure active frontages and vibrancy.*
- *The riverside and open spaces, valued for their sense of openness, as a setting to surrounding buildings, the high scenic quality and as a place to gather and socialise.*
- *Trees and planting, particularly at the riverside which is particularly valued in an urban setting.*
- *Many valued views and vistas...”*

4.27 The Study sets out at p201 that the area has: *“a high sensitivity to change and extensive change is not appropriate.”* Furthermore, it goes on to state that: *“There may, however, be small areas of lower sensitivity where the townscape is less intact and does not reflect the positive character described in the key characteristics.”* It then goes on to set out design guidance, which states: at bullet point one to: *“Respect the scale and proportions of existing buildings and streets...”*

Bullet point 9 to: *“Improve and consider temporary pedestrianisation of roads to create café/restaurant/pub seating or more width to improve pedestrian experience and reduce the perceived dominance of vehicles.”*

Bullet point 11: *“Ensure new development along the river contributes to the valued leisure functions. Protect the public and pedestrian nature of the riverside by ensuring controls remain in place for vehicles and restaurant / café seating.”*

The last bullet point to: *“Conserve the open vista from Richmond Hill over the Arcadian Thames landscape and minimise visual impacts in other character areas through awkward juxtapositions of scale and proportion.”*

4.28 Richmond and Richmond Hill Village Planning Guidance describes the series of Conservation Areas. Richmond Riverside (Richmond side) is Conservation Area 13 and where the riverside is described as: “*...a defining element of the area, with the River Thames running between Twickenham and Richmond including the prominent features of Corporation Island, Richmond Bridge, Lock and Sluices and Twickenham Bridge which are both Grade II\* listed structures. The townscape is of international renown with important listed and non-listed buildings. The most prominent part of the riverside, close to Richmond Bridge, is a redevelopment designed by Quinlan Terry and constructed in 1988. This integrated the existing listed buildings of Palm Court and Heron House emulating the original grand Georgian and Victorian architectural styles. As part of this development public open space was created, formed by a well maintained stepped riverside terrace, located along the river frontage; it emphasizes the river as an open space and has created a well used and attractive public space which has been enhanced by the improvements to the wide paved area in front of it. The scale and grandeur of buildings, both residential and commercial, along the frontage gradually decreases, becoming more domestic in scale, as you move away from Richmond Bridge.*”

4.29 Threats from development are identified as being where (first and third bullet points):

- “*Development pressure which may harm the balance of the river and landscape dominated setting, as well as obstruction of views, skylines and landmarks.*
- *Pressure from commercial development for signage and visual clutter in key locations.*”

4.30 As set out in Mr Collins proof, Richmond Bridge is an historic River crossing and provides the gateway to the town centre from the west, with the tower of Tower House (11,12 and 13 Bridge Street), the varied roofline of the Riverside development and the 1930 Art Deco front to the Odeon Cinema together providing the built context and urban gateway to the town.

4.31 The Appeal Site whilst located on the River Thames, it's backdrop to the north / north-east is one that is significantly influenced by the gentrified, large scale built form associated with the town centre (the Appeal Site lies outside the town centre designation), which collectively commands over the eastern side of the River, (comprising a mix of ‘eclectic architectural styles’, and which includes outdoor dining areas) as cited in the committee report for the barge, which along with the man-made terraced public open space to the north-east provides significant enclosure to this side of the River. To the immediate east of the Appeal Site, the context is one relating to the

single storey boat building premises, with both boats and associated paraphernalia present along the riverside. Its immediate context therefore is informed by commercial operations. To the south-east, the backdrop is informed by the busy River crossing and structure of Richmond Bridge; and to the south-west, the River Thames and well treed gardens associated with the residential properties beyond, provides the transition to the softer urban edge on the west bank of the River. The context to the Appeal Site is therefore mixed and includes significant built form which is wholly urban in nature. This is further described in the Conservation Area Appraisal as contained in Mr Collins proof.

- 4.32 The combination of the promenade and the commercial enterprises with their range of outdoor activities and dining spaces all creates activity and vibrancy to the Riverside both during the day and at night (the latter of which is described in the following sub-section). The movement of boats along the River adjacent to the Appeal Site creates a degree of activity and interest to the townscape and riverside. The mooring of a range of craft along this part of the River (either side of Richmond Bridge) off piers is a characteristic element as shown in my photographs 3, 4, 8 – 11 in my Appendix 2. Furthermore, the nature of the high tide, which at the time of the site visit extended across some of the promenade, creates much interest / awe for visitors.
- 4.33 In terms of structures along the Riverside, the blue kiosk of the River Thames Visitor Centre located south of Richmond Bridge is a fixed element, which sits alongside the adjacent pier walkways, providing access to the boats. The piers are flanked by utilitarian style railings which also mark the edge of the Riverside. These are therefore existing fixed elements present along the Riverside.

#### Night-time character and setting

- 4.34 The following sets out the perceptual night-time character of the River, Riverside and adjacent townscape. To the east side of Richmond Bridge, the combination of lighting within and around the buildings fronting onto the lit Riverside terrace and promenade, together with the lighting and movement of traffic on the bridge itself overall result in a well lit night-time character to the northern bank of the Thames. This lighting is also reflected at night in the water of the Thames itself, increasing the sense of lighting in the area. This provides the immediate context to the Appeal Site. Lighting is associated with the Appeal Site, which contributes to this lit environment.
- 4.35 Conversely on the western side of the Thames and to the south of Richmond Bridge, the lighting from the buildings is more intermittent.

#### Description of Immediate Context to the Appeal Site

4.36 As set out earlier, the Appeal Site lies on the River Thames and lies immediately adjacent to the Jesus Barge, the Riverside wall and the wide hard landscape promenade associated with the tow path, with manmade terraces and built form beyond to the north-east / east; the rear gardens to mansion apartments / dwellings to the south-west / west; Richmond Bridge to the south; and the Thames riverscape to the north / west. The immediate northern and eastern context to the Appeal Site is therefore predominantly urban.

4.37 In terms of further context, the Barge (which is not subject to this Appeal) is used for outdoor dining and has associated enclosures at a higher level than the pontoon and moveable / demountable umbrellas as shown (outlined in grey) on the submitted alternative scheme options. It is to be noted that in the committee report relating to the Barge, it is acknowledged that the floating restaurant of the Barge would enhance the Riverside environment, the activity along the Riverside and that this recreational type of development is to be encouraged. The same can be said of the proposals for the pontoon (the Appeal Schemes).

#### Description of the Appeal Site and Options Being Assessed

4.38 The pre 2021 floating pontoon, on which the Appeal Scheme sits, included a shed structure at the downstream part of the pontoon, with a faceted front and a flat rear, spanning the width of the pontoon and up to 2.7m in height above the pontoon, with a raised upstream section (closest to the Bridge) at approximately 0.5m above the pontoon level (refer to pages 4 and 5 of the Matthew Allchurch Architects Volumetric Study, October 2025). The volume of the pontoon at this time was 171.8 square metres. The raised sections of the pontoon have been modified from that pre-2021 situation, reducing the downstream height to 1.37m above the lower deck pontoon level (1.71m above water level). This then steps down towards the centre of the pontoon to 0.72m above the water line (and 0.43m above the lower deck level), with the upstream section being approximately 1.66m above water level, and therefore 1.32m above the pontoon level. The raised elements provide kitchen (downstream end) and storage facilities (upstream end) both for the restaurant, but also facilities for the range of recreational groups that use the pontoon. The railings provide the necessary enclosure to enable the safe use of the pontoon for those visiting and working at the restaurant. The top level of the railings is just over 1m above the current raised sections of the pontoon and sit lower than the railings of the adjacent Jesus Barge (again, refer to the Option plans). The tallest umbrellas, which are all temporary in nature, when erected

currently reach a height of 4.67 over the lower pontoon level (and approximately 4.97m above the water level) as shown in the elevation on the range of Option drawings, and sit only broadly at the same height as those consented on the Jesus Barge. In terms of the site enclosures mentioned in the enforcement notice.

4.39 The pontoon itself also provides the boat clubs and individuals with the means of access, storage and part mooring of boats / crafts alongside the Appeal Site. The Appeal Site / Scheme therefore provides the access for water-based, open air recreation on the River Thames.

4.40 In terms of characteristic elements, the components of the Appeal Site include that of a floating pontoon with railings on top. These are all typical elements found along the Richmond riverside. Similarly, the restaurant and water-based activities associated with the pontoon are also characteristic of the Richmond Riverside. However, the Appeal Site does differ from other floating vessels along the Riverside in that it provides the rare opportunity of dining **on** the River, rather than adjacent to it. The visually porous railings allow for the safe operation of this unique offering, whilst the umbrellas allow operation during inclement weather or hot summers. Overall therefore, the Appeal Site / 2025 Scheme and the alternative Options provides part of the network of 'boats, boat houses and activity on the river' that creates a 'recreational water frontage of much interest' adding variety and vibrancy to the riverside, in the same way as described earlier and as set out in published documents (my para's 4.14, 4.16, 4.24 and 4.25).

4.41 A number of alternative Appeal Scheme scenarios have been considered in the impact assessment as follows:

- The scheme as it currently exists at November 2025, which includes extension of raised area at both downstream and upstream ends, with an additional minor increase in height at the upstream end removal of the enclosures, 13 tables and associated chairs, 3no. umbrellas with heights reduced by 1.2m to 7.17m and changed to a neutral colour (oyster white) and railings around the pontoon (refer to drawing refer to drawing TUK03-MAA-XX-XX-A-1003-P01);
- Option 1: Extension of raised area at both downstream and upstream ends, with an additional minor increase in height at the upstream end (to enable access to below deck storage area), 4no. umbrella's 7 no. tables and associated chairs and railings on downstream and middle sections only (refer to drawing TUK03-MAA-XX-XX-A-1004-P01);

- Option 2: Extension of raised area at downstream end and minor increase at upstream end (again, to enable access to below deck storage area), 4no. umbrella's, 7 no. table and associated chairs on downstream and middle section, railings across the whole length (refer to drawing TUK03-MAA-XX-XX-A-1005-P01);
- Option 3: Extension of raised area at downstream end, 2no. umbrella's and 7no. tables with associated chairs and railings on downstream end, with railings extending across middle section (refer to drawing TUK03-MAA-XX-XX-A-1006-P01);
- Option 4: Expansion of raised area at downstream end, 3no. umbrella's and 7no. tables with associated chairs and railings on downstream and middle section only (refer to drawing TUK03-MAA-XX-XX-A-1007-P01);
- Option 5: Expansion of raised area at downstream end only, 7no. tables with associated chairs and railings on downstream and middle section only (refer to drawing TUK03-MAA-XX-XX-A-1008-P01);
- Option 6: Expansion of raised area at downstream end, 7no. tables with associated chairs and railings on upstream and middle section only (refer to drawing TUK03-MAA-XX-XX-A-1009-P01); and
- Option 7: Expansion of raised area at downstream end for the kitchen below deck only (refer to drawing TUK03-MAA-XX-XX-A-1010-P01).

4.42 Refer to the evidence of Mr Villars and Mr Turks for the chronology of the changes to the pontoon, the planning history and the additional boat uses associated with the pontoon.

## 5.0 Visual assessment

5.1 The extent to which the Appeal Site is visible from the surrounding landscape is based on grading of degrees of visibility (open, partial and truncated). It is determined from a visual inspection of the Appeal Site and its context from roads, public open spaces, Public Rights of Way (PRoW), adjacent to properties. The methodology for the visual assessment is set out in my Appendix 1.

5.2 Seasonal change in existing evergreen and deciduous plant material will affect the available views. The fieldwork was completed on 20 November 2025 where some of the trees are denuded of leaves, but not fully. The barge and pontoon were in operation at the time of the site visit and reflects a scenario close to Option 1, but with the railings in situ on the upstream end, closest to the Bridge (and with the side panels permanently removed, and therefore no longer form part of the Appeal Scheme for the purposes of this assessment). Four of the six umbrellas were erected at the time of the site visit, which alongside the modest height changes of the pontoon and railings, gives a good overall indication of Option 1 of Appeal Scheme as described above.

5.3 Representative viewpoints are presented in my Appendix 2, with locations and degree of openness summarised in plan form, with the photographs from each location and description of the character and amenity of the view set out below each photos and as shown on Figure 2.11.

5.4 Due to the enclosure afforded by the built form east and west of the River and the buttresses of Richmond Bridge to the south, views of the Appeal Site are limited to a localised geographic area. The most open views of the Appeal Site occur in close proximity from the north side of Richmond Bridge in the south, to Twickenham Bridge to the north; and from the eastern and western banks of the Riverside.

### Visual Assessment of the Appeal Site

5.5 Views for Residential Receptors: There are open views of the Appeal Site / Scheme for those residential receptors with views of the River to the north, albeit around the Jesus Barge (Representative Viewpoints 4 and 5); and south-west (Representative Viewpoint 14). For this group of receptors, the extent and height of the pontoon and umbrellas are visible in the context of the Jesus Barge (which in west facing views obscures views of the pontoon), the range of boats 'docked' on the Riverside and the adjacent tethered craft which are accessed off the pontoon. The combination of elements of the Appeal Scheme in these views does not close down views of

Richmond Bridge to a significant degree, nor the views through its arches. For those receptors on the west bank of the Thames, views of the Appeal Scheme are likely to be filtered through intervening garden vegetation, with the wide span of the River Thames in the foreground. The full length of the pontoon and the stepped level change is discerned for those east facing receptors only (representative viewpoint 14), with views filtered under the umbrellas to the Riverside beyond and in the context of the Barge, sitting slightly higher than the highest element of the downstream part of the pontoon.

5.6 Receptors Using Transport Corridors (Road and Rail): There are partial, distant views to the Appeal Site, where the Appeal Site and Scheme is discerned as an extremely small element in the periphery of the oblique view, set down in the landscape, below the visual horizon and therefore subsidiary to the view for those receptors crossing the River at Twickenham Bridge to the north (refer to Representative Viewpoint 1). These views are fleeting relative to the River and built horizon beyond. Beyond these bridges, views of the Appeal Site and Scheme rapidly diminish and become obscured by the intervening built form. Views for those receptors travelling by train are captured in Representative Viewpoint 2, albeit that the view is from the ground level adjacent to the bridge rather from the train itself, elevated above the River. Again, views of the Appeal Site and Scheme for this group of receptors are oblique, where the Appeal Site and Scheme forms an extremely small part of the fleeting view. Even at high tide, the Appeal Site and Scheme is set down in the view against the townscape backdrop. Views for those receptors moving on Wiloughby Road to the south-east in Twickenham, refer to Representative Viewpoint 15, are wholly truncated by the intervening layers of vegetation and adjacent fencing along this route.

5.7 For those transient receptors moving on the River Thames, open views of the Appeal Site and Scheme occurs in close proximity, set against the backdrop of the terraces and large scale built form of the Riverside. The length and varied height of the pontoon is understood from this vantage point (refer to Representative Viewpoint 14). Views recede on passing the Appeal Site both north and south. The Appeal Site forms part of a small sequence of views, which includes a range of craft moored along the Riverside edge, including those accessed from the pontoon and the range of boats on the riverside promenade. There is little sense in these views that the pontoon is significantly larger than other floating craft on the River. The varied height of the pontoon (as shown on the Option Plans and Representative Viewpoint 14 in my Appendix 2) helps in breaking up the overall perceived length (which remains fixed between piles) of the pontoon into three sections, but also reflects the changes of level

of the terraces, both above the boat houses but also terraced open space and the skyline of the built form of the Riverside beyond. The Appeal Site in these views is a small scale and subservient element which does not detract from the key elements of the Riverside terrace and built form backdrop.

- 5.8 Open views of the Appeal Site occur for those receptors travelling across the northern section of Richmond Bridge only (again refer to Representative Viewpoint 14), but where the Appeal Site is set down below the general eye level and, again, is read as a subservient element to that scene.
- 5.9 Receptors Using Public Rights of Way: Open views of the Appeal Site and Scheme occur for those receptors using the Thames Path National Trail / Long Distance Route following the Riverside to the north and east of the Appeal Site. Refer to Representative Viewpoints 2, 3 and 4 which shows a broad sequence of views approaching the Appeal Site and Scheme from the north. Views from those receptors approaching the Appeal Site from the south, along the Thames Path National Trail and visiting the areas of open space on both the east and west side of the River, views vary between truncated, partial and open (refer to Representative Viewpoints 7-11). The more open views occur in close proximity to the Appeal Site, where the Appeal Scheme is visible set under one of the arches (refer to Representative Viewpoint 7). At low tide, the umbrellas of the Appeal Scheme predominantly sit below the arch. Further south, either the buttresses of Richmond Bridge or intervening vegetation result in partial views of the Appeal Site and Scheme (refer to Representative Viewpoints 10, 11 and 13). In places, the Appeal Site and Scheme is obscured from view from the promenade due to the intervening riverside kiosk of The River Thames Visitor Centre and associated vessels or vegetation, even with that vegetation predominantly denuded of vegetation (refer to Representative Viewpoints 8 and 9). As described earlier, the kiosk is fixed, permanent and is a solid structure on the Riverside, which blocks views of part of Richmond Bridge from the south. The adjacent pier walkways to access the boats are flanked by utilitarian style railings which also mark the edge of the Riverside.
- 5.10 Views of the Appeal Site from the Thames Path following the alignment of Wiloughby Road and Ducks Walk (refer to Representative Viewpoints 15 and 16) on the west side of the River are wholly obscured at both low and high tide due to either the intervening layers of vegetation or close board fencing providing privacy and security to the private properties. These views reflect the typical character and enclosure to the views of the River along this route.

5.11 Visitors to Public Open Spaces and Visitor Attractions: Open views of the Appeal Site occur from the terraced public Riverside space to the north / north-east. Refer to Representative Viewpoint 5 from the War Memorial. The range of views from the public spaces to the south, is as described in para 5.9 above, where views of the Appeal Site are either open, partial or truncated from these spaces. Views of the Appeal Site from an elevated vantage point within the Registered Park and Garden at Richmond Hill (which is mentioned in published character assessments) are wholly truncated due to the combination of intervening vegetation and built form. Refer to Representative Viewpoint 12.

5.12 Those receptors at their workplace: For those receptors working along the Riverside to the north and in close proximity (from the range of restaurants and pubs, together with Richmond Bridge Boathouses, Bike Hire and operating the Boat and Gig Clubs), open views of the Appeal Site occur in the context of the boats stored on the riverside, the vessels moored off the pontoon and the River and treed townscape beyond. However, views of the Appeal Site and Scheme are subsidiary to the focus of their main activity.

#### Visual Dimension and Perception of 'Openness'

5.13 The Appeal Site lies on the River Thames, an open and wide stretch of water which is framed by built form to the north / north-east, and the intervening associated manmade riverside terraces; the built form of Richmond Bridge to the south; Twickenham Bridge and railway bridge to the north; and the combination of built form and trees to the south-west / west. Views across the River to the west and east banks occur freely. The visual envelope of this part of the River is informed by the combination of built form (north, east and south) and built form and vegetation (west). The stretch of the water north and south of Richmond Bridge includes a range of moored boats of various lengths and widths, gangways / piers with associated railings (refer to Representative Viewpoint 9) and a single storey, permanent kiosk structure. As set out earlier, railings are therefore characteristic of the eastern River bank. The River and the western and eastern banks remains apparent over and between these range of craft, both on the water and on the Riverside and forms part of the sequence of views experienced along the Riverside. Solid and double heigted moored vessels are also present along the Riverside, as demonstrated in Representative Viewpoint 3, moored adjacent to the Island and against the backdrop of trees.

## 6.0 Assessment of landscape / townscape and visual effects

6.1 The following table sets out the effects arising from the Appeal Scheme on the landscape and visual resources relative to the enforcement notice. The impact assessment considers the character, appearance and use (and therefore activity) associated with the Appeal Site / Scheme and the alternative options. Whilst the umbrellas can be dismantled, and can be considered temporary and reversible elements, the railings, chairs and tables would remain in place during the hours of operation. The assessment of effects therefore considers these as permanent elements as worst case. Where views are currently obscured of the Appeal Site / Scheme, these have not been taken into the impact assessment.

6.2 The susceptibility to change relates specifically to the change from the pre-2021 situation, as that shown at p6 of the Volumetric Study (not the current situation which reflects a quasi option and the 2025 Appeal Scheme), that relating to changes in height of the pontoon alongside the addition elements comprising the railings, umbrellas and associated tables and chairs.

The assessment of effect considers a number of alternative options as follows set on the current pontoon and with the umbrellas erected throughout the year as worst case scenario. As set out above, the description relates to the difference between the pre 2021 situation as shown on page 6 of the Matthew Allchurch Architects Volumetric Study (October 2025). These comprise the following (all of which could be controlled through suitable conditions if necessary):

- The scheme as it currently exists at November 2025, which includes extension of raised area at both downstream and upstream ends, with an additional minor increase in height at the upstream end removal of the enclosures, 13 tables and associated chairs, 3no. umbrellas with heights reduced by 1.2m to 7.17m and changed to a neutral colour (oyster white) and railings around the pontoon (refer to drawing refer to drawing TUK03-MAA-XX-XX-A-1003-P01);
- Option 1: Extension of raised area at both downstream and upstream ends, with an additional minor increase in height at the upstream end (to enable access to below deck storage area), 4no. umbrella's 7 no. tables and associated chairs and railings on downstream and middle sections only (refer to drawing TUK03-MAA-XX-XX-A-1004-P01);
- Option 2: Extension of raised area at downstream end and minor increase at upstream end (again, to enable access to below deck storage area), 4no. umbrella's, 7 no. table and associated chairs on downstream and middle section, railings across

the whole length (refer to drawing TUK03-MAA-XX-XX-A-1005-P01);

- Option 3: Extension of raised area at downstream end, 2no. umbrella's and 7no. tables with associated chairs and railings on downstream end, with railings extending across middle section (refer to drawing TUK03-MAA-XX-XX-A-1006-P01);
- Option 4: Expansion of raised area at downstream end, 3no. umbrella's and 7no. tables with associated chairs and railings on downstream and middle section only (refer to drawing TUK03-MAA-XX-XX-A-1007-P01);
- Option 5: Expansion of raised area at downstream end only, 7no. tables with associated chairs and railings on downstream and middle section only (refer to drawing TUK03-MAA-XX-XX-A-1008-P01);
- Option 6: Expansion of raised area at downstream end, 7no. tables with associated chairs and railings on upstream and middle section only (refer to drawing TUK03-MAA-XX-XX-A-1009-P01); and
- Option 7: Expansion of raised area at downstream end for the kitchen below deck only (refer to drawing TUK03-MAA-XX-XX-A-1010-P01).

**Table 6.1: Landscape and Visual Impact Assessment: November 2025 situation: The railings, seating and tables, with no umbrellas on the upstream section of the pontoon (closest to Richmond Bridge)**

Receptor	Sensitivity			Magnitude of Change			Significance of Effect
	Value	Susceptibility (to the Appeal Scheme change)	Sensitivity Judgement	Size / Scale / Distance	Duration and Reversibility	Magnitude Judgement	
<b>Landscape Receptor</b>							
Landscape character of Richmond Riverside	High	Low	Medium	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Low	Minor adverse
<b>Description of change (which informs professional judgement on significance of effect):</b> The key characteristics, relationships and townscape elements associated with Richmond riverside (Reach 9: Richmond) will remain with the 2025 Appeal Scheme in place. This Scenario would not form a dominant element and overall would continue to maintain the balance of River, riverside, landscape and built form and in terms of uses is wholly compatible with its location, allowing local communities and the public to enjoy the riverside and the River at close proximity. The introduction of elements over and above that from the pre-2021 situation remain adverse, albeit effects remain at the lower end of the scale and effects therefore are not significant.							
Network of Green and Blue Infrastructure	High	Neutral	Neutral	Small scale and immediate	Permanent or Temporary, Long Term, Reversible	Neutral	Neutral
<b>Description of change (which informs professional judgement on significance of effect):</b> No changes are proposed or will arise to the existing network of green and blue infrastructure with this Scenario in place. Again, the pontoon remains a floating structure regardless of the small scale change. The River on which the pontoon sites, the riverside and open space network will all remain.							

Receptor	Sensitivity			Magnitude of Change			Significance of Effect
	Value	Susceptibility (to the Appeal Scheme change)	Sensitivity Judgement	Size / Scale / Distance	Duration and Reversibility	Magnitude Judgement	
<b>Landscape Receptor</b>							
Night-time character	Medium	Low	Low	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Low	Minor adverse
<b>Description of change (which informs professional judgement on significance of effect):</b> As set out previously, whilst there would be an increase in lighting intensity, this occurs in an area that is readily influenced by lighting both from the buildings and the external spaces. This scenario would continue to contribute to the vibrancy of the area at night. The night-time effects are limited to a localised geographic extent. Furthermore, night-time effects can be controlled by planning condition.							
<b>Visual Receptor</b>							
Residential Receptors (north and west of Appeal Site only – Viewpoints 4, 5, 14)	High - Medium	Low	Medium	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Low	Minor adverse
<b>Description of change (which informs professional judgement on significance of effect):</b> Open views of this Scenario of the Appeal Scheme would continue to occur for those residential receptors in close proximity to the Appeal Site. The number of umbrellas, albeit reduced, will inevitably reduce the extent of the River visible to a lesser degree than Scenarios 1 and 2. The riverscape and backdrop (be it built form, or built form set amongst trees), along with the majority of Richmond Bridge will still be apparent in these views and will remain the dominant elements in these views.							

Receptor	Sensitivity			Magnitude of Change			Significance of Effect
	Value	Susceptibility (to the Appeal Scheme change)	Sensitivity Judgement	Size / Scale / Distance	Duration and Reversibility	Magnitude Judgement	
<b>Visual Receptor</b>							
Receptors using transport routes (road and rail) Viewpoints 1, 2 and 14)	Low	Low	Low	Medium – Small scale and Immediate	Permanent or Temporary, Long term, Reversible	Low	Minor adverse
<b>Description of change (which informs professional judgement on significance of effect):</b> The Appeal Site forms a small part of the peripheral experience for the range of receptors using the road and rail network. Whilst this Scenario will be apparent in these views, it will similarly not obscure views of the River or to the key built elements beyond.							
Receptors using the River Thames	High	Medium	High - Medium	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Low	Minor adverse
<b>Description of change (which informs the professional judgement on significance of effect):</b> This Scenario will also be apparent as part of the serial vision experienced along the River. Views are therefore fleeting. This Scenario will not interrupt views of the townscape backdrop to a significant degree, nor that of Richmond Bridge nor alter the appreciation of the River environment overall.							

Receptor	Sensitivity			Magnitude of Change			Significance of Effect
	Value	Susceptibility (to the Appeal Scheme change)	Sensitivity Judgement	Size / Scale / Distance	Duration and Reversibility	Magnitude Judgement	
<b>Visual Receptor</b>							
Receptors using PRoW's (north of Richmond Bridge only – Viewpoints 2, 3, 4 and 6)	High	Medium	High – Medium	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Low	Minor adverse
<b>Description of change (which informs the professional judgement on significance of effect):</b> The receptors using the Thames Path National Trail in the immediate environs of the Appeal Site will have clear views of this Scenario. Again, like the residential receptors, whilst this Scenario is predicted to limit views of the River by a small amount, the extent of change occurs for a small section of the journey and is characteristic of the experience of the River along the Riverside. The removal of the umbrellas moderates this minor effect further. In views northwards, whilst views of Richmond Railway Bridge and Twickenham Bridge beyond (with the former filtering views of the latter) at high tide views of Twickenham Bridge are obscured by the umbrellas (refer to viewpoint 6).							
Receptors using Public Open Space / Visitor Attractions (Viewpoint 5)	High	–Low	Medium	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Low	Minor adverse
<b>Description of change (which informs the professional judgement on significance of effect):</b> As above.							

Receptor	Sensitivity			Magnitude of Change			Significance of Effect
	Value	Susceptibility (to the Appeal Scheme change)	Sensitivity Judgement	Size / Scale / Distance	Duration and Reversibility	Magnitude Judgement	
<b>Visual Receptor</b>							
Those at their place of work	Low	Low	Low	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Negligible	Negligible
<b>Description of change (which informs the professional judgement on significance of effect):</b> Whilst this Scenario would be perceived for this group of receptors, the change is peripheral to the main activity and will not close down the view or interrupt views of the River to a significant degree.							
Visual dimension of openness of the MOL	High	Low	Medium	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Low	Minor adverse
<b>Description of change (which informs the professional judgement on significance of effect):</b> The railings of the Appeal Site, as visually porous have limited effect on the openness of the MOL. The increase in height some of the sections of the pontoon, the tables and chairs, and with some of the umbrellas proposed on the middle and downstream parts of the pontoon, cumulatively will still result in a degree of change in the perception of openness associated with the Appeal Site and set back from Richmond Bridge, albeit the effects are of a lesser degree and moderated a little through the removal of the umbrellas.  The riverside character relating to floating structures, set against the backdrop of open space and built form will continue. Views across to each side of the River bank will continue.  However, whilst there is change, the extent and scale of this change is limited and extremely small. It is perceived change in openness occurs within a small geographic area.  As demonstrated in the visual assessment, this Scenario would similarly not close down views to key townscape elements, landmarks or elements to a significant degree.							

**Table 6.2: Landscape and Visual Impact Assessment Options 1-7**

Receptor	Sensitivity			Magnitude of Change			Significance of Effect	
	Value	Susceptibility (to the Appeal Scheme change)	Sensitivity Judgement	Size / Scale / Distance	Duration and Reversibility	Magnitude Judgement		
<b>Landscape Receptor</b>								
<b>Option 1</b> – Extension of raised area at both downstream and upstream ends, with an additional minor increase in height at the upstream end (to enable access to below deck storage area), 4no. umbrella's 7 no. tables and associated chairs and railings on downstream and middle sections only.								
Landscape character of Richmond Riverside (Reach 9: Richmond)	High	Low	Medium	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Low	Minor adverse	
<b>Description of change (which informs professional judgement on significance of effect):</b> The key characteristics associated with Richmond riverside (Reach 9: Richmond) will remain with this option in place, essentially that of a barge and pontoon with railings that contain components which are present along the Riverside and which not only facilitates access to water based activities, but also forms part of the valued leisure functions along the riverside. The relationship between the pontoon and the Riverside public realm will not alter; the spaces between the barge and the pontoon will not alter; the relationship with natural features will not alter. There would be no change to the urban grain or pattern of the existing townscape. The pattern of following the linear orientation of the River would continue. There is no one unifying detail or material along the riverside, it is varied and rich with both traditional and functional and a range between. With this option in place, the Riverside will continue to be a diverse and vibrant recreational / leisure environment, especially in good weather, adding to the interest of the Riverside. Views to key built features either wholly or predominantly retained (White Cross Hotel, Asgill House, Richmond and Twickenham Bridges). This option of the Appeal Scheme does not form a dominant element, the location of the umbrellas and chairs on the pontoon are well related to the above deck elements of the Jesus Barge. Whilst the umbrella's are wider in span, the height of the raised deck and railings sits below the same elements on the Barge. This option maintains the balance of River, riverside, landscape and built form and in terms of uses is wholly compatible with its location, allowing local communities and the public to enjoy the riverside and the River at close proximity. However, whilst the raised element at the downstream end sit lower than the pre 2021 situation, the raised element is extended in length and with the upstream end remaining as per that pre-2021 situation, Taken together, the effects on this character area as are adverse, however considering the extent of the Appeal Site within this character area as a whole, effects are at the lower end of the scale and are therefore insignificant.								

Receptor	Sensitivity			Magnitude of Change			Significance of Effect
	Value	Susceptibility (to the Appeal Scheme change)	Sensitivity Judgement	Size / Scale / Distance	Duration and Reversibility	Magnitude Judgement	
<b>Option 2</b> – Extension of raised area at downstream end and minor increase at upstream end (again, to enable access to below deck storage area), 4no. umbrella's, 7 no. table and associated chairs on downstream and middle section, railings across the whole length.							
Landscape character of Richmond Riverside (Reach 9: Richmond	High	Low	Medium	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Low	Minor adverse
<b>Description of change:</b> The description of change remains as described in Option 1, but for this option, it includes railings surrounding the pontoon and removes the longest raised area upstream.							
<b>Option 3</b> – Extension of raised area at downstream end, 2no. umbrella's and 7no. tables with associated chairs and railings on downstream end only and railings extending across middle section; and <b>Option 4</b> - Expansion of raised area at downstream end, 3no. umbrella's and 7no. tables with associated chairs and railings on downstream and middle section only.							
Landscape character of Richmond Riverside (Reach 9: Richmond	High	Low	Medium	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Low	Minor adverse
<b>Description of change:</b> The description of change remains as set out in Option 1, however, Option 3 removes two of the umbrellas from the downstream end over that of Option 1 and Option 4 removes 1 umbrella. Both options wholly remove the upstream raised components.							

Receptor	Sensitivity			Magnitude of Change			Significance of Effect	
	Value	Susceptibility (to the Appeal Scheme change)	Sensitivity Judgement	Size / Scale / Distance	Duration and Reversibility	Magnitude Judgement		
<b>Option 5</b> – Expansion of raised area at downstream end, 7no. tables with associated chairs and railings on downstream and middle section only								
<b>Option 6</b> – Expansion of raised area at downstream end, 7no. tables with associated chairs and railings on upstream and middle section only								
Landscape character of Richmond Riverside (Reach 9: Richmond)	High	Low	Medium	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Negligible	Negligible	
<b>Description of change:</b> The description as set out in Option 1 remains, however, Option 5 removes all the umbrellas and like Options 3 and 4 removes the upstream raised components; and Option 6 switches the railings from the downstream end to the upstream end.								
<b>Option 7</b> – Expansion of raised area at downstream end for the kitchen below deck only.								
Landscape character of Richmond Riverside (Reach 9: Richmond)	High	Neutral	Neutral	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Neutral	Neutral	
<b>Description of change:</b> The description of change remains as set out in Option 1, however, Option 7 removes the umbrellas, railings, upstream raised areas and includes the extended raised area downstream only. Overall, this option is considered to result in neutral effects on the character of this part of the Reach at Richmond.								

Receptor	Sensitivity			Magnitude of Change			Significance of Effect	
	Value	Susceptibility (to the Appeal Scheme change)	Sensitivity Judgement	Size / Scale / Distance	Duration and Reversibility	Magnitude Judgement		
<b>Landscape Receptor</b>								
<b>Options 1-7</b>								
Network of Green and Blue Infrastructure	High	Neutral	Neutral	Small scale and immediate	Permanent or Temporary, Long Term, Reversible	Neutral	Neutral	
<b>Description of change (which informs professional judgement on significance of effect):</b> No changes are proposed or will arise to the existing network of green and blue infrastructure with any of these options of the Appeal Scheme in place. The pontoon remains a floating structure regardless of the small scale above deck changes. The River on which the pontoon sits, the riverside and open space network will all remain.								
<b>Options 1-6</b>								
Night-time character	Medium	Low	Low	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Low	Minor adverse	
<b>Description of change (which informs professional judgement on significance of effect):</b>								
<b>Options 1-4</b> - Whilst the intensity of the lit environment around this part of the Riverside would alter at night, extending that of the Barge to the west onto the middle and downstream section of the pontoon, these effects are of an insignificant degree. Whilst there would be small increase in lighting intensity, this occurs in an area that is readily influenced by lighting both from the buildings, the external spaces and the Jesus Barge. This option of the Appeal Scheme would continue to contribute to the vibrancy of the area at night. The night-time effects are limited to a localised geographic extent.								
<b>Option 5:</b> It is assumed that the downstream part of the pontoon would be operational into the evening in the summer months with low key lighting provided on the tables and potentially via mobile and temporary columns for safety reasons. The lighting is unlikely to extend further north or south than the lighting present on the Barge. Overall, the description of light intensity, context and change as set out for options 1-4 remains relevant.								
<b>Option 6:</b> In comparison to options 1-4, it is assumed that the upstream part of the pontoon would be operational into the evening in the summer months, again, with low key lighting provided on the tables and potentially via mobile and temporary columns for safety reasons, but in this option with lighting extending further south than that on the Barge. Again, the overall description of light intensity, context and change as set out for options 1-4 remains relevant.								
These night-time effects can be controlled by planning condition.								

Receptor	Sensitivity			Magnitude of Change			Significance of Effect
	Value	Susceptibility (to the Appeal Scheme change)	Sensitivity Judgement	Size / Scale / Distance	Duration and Reversibility	Magnitude Judgement	
<b>Option 7 – Expansion of raised area at downstream end for the kitchen below deck only</b>							
Night-time character	Medium	Neutral	Neutral	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Neutral	Neutral
<b>Description of change (which informs professional judgement on significance of effect):</b> No night time uses are proposed on this option. As such, effects on the night time character are therefore predicted to be neutral.							

Receptor	Sensitivity			Magnitude of Change			Significance of Effect	
	Value	Susceptibility (to the Appeal Scheme change)	Sensitivity Judgement	Size / Scale / Distance	Duration and Reversibility	Magnitude Judgement		
<b>Visual Receptors</b>								
<b>Option 1</b> – Extension of raised area at both downstream and upstream ends, with an additional minor increase in height at the upstream end (to enable access to below deck storage area), 4no. umbrella's 7 no. tables and associated chairs and railings on downstream and middle sections only. <b>Option 2</b> – Extension of raised area at downstream end and minor increase at upstream end (again, to enable access to below deck storage area), 4no. umbrella's, 7 no. table and associated chairs on downstream and middle section, railings across the whole length. <b>Option 3</b> – Extension of raised area at downstream end, 2no. umbrella's and 7no. tables with associated chairs and railings on downstream end only and railings extending across middle section <b>Option 4</b> - Expansion of raised area at downstream end, 3no. umbrella's and 7no. tables with associated chairs and railings on downstream and middle section only								
Residential Receptors (north and west of Appeal Site only – Viewpoints 4, 5, 14)	High - Medium	Low	Medium	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Low	Minor adverse	
<b>Description of change (which informs professional judgement on significance of effect)</b> <b>Option 1:</b> Open views of the Appeal Site occur for those residential receptors in close proximity. Whilst the extension of the raised areas across the pontoon and the umbrellas, when erected, will inevitably reduce the extent of the River visible by an extremely small amount, the riverscape and backdrop (be it built form, or built form set amongst trees), along with the majority of Richmond Bridge will still be wholly apparent and the River and townscape elements will remain the dominant elements in these views. Overall, the character and amenity of the view will not significantly alter, it will include the outdoor dining spaces of the Barge and pontoon, read as part of the vibrant and diverse riverside scene. <b>Option 2 - 4:</b> As option 1, and whilst the extension of the raised downstream area of the pontoon and the umbrellas, when erected, will inevitably reduce the extent of the River visible by an extremely small amount, the riverscape and backdrop (be it built form, or built form set amongst trees), along with the majority of Richmond Bridge will still be wholly apparent, with the River and townscape elements remaining as the dominant elements in these views.								

Receptor	Sensitivity			Magnitude of Change			Significance of Effect	
	Value	Susceptibility (to the Appeal Scheme change)	Sensitivity Judgement	Size / Scale / Distance	Duration and Reversibility	Magnitude Judgement		
<b>Option 5</b> – Expansion of raised area at downstream end, 7no. tables with associated chairs and railings on downstream and middle section only								
<b>Option 6</b> – Expansion of raised area at downstream end, 7no. tables with associated chairs and railings on upstream and middle section only.								
Residential Receptors (north and west of Appeal Site only – Viewpoints 4, 5, 14)	High - Medium	Low	Medium	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Negligible	Negligible	
<b>Description of change (which informs professional judgement on significance of effect)</b>								
<b>Option 5:</b> As option 1, however, due to the lack of umbrellas. the extension of the raised downstream area of the pontoon along with the tables and chairs will be predominantly obscured by the Barge to the east.								
<b>Option 6:</b> As option 1, and where the tables, chairs and railings on the upstream section of the barge would be apparent, extending that present on the Barge to the south-west.								
<b>Option 7</b> – Expansion of raised area at downstream end for the kitchen below deck only								
Residential Receptors (north and west of Appeal Site only – Viewpoints 4, 5, 14)	High - Medium	Neutral	Neutral	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Neutral	Neutral	
<b>Description of change (which informs professional judgement on significance of effect)</b>								
<b>Option 7:</b> Open views of the Appeal Site occur for those residential receptors in close proximity. The extension of the raised downstream area of the pontoon will be predominantly obscured by the Barge to the east and in oblique views. Overall, the character and amenity of the view will not alter the riverside scene.								

Receptor	Sensitivity			Magnitude of Change			Significance of Effect
	Value	Susceptibility (to the Appeal Scheme change)	Sensitivity Judgement	Size / Scale / Distance	Duration and Reversibility	Magnitude Judgement	
Receptors using transport routes (road and rail) Viewpoints 1, 2 and 14)	Low	Low	Low	Medium – Small scale and Immediate	Permanent or Temporary, Long term, Reversible	Low	Minor adverse
<b>Description of change (which informs professional judgement on significance of effect)</b>							
<b>Options 1 - 4:</b> The Appeal Site and these options of the Appeal Scheme forms an extremely small part of the peripheral experience for the range of receptors using the road and rail network. Whilst this option will just be discernable in these views, sitting adjacent to the Barge, it will not obscure views of the River or to the key built elements beyond.							
Receptors using transport routes (road and rail) Viewpoints 1, 2 and 14)	Low	Low	Low	Medium – Small scale and Immediate	Permanent or Temporary, Long term, Reversible	Negligible	Negligible
<b>Description of change (which informs professional judgement on significance of effect)</b>							
<b>Options 5 and 6:</b> The Appeal Site and this option of the Appeal Scheme forms an extremely small part of the peripheral experience for the range of receptors using the road and rail network. This option is likely to just be discernible if looking for it and will not obscure views of the River or to the key built elements beyond.							
Receptors using transport routes (road and rail) Viewpoints 1, 2 and 14)	Low	Neutral	Neutral	Medium – Small scale and Immediate	Permanent or Temporary, Long term, Reversible	Neutral	Neutral
<b>Description of change (which informs professional judgement on significance of effect)</b>							
<b>Option 7:</b> The Appeal Site and this option of the Appeal Scheme forms an extremely small part of the peripheral experience for the range of receptors using the road and rail network. This option will not obscure views of the River or to the key built elements beyond.							

Receptor	Sensitivity			Magnitude of Change			Significance of Effect
	Value	Susceptibility (to the Appeal Scheme change)	Sensitivity Judgement	Size / Scale / Distance	Duration and Reversibility	Magnitude Judgement	
<b>Visual Receptor</b>							
Receptors using the River Thames	High	Medium	High - Medium	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Low	Minor adverse
<b>Description of change (which informs the professional judgement on significance of effect)</b>							
<b>Option 1 - 4:</b> These options of the Appeal Scheme will be apparent as part of the serial vision experienced along this Richmond Reach section of the River. Views are therefore fleeting. These options will not interrupt views of the townscape backdrop, the views of Richmond Bridge, or the appreciation of the River environment to a significant degree.							
Receptors using the River Thames	High	Medium	High - Medium	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Negligible	Negligible
<b>Description of change (which informs the professional judgement on significance of effect)</b>							
<b>Options 5 and 6:</b> This option of the Appeal Scheme will be apparent as part of the serial vision experienced along this Richmond Reach section of the River and where the elements on the Barge and the riverside promenade beyond predominantly form the backdrop. Views are therefore fleeting. This option will not interrupt views of the townscape backdrop, the views of Richmond Bridge, or the appreciation of the River environment in any way from the River.							
Receptors using the River Thames	High	Neutral	Neutral	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Neutral	Neutral
<b>Description of change (which informs the professional judgement on significance of effect)</b>							
<b>Option 7:</b> This option of the Appeal Scheme will be apparent as part of the serial vision experienced along this Richmond Reach section of the River and where the elements on the Barge predominantly form the backdrop. Views are therefore fleeting. This option will not interrupt views of the townscape backdrop, the views of Richmond Bridge, or the appreciation of the River environment in any way from the River.							

Receptor	Sensitivity			Magnitude of Change			Significance of Effect
	Value	Susceptibility (to the Appeal Scheme change)	Sensitivity Judgement	Size / Scale / Distance	Duration and Reversibility	Magnitude Judgement	
Receptors using PRoW's (north of Richmond Bridge only – Viewpoints 2, 3, 4 and 6)	High	Medium	High – Medium	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Low	Minor adverse
<b>Description of change (which informs the professional judgement on significance of effect)</b>							
<p><b>Option 1:</b> The receptors using the Thames Path National Trail in the immediate environs of the Appeal Site will have clear views of this option of the Appeal Scheme, either set beyond, or in the context of the components of the Barge. Again, like the residential receptors, whilst this option will inevitably limit views of the River by a small amount, the extent of change occurs for a small section of the journey and is characteristic of the experience along the Riverside where the River is visible over and between fixed riverside elements. In views northwards, whilst views of Richmond Railway Bridge and Twickenham Bridge beyond (with the former filtering views of the latter) at high tide views of Twickenham Bridge are obscured by the umbrellas (refer to viewpoint 6). Overall, this option will not significantly alter the character, amenity and enjoyment of the varied riverside scene for this group of receptors.</p> <p><b>Options 2 - 4:</b> As option 1, however, the main bulk of the pontoon components of this option will be set in the leigh of the Barge and with the solid elements set at a lower level than the pre 2021 situation. Considering the lack of solid structure on the upstream end of the pontoon and whereby the River will be visible between railings upstream and between the raised elements and the umbrellas in the downstream section, the extent of change occurs for an extremely small section of the journey and forms a small component of the view, one that is characteristic of the views along the Riverside, that of an area raised above the waterline, comprising tables, chairs, umbrellas and railings, consistent with and in the leigh of the neighbouring Barge.</p>							

Receptor	Sensitivity			Magnitude of Change			Significance of Effect
	Value	Susceptibility (to the Appeal Scheme change)	Sensitivity Judgement	Size / Scale / Distance	Duration and Reversibility	Magnitude Judgement	
Receptors using PRoW's (north of Richmond Bridge only – Viewpoints 2, 3, 4 and 6)	High	Low	Medium	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Negligible	Negligible
<b>Description of change (which informs the professional judgement on significance of effect)</b>							
<b>Options 5 and 6:</b> The receptors using the Thames Path National Trail in the immediate environs of the Appeal Site will have partial and oblique views of this option of the Appeal Scheme, set predominantly beyond and in the context of the similar components of the Barge. The main bulk of the pontoon components of this option will be set in the leigh of the Barge and with the solid elements set at a lower level than the pre 2021 situation. Considering the lack of solid structure and railings on either the upstream (Option 5) or downstream end (Option 6) of the pontoon, the River will be readily visible. The extent of change relative to the extended downstream area and railings occurs for an extremely small section of the journey and forms a small component of the view, one that is characteristic of the views along the Riverside, that of an area raised above the waterline, comprising tables, chairs and railings, consistent with and in the leigh of the neighbouring Barge. Again, this option will not alter the character, amenity and enjoyment of the varied riverside scene for this group of receptors.							
Receptors using PRoW's (north of Richmond Bridge only – Viewpoints 2, 3, 4 and 6)	High	Neutral	Neutral	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Neutral	Neutral
<b>Description of change (which informs the professional judgement on significance of effect)</b>							
<b>Option 7:</b> The receptors using the Thames Path National Trail in the immediate environs of the Appeal Site will have open views of this option of the Appeal Scheme, set in the context of the similar components of the Barge. The main bulk of the pontoon components of this option will be set in the leigh of the Barge and with the solid elements set at a lower level than consented. This option will not alter the character, amenity and enjoyment of the varied riverside scene for this group of receptors.							

Receptor	Sensitivity			Magnitude of Change			Significance of Effect
	Value	Susceptibility (to the Appeal Scheme change)	Sensitivity Judgement	Size / Scale / Distance	Duration and Reversibility	Magnitude Judgement	
Receptors using Public Open Space / Visitor Attractions (Viewpoint 5)	High	Low	Medium	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Low	Minor adverse
<b>Description of change (which informs the professional judgement on significance of effect)</b>							
<b>Options 1 - 6:</b> As above.							
Receptors using Public Open Space / Visitor Attractions (Viewpoint 5)	High	Neutral	Neutral	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Neutral	Neutral
<b>Options 7:</b> As above.							
Those at their place of work	Low	Low	Low	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Negligible	Negligible
<b>Description of change (which informs the professional judgement on significance of effect)</b>							
<b>Options 1 - 6:</b> Whilst this option of the Appeal Scheme would be perceived for this group of receptors, the change is peripheral to the main activity and will not close down the view or interrupt views of the River, the Bridge or the surrounding townscape to a significant degree.							
Those at their place of work	Low	Neutral	Neutral	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Neutral	Neutral
<b>Description of change (which informs the professional judgement on significance of effect)</b>							
<b>Option 7:</b> As above.							

Receptor	Sensitivity			Magnitude of Change			Significance of Effect
	Value	Susceptibility (to the Appeal Scheme change)	Sensitivity Judgement	Size / Scale / Distance	Duration and Reversibility	Magnitude Judgement	
Visual dimension of openness of the MOL	High	Low	Medium	Small scale and immediate	Permanent or Temporary, Long term, Reversible	Negligible	Negligible
<b>Description of change (which informs the professional judgement on significance of effect)</b>							
<p><b>Options 1:</b> The changes over the pre-2021 situation arising from this option will result in a very small degree of change, with the solid areas of the pontoon increased by approximately 20%. Overall this change results in an insignificant effect on the overall perception of the openness of MOL parcel 29 when taken as a whole and whereby the Appeal Site forms 0.2% of MOL parcel 29.</p> <p>The Riverside character relating to floating structures, set against the backdrop of open space and built form will continue. Views across to each side of the River bank will continue.</p> <p>However, whilst there is change, the extent and scale of this change is limited and extremely small. The perceived change in openness occurs within a small geographic area.</p> <p>These options of the Appeal Scheme would not close down views to key townscape elements, landmarks or elements to a significant degree.</p> <p><b>Options 2 - 6:</b> As above, however, with the solid areas of the pontoon decreased by approximately 4%.</p> <p><b>Option 7:</b> The changes over the pre-2021 situation arising from this option will result in a further very small degree of change over options 1 - 6, with the solid areas of the pontoon further reduced.</p>							

**Table 6.3: Landscape and Visual Impact Assessment Summary Table**

Receptor	November 2025 Scheme Significance of Effect	Option 1: Significance of Effect	Option 2: Significance of Effect	Option 3: Significance of Effect	Option 4: Significance of Effect	Option 5: Significance of Effect	Option 6: Significance of Effect	Option 7: Significance of Effect
<b>Landscape Receptor</b>								
Landscape character of Richmond Riverside	Minor adverse	Minor adverse	Minor adverse	Minor adverse	Minor adverse	Negligible	Negligible	Neutral
Network of Green and Blue Infrastructure	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral
Night-time character	Minor adverse	Minor adverse	Minor adverse	Minor adverse	Minor adverse	Minor adverse	Minor adverse	Neutral
<b>Visual Receptor</b>								
Residential receptors	Minor adverse	Minor adverse	Minor adverse	Minor adverse	Minor adverse	Negligible	Negligible	Neutral
Receptors using transport corridors (road and rail)	Minor adverse	Minor adverse	Minor adverse	Minor adverse	Minor adverse	Negligible	Negligible	Neutral
Receptors using the River Thames	Minor adverse	Minor adverse	Minor adverse	Minor adverse	Minor adverse	Negligible	Negligible	Neutral
Receptors using PRoW	Minor adverse	Minor adverse	Minor adverse	Minor adverse	Minor adverse	Negligible	Negligible	Neutral
Receptors using POS / visitor attractions	Minor adverse	Minor adverse	Minor adverse	Minor adverse	Minor adverse	Minor adverse	Minor adverse	Neutral
Those at their place of work	Negligible	Negligible	Negligible	Negligible	Negligible	Negligible	Negligible	Neutral
Visual dimension of openness (MOL)	Minor adverse	Negligible						

6.3 The landscape and visual effects have been considered and assessed in tables 6.1 and 6.2 and summarised / collated in 6.3. The effects are either minor adverse (and at the lower end of the minor adverse scale), negligible or neutral and therefore not significant.

**7.0 Response to the main issues relating to the landscape / townscape and visual reasons**

Metropolitan Open Land (MOL)

NPPF Para 142,154b and 155, London Plan Policy G3, former Local Plan Policy LP13 on Green Belt, MOL and Local Green Space and Draft and Adopted Local Plan Policy 35 on MOL and Local Green Space

7.1 In relation to the landscape and visual matters of Reason b of the enforcement notice, the baseline and impact assessment demonstrates that:

- a. The Appeal Site lies within a sub area of MOL that based on the Councils study fulfils the MOL purposes;
- b. In terms of the relevant subsections a-d of NPPF para 142, the nature of the 2025 Appeal Scheme and the alternative options:
  - i. do not present or result in urban sprawl;
  - ii. does not on its own result in the merging of Richmond and Twickenham, these will remain as distinct settlements separated by the River, a riverscape that includes boats, piers, slipways, pontoon, areas of public realm with associated paraphernalia;
  - iii. does not result in encroachment into the countryside; and
  - iv. is insignificant in terms of influencing or impacting on the setting and special character of historic towns (as set out in Mr Collins proof relative to the assessment of impact on the Conservation Area and Listed Buildings);
- c. As such, the alternative scenarios would not undermine the purposes of the Green Belt across the plan as a whole.
- d. the siting of the pontoon remains unaltered. It is fixed between two piers.
- e. whilst the size of the solid elements of the pontoon above the water level have changed, considering the stepping in height, overall these changes are an insignificant alteration in terms of bulk, scale and mass;
- f. the pontoon alterations Options 3-7 includes the reduction in height at the upstream section from the pre-2021 situation, but includes a small increase in height in the middle and upstream section, along with the railings (which are consistent with safety railings in the local area and continue to allow views through). Whilst the length of the pontoon is perceived overall, set between the fixed piles, the range in heights creates a varied mass and bulk to the pontoon, consistently on all options comprising stepped elements. The combination of railings and the space between the railings and the undersides of the umbrellas (of the current 2025 scheme and Scenarios 1-4) allows for views to continue across the pontoon above the solid deck, but also allowing views over and between the tables and chairs to the River and the

Bridge. Overall, in combination, whilst the 2025 Appeal Scheme and Alternative Options 1-6 results in perceived change within the MOL, this change is minor and therefore insignificant in terms of any altered sense of openness of the whole of the MOL parcel within which it sits. Furthermore, as shown in the visual assessment, the current scheme or any of the options do not significantly interrupt or wholly block or close down views of or across the River or open spaces. Cumulatively the combination of elements do not present a significant urbanising element considering the geographic extent of the Appeal Scheme relative to the scale and extent of the MOL parcel that it sits within. Overall, this part of the MOL continues to function as part of the varied and vibrant riverside and setting to the urban townscape;

- g. The temporary / reversible nature of the elements of the Appeal Scheme and alternative options (the umbrellas, tables and chairs) due to its location on the water, adjacent to the riverside, retains the sense that this part of the MOL remains clearly distinguishable from the built-up areas;
- h. The Appeal Scheme overall continues to provide open air leisure and recreation uses for those accessing the River; and
- i. Overall therefore, the Appeal Scheme retains the 'predominantly open use' of the MOL.

7.2 Matters relating to visual impact or impact on local character and distinctiveness are set out separately below.

#### Local Character, Appearance and Distinctiveness

NPPF para 135, former adopted Local Plan Policies LP1 on Local Character and Design Quality, LP18 on River Corridors, LP19 on Moorings and Floating Structures and Draft / Adopted Local Plan Policies 28 on Local Character and Design Quality, Draft / Adopted Local Plan Policy 35 and Draft / Adopted Local Plan Policy 19 on Managing Impacts, Draft / Adopted Local Plan Policy 40 on Rivers and River Corridors, Draft / Adopted Local Plan Policy 41 on Mooring and Floating Structures, SI 17 on Protecting and Enhancing London's Waterways (as mentioned in London Plan Policy SI 16)

7.3 In relation to Reason c of the enforcement notice:

- j. The Appeal Scheme relates to a floating pontoon which has been considered against that in place pre-2021.
- k. The 2025 Appeal Scheme and the alternative options forms part of floating riverside scene. It is set along the existing 'vibrant' riverside (which extends both north and south of Richmond Bridge), one which is varied and which positively contributes to the vibrancy of the adjacent public realm of the Richmond Riverside. This townscape provides, and will continue to provide, the western gateway to Richmond

and a dominant backdrop to this part of the River, with either the 2025 Appeal Scheme or any of the alternative options in place. The pontoon measures approximately 36.6m in length and therefore comprises just 0.06% of the riverside between Richmond Bridge and Twickenham Bridge; and 0.2% between Richmond Bridge and The White Cross public house. Overall, the balance of River and townscape will not alter as a result of the Appeal Scheme;

- I. This Proof of Evidence has set out the context to the Appeal Site. The 2025 Appeal Scheme and alternative options, referring to published background documents describing the character of the area to demonstrate a thorough understanding of the Appeal Site and its relationship with the surrounding riverscape, Riverside and townscape;
- m. The 2025 Appeal Scheme Scenario and alternative Options whilst marginally changing the height and mass of some sections of the pontoon, has created a stepped and varied profile, splitting the pontoon into segments, the change to the character of the area with the 2025 Appeal Scheme and alternative Options 1-6 in place is at the lower end of the adverse effects scale and are insignificant. The effects of Option 7 is neutral. These effects are very limited and localized;
- n. The use of the Appeal Site does not alter any existing natural elements of the River on which it sits. The 2025 Appeal Scheme and the alternative options are suitable and compatible with the Riverside location, extending recreation and leisure on to the River in a unique way, allowing the appreciation of the Riverside built form and terraces from the River and therefore contributing positively to the vibrancy and characteristic activity and forming part of the varied scene of this part of the Riverside;
- o. The Appeal Scheme does not alter the special character of Reach 9: Richmond / F: Richmond and Richmond Hill within which it sits as a small part of the wider character area whereby:
  - *“landing stages brings added activity to the extremely well used promenade”*
  - where tables and chairs on the Riverside overall *“makes for a lively scene in good weather”* (which is also relevant to the Appeal Site and Scheme)
  - the *“converted Oxford University Barge provides a popular floating restaurant”*
  - it forms part of the character of *“boats, boathouses and activity on the river”* which creates *“a recreational water frontage of much interest...”*
  - In this way, the Appeal Scheme and Options 1-6 contributes to the Riverside as a place to gather and socialise, contributing the leisure function along the River.
- p. The character assessment sets out that the character of Richmond and Richmond

Hill (area F) is an area that has a high sensitivity to change. As set out in my methodology at Appendix 1, sensitivity to change is the result of combining landscape value and susceptibility to the **specific** change being considered, not **any** change. The proposed change arising from the Appeal Scheme is small overall.

At worst therefore, relative to the 2025 Appeal Scheme and the alternative options 1-6, the sensitivity of the character of the area to the proposed change is medium (high value x low susceptibility).

- q. The Appeal Scheme will not alter the individual riverscape or townscape elements nor movement corridors or public realm beyond the Appeal Site. It will not alter the character of the riverscape and will continue to provide a small part of the riverside setting to the townscape, that comprising a range of boats and floating static elements of pontoons and piers. The contribution that the 2025 Appeal Scheme or the alternative options make to riverscape or townscape context is not significant. The 2025 Scheme and any of the options retain the physical balance of the River and the townscape being the dominant elements in the scene. The effects arising from any of the scheme options is therefore insignificant;
- r. A plan illustrating the built form grain of the local area is shown on Figure 2.8 in my Appendix 2. This illustrates the large scale and mass of the built form either side of the River, but does not cover the floating elements on the River as often they are transient. The 2025 Appeal Scheme and the alternative options form a small scale element on the River, following the inherent grain of the townscape, as it is orientated relative to the flow of the Thames. The 2025 Appeal Scheme and the alternative options provide part of the stepped transition between the built form, Riverside and the River and predominantly retains the wide open character of the River Thames corridor.
- s. The Appeal Scheme or the alternative options will not close down or wholly interrupt views of Richmond Bridge or the River, these elements will continue to be dominant elements and therefore the effect on views of these elements are insignificant. In views northwards from the riverside, the 2025 scenario and Option 1-4 will obscure views of Twickenham Bridge to the north, but only in high tide.
- t. The Appeal Scheme or alternative options will not alter any existing movement corridors or any planting;
- u. The Appeal Scheme or alternative options do not generate the need for new public open space and is well related to the existing public realm of the Riverside;
- v. The impact assessment has demonstrates that as with any change in height and mass within the landscape, whilst there will be a degree of harm to character arising as a result of change, this is at the very lower end of the effect scale and therefore

insignificant;

w. An appraisal of the night-time character has been carried out which concludes that the area north of Richmond Bridge is more readily influenced by a range of lighting, which also added to the vibrancy of the riverside. The lighting along the riverside is not continuous overall, but is intermittent. As such, the concentration of lighting in the Area of the Appeal Site is consistent with this pattern. Effects are limited and localised. Effects can be further reduced through a suitable planning condition;

x. In terms of the London Plan Policies D5 and D8 relating to Inclusive Design and Public Realm, these are not matters raised in the enforcement notice. The type of development associated with the 2025 Appeal Scheme or alternative options do not generate a need to create new areas of public realm. Matters relating to lighting under Policy D8 have been addressed relative to night-time character.

#### Green and Blue Infrastructure

Former Adopted Local Plan Policy LP 12, Draft / Adopted Local Plan Policy 34 and London Plan SI 16 and London Plan SI 17 on Waterways

7.4 The 2025 Appeal Scheme or alternative options do not propose or result in any changes to the existing green and blue / waterway infrastructure associated with the River, Riverside, MOL or adjacent linear open spaces, nor will it change any walking or cycling routes. No alterations are proposed to the existing mooring(s). The 2025 Appeal Scheme and alternative options sits off-line from the main navigation route of the River Thames and allows the opportunity to experience nature and the river, for informal leisure and water related recreational use.

#### Openness and Views of the River

Former Adopted Local Plan Policy LP18 on River Corridors, LP19 on Moorings and Floating Structures and Draft / Adopted Local Plan Policies 40 on Rivers / River Corridors and Local Plan Policy 41 on Moorings and Floating Structures

7.5 In relation to Reason e of the enforcement notice, the visual assessment reveals that the 2025 Appeal Scheme or any of the alternative options:

- Has not changed the siting of the pontoon between the two fixed piles;
- Will not cumulatively (considering the stepped elements, the railings, the table and seats and umbrellas) interrupt, disrupt or detract from the views of or along the River;
- As set out in the impact assessment, the effects of the Appeal Scheme or alternative options on the character, amenity or openness of the views or the degree of interruption or closure of views of the River are at the lower end of the

effects scale and are therefore insignificant. Furthermore, these effects are not widespread, but limited to a localised geographic area. The alternative Appeal Schemes, allow public access on to the pontoon, where close views of the River can be experienced;

- The Appeal Scheme or alternative options do not result in an increased visual envelope associated with the Appeal Site;
- Will not alter the river related uses associated with the pontoon; and
- Will not be apparent in the view from Richmond Hill as identified in published character assessments (refer to photograph 12 in my Appendix 2).

Impacts: Light pollution

Local Plan Policy LP10 and Draft Local Plan Policy 53 Local Environmental Impacts, Pollution and Land Contamination

7.6 In relation to Reason f of the enforcement notice whilst the Appeal Scheme and alternative options 1-6 will result in the increase in the intensity of lighting in the local area, as described previously in the impact assessment tables se, the degree to which this changes the night-time character of this part of the Riverside is insignificant and is a matter that can be conditioned.

## **8.0 Conclusions**

8.1 This proof of evidence deals with the landscape and visual impact matters relating to reasons b, c, e and f of the enforcement notice (principally relating to the change to the solid areas above the pontoon and the number and colour of the umbrellas and therefore associated seats and chairs) and the effects on MOL, character, openness and views of the River and night-time character.

8.2 The 2025 Appeal Scheme and a series of alternative options have been considered. The landscape and visual impact assessment reveals the following insignificant effects:

- f) Minor adverse effect on the character of Richmond Riverside relating to the November 2025 situation and Options 1-4 and negligible for Options 5-6 and neutral for Option 7;
- g) Neutral effect on green and blue infrastructure relating to all the alternative scenarios;
- h) Minor adverse on night-time character relating to the November 2025 situation and Options 1-6, with neutral effect relating to Option 7;
- i) Minor adverse to neutral effects on a range of visual receptors (with options 5 and 6 being negligible and option 7 being neutral) and with all schemes being negligible on those at their place of work; and
- j) Minor adverse effect on the visual dimension of openness relating to the November 2025 situation, with negligible effect relating to Options 1 - 7.

8.3 I therefore do not agree with the Council that the scheme conflicts with Policies set out in the enforcement notice and SoCG and as listed in this proof.

8.4 In light of the evidence, I therefore find that the alleged detrimental impacts of the Appeal Scheme (relating to the 2025 scenario and the alternative options) are not correct.