



Appeal Decision

Site visit made on 7 January 2026

by William Cooper BA (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2026

Appeal Ref: APP/L5810/W/24/3358044

River Thames Visitor Centre, Riverside, Richmond TW10 6UJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Barry Edwards, Running Red Ltd against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref is 24/1218/VRC.
 - The application sought planning permission for retention of mooring for River Thames Visitor Centre without complying with a condition attached to planning permission Ref 05/3452/FUL, dated 17 January 2006.
 - The condition in dispute is No U07984 which states that: The premises shall be used only for/as an information and/or exhibition centre for the River Thames, and for no other purpose whether or not within Use Class D1; as specified in the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision revoking or re-enacting that order, and any sale of food and drink shall be purely ancillary to the stated purpose.
 - The reason given for the condition is: To protect the amenity of the area and the character of the area as Metropolitan Open Land.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Running Red Ltd against the Council of the London Borough of Richmond-upon-Thames. Also, an application for costs was made by the Council of the London Borough of Richmond-upon-Thames against Running Red Ltd. These applications are the subject of separate decisions.

Preliminary Matters

3. Since the Council's decision in this case in 2024, the new Richmond upon Thames Local Plan 2024 to 2039 (the LP) was adopted in 2025. The parties have had opportunity to comment on the implications of the new Local Plan for this appeal, and so will not be disadvantaged by my consideration of it.
4. Within the context of an appeal under section 78 of the Act, it is not within my remit to formally determine whether the proposed development requires planning permission as raised by the appellant. However, I have considered the evidence as to whether permission is required so far as is material to this appeal.

Main Issues

5. The main issues in this case are:

- Whether the proposal would a) preserve or enhance the character or appearance of the Richmond Hill Conservation Area No.5, and b) preserve the setting of the Richmond Bridge Grade I listed building;
- Whether the proposal would be inappropriate development on Metropolitan Open Land, and its effect on openness;
- The effect of the proposal on the special character of the River Thames and Thames Policy Area; and
- If the proposed development is inappropriate, whether any harm by reason of inappropriateness, and any other harm would be clearly outweighed by other considerations so as to amount to very special circumstances to justify the proposal.

Reasons

The site and its context

6. The appeal site comprises a rare Victorian Duke class 'lighter' barge that is moored on the River Thames, with lifeboat and tender, piles, pontoons, part of the north-eastern river bank and a walkway up to the adjacent Thames Path. It is located a short distance south-east of the Grade I listed Richmond Bridge, within the Richmond Hill Conservation Area No.5 (the CA). The site is also situated within Metropolitan Open Land (MOL) and the Thames Policy Area.
7. The development plan policies cited in the Council's decision notice, which I shall refer to in this decision, point to the locality being a place where public recreational access and activity along London's waterway network are to be encouraged, subject to the following. Proposals should be sympathetic to the blend of distinctive open character of the MOL, and the locality's heritage, natural, landscape and cultural attributes.

Proposed variation of condition

8. The proposal seeks to amend the limitation of the use of the appeal premises, which is a condition of the planning permission for retention of mooring for the River Thames Visitor Centre. The proposal seeks to change this limitation of use, which is 'only for/as the purpose of an information and/or exhibition centre', in the following ways. It seeks to broaden the description of the scope of the exhibition and information centre's role from the river Thames to the waterway. It proposes adding use for any purpose within class E(c)iii, which as described in the schedule to the Town and Country Planning (Use Classes) order 1987 (as amended), is for 'other appropriate services in a commercial, business or service locality'. Also, it seeks to expand the scope of sale of food and drink at the premises from purely ancillary to the information and/or exhibition centre purpose, to ancillary to the waterway.

Heritage assets

9. The CA covers an area leading down from Victorian residential parts of Queens Road and Richmond Hill to recreational public open spaces alongside a curving stretch of the River Thames. The appeal site is located in the Riverside character area of CA near, and within the south-eastern foreground of, the Grade I listed Richmond Bridge, which is a key focal point at the north-western end of the CA.
10. The approach to the appeal site along the stretch of River Thames corridor within this south-eastern foreground of the listed bridge is characterised by the following combination of elements. Riverside paths run along the banks of the river, including the stretch of Thames Path which passes the appeal site and leads to the south-eastern facade of Richmond Bridge. Dating from the eighteenth century, this Portland stone bridge's moulded segmental arches rise elegantly to its centre, with balustraded parapets. As the oldest bridge on the Thames within the boundaries of Greater London, and with its elegant Georgian architecture and position in a locality popular with pedestrians, cyclists and vehicles, the listed bridge is a prominent and iconic historic structure across the capital city's main river. The bridge's inclusion in a Local View within the MOL further attests to its prominence in its locality.
11. Modern accents in the locality include the following. Traffic flows across the bridge and aircraft descend over Richmond. A boat trips kiosk with colourful signage is near the appeal site. Some large modern buildings are visible on the other side of the river.
12. In the vicinity of the appeal site, the shimmering broadness of the River Thames contributes to its scenic and tranquil qualities, and birdsong is noticeable. The stretch of river between the bridge's south-eastern facade and the appeal site is open in character. Public greenspace with lawns, planting and benches runs alongside the Thames Path. These open riparian and landscape elements of the MOL are distinctive characteristics which further contribute openness and some tranquillity to the south-eastern foreground of the listed bridge. This contributes to the context in which people enjoy a mix of activities including walking, dog walking, cycling and jogging on the Thames Path. Together these elements and activities continue to articulate the distinctive identity of the Riverside character area of the CA as 'essentially a public riverside with a recreational emphasis', as defined in the Richmond Hill Conservation Study.
13. From what I saw during my site visit and the evidence before me, the CA's significance, insofar as it relates to this appeal, lies in its blend of historic townscape, riparian and local landscape elements, including the Grade I listed bridge, which reflect Richmond's evolution from the Georgian period to the twentieth century. Given the above, I consider the special interest of the Richmond Bridge Grade I listed building, insofar as relates to this appeal, to be primarily associated with the legibility of its elegant eighteenth century architecture and iconic historic identity.
14. Several food and drink premises with outdoor seating areas exist on land adjoining the stretch of towpath between Richmond Bridge and Riverdale Gardens. Also, nearby public benches are used by people for, among other things, consuming takeaway and picnic food and drink. Thus, refreshment premises and consumption of food and drink by visitors on land near the river are part of the south eastern foreground of Richmond Bridge, in the locality of the appeal site. However, that

said, the contrasting absence of food and drink premises and associated paraphernalia on the river itself, in the immediate vicinity of the bridge on its south-eastern side is distinctive, and aids appreciation of the historic bridge's elegant, rhythmic arched structure and its reflection on the water's surface.

15. Thus, while there are some commercial accents within the area's metropolitan mix of older and more modern elements, and a complex combination of activity, the south-eastern foreground of Richmond Bridge is part of a primarily recreational locality in this part of the blue-green infrastructure corridor. And the relatively uncluttered character of this foreground aids appreciation of the special architectural and historic interest of the Grade I listed bridge.
16. As such, the environs of the appeal site contributes to the distinctive local blend of historic architecture, riparian and landscape elements of the CA and setting of the Richmond Bridge, and provides opportunities for appreciation of the elegant Grade I listed bridge.
17. The proposal would not physically change the fabric of the appeal site. However, it would encourage expansion of its types of use, including commercial activity such as sale of food and drink of noticeably more intensity, volume and visibility than that currently limited by the planning condition as ancillary to the purpose of information and/or exhibition centre for the River Thames. This would likely generate a noticeable new volume of activity and comings and goings at and in the vicinity of the appeal site, by customers coming to purchase food and drink. Also, it would likely result in exterior paraphernalia such as outdoor seats and tables and their use by customers for much of the year, and potentially associated exterior lighting on the site. Together, the above would result in and draw attention to the presence of a floating catering and refreshments operation at this location on the river.
18. Also, as identified above, the locality in which the appeal site sits is primarily recreational, whereas use class E(c)iii pertains to a commercial, business or service locality. As such, the proposed expansion of the purpose to include any purpose within the use class E(c)iii would risk mischaracterising the locality, and invite future pressure for development that would undermine the distinctive recreational emphasis and the identity of the CA's Riverside character area.
19. Consequently, the proposal would erode the relatively uncluttered qualities of the stretch of river from the appeal vessel to the south-eastern facade of the listed bridge. It would weaken the distinctive contrast between the noticeable presence of cafes and restaurants on some land next to the river and the absence of this on this stretch of the river itself. Also, it would distract from part of the Local View between the south-eastern side of the Richmond Bridge and the east bank of the Thames.
20. Together these factors would distract from appreciation of the bridge's elegant, rhythmic arched structure and its reflection on the water's surface, from various viewpoints on the Thames Path and the river within the south-eastern foreground of the bridge. This distracting impact on the setting of the bridge would also be perceptible looking south-east down from the bridge. Within the context of the complex combination of activities and elements to be seen in the locality, this distraction from appreciation of the bridge's historic architecture and iconic identity would be modest, but nonetheless noticeable.

21. For the reasons described above, the proposal would harm the character, appearance and significance of the CA, and negatively impact on the setting and significance of Richmond Bridge Grade I listed building.
22. Paragraph 212 of the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Given the scale and substance of the proposal, I find the harm to the CA and listed building to be less than substantial and towards the lower end of that scale in this instance, but nonetheless of considerable importance and weight. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against public benefits of the proposal.
23. The proposal would contribute to employment in the area and generate additional income towards the exhibition and information function of the visitor centre, and maintenance of the historic 'lighter'. Also, a catering business would add to the catering and refreshments offer available to users of this part of the Thames Path. Together these factors would bring socio-economic benefits and contribute to the vibrancy of this stretch of blue-green infrastructure. These benefits are modest in scale and do not outweigh the great weight given to the conservation of the CA and the listed building, and the less than substantial harm to their significance which I have identified.
24. As such, the proposal would conflict with LP Policy 29 and LnP Policy HC1, which together seek to ensure that development conserves and enhances Richmond-upon-Thames' heritage assets. Furthermore, this would not accord with the approach of the Framework in respect of the desirability of sustaining and enhancing the significance of heritage assets, with great weight given to the asset's conservation.

Whether inappropriate development on MOL

25. The appeal site is located within a stretch of MOL which broadly follows the curve of the River Thames south-east of Richmond Bridge. This host stretch includes the river and some land adjacent to it. As identified earlier, this area of MOL is characterised by open riparian and landscape elements. Supporting text paragraph 8.3.1 of the LnP sets out that MOL is strategic open land within the urban area, characterised by the open environment of its network of greenspaces, features and places.
26. LnP Policy G3 states that MOL is afforded the same status and level of protection as Green Belt, and among other things should be protected from inappropriate development in accordance with national planning policy tests applicable to Green Belt. LP Policy 35 part A requires that the borough's Green Belt and MOL will be protected and retained in predominantly open use. As such, these development plan policies are broadly consistent with the Framework.
27. Development within the Green Belt and thus, by local policy extension, on MOL is inappropriate unless one of the exceptions in Paragraph 154 of the Framework applies. The proposal does not fall within these exceptions, and therefore would be inappropriate development which would, by definition, harm the MOL.
28. Regarding the proposal's effect on the MOL's openness, I find as follows. As identified earlier, the anticipated new volume of activity and comings and goings at

and in the vicinity of the appeal site by customers coming to purchase food and drink, and associated exterior paraphernalia would result in and draw attention to the presence of a floating catering and refreshments operation at this location on the river.

29. Thus, the proposal would have a cluttering impact on the stretch of river from the appeal site to the south-eastern facade of Richmond Bridge. Also, it would weaken the distinctive contrast between presence of cafes and restaurants on some land next to the river and the absence of this on this stretch of river. As a result, the proposal would have an urbanising influence on the host stretch of the River Thames, diminish the distinctive openness of the MOL, and result in encroachment into the MOL. Given the appeal site's proximity to a popular stretch of the Thames Path, and sensitivity of location within the south-eastern foreground on the iconic Grade 1 listed Richmond Bridge, these adverse impacts on the MOL would have some prominence. Consequently, the proposal would cause moderate harm to the characteristic openness of the MOL.

Special Character

30. As identified above, the distracting, cluttering and urbanising impacts of the proposal would harm the character of the CA and the setting of the elegant Richmond Bridge, undermine the distinctive recreational emphasis of the Riverside character area, and erode the characteristic openness of the local MOL. Therefore, the proposal would harm the special character of the local river reach. As such, it would conflict with LnP Policies SI 14 and SI17, and LP Policies 28 and 40 which together seek, among other things, to ensure that development respects, protects and where possible enhances the special local character of the river and its setting.
31. While LnP Policy SI 16 is titled Waterways use and enjoyment, its content focuses on physical infrastructure and facilities, and events, rather than appreciation of the character of blue-green infrastructure by users. As such, I do not find that the proposal conflicts with this policy in relation to this main issue.

Other Considerations

32. I recognise that LnP waterways policies SI 14 and SI 16 together encourage multifunctional benefits of waterways, and protection and enhancement of water-related facilities. Also, LnP supporting text paragraph 9.17.2 acknowledges the possibility that ancillary uses such as bars and restaurants can support enhancements of water-related uses. That said, various development plan policies in the LP and LnP cited earlier in this decision together require local character to be respected, protected and where possible enhanced. Also, paragraph 9.17.2 of the LnP, which refers to both water-related related and ancillary uses, further reinforces the importance not compromising local character. Together, these development plan policies and supporting text establish the importance of respecting, protecting and where possible enhancing local character in Richmond-upon-Thames, whether a development proposal is for water-related or ancillary use.
33. Within this policy context, the proposal would contribute to local employment, and generate additional income towards operation of the visitor centre and maintenance of the historic 'lighter'. Also, it would add to the catering and refreshments offer in the locality. Together this would contribute to the vibrancy of local blue-green infrastructure, with socio-economic benefits. These benefits are modest in scale and would attract limited weight in their favour.

34. Regarding the proposed broadening of the description of the scope of the exhibition and information centre's role from the river Thames to 'the waterway' I find as follows. The appeal site is located at the River Thames, and the River Thames Visitor Centre has been logically named as such for a number of years. Also, the River Thames is part of the waterway network. Given these factors, it is unlikely that this part of the existing wording of the condition would constrain reference to the waterway network in provision of information and exhibitions at the site. As such, this part of the proposed variation of condition is unlikely to appreciably improve the visitor experience and attraction to visitor centre, and does not weigh in its favour.
35. Use Class D was revoked in 2020, and use Class D1, which is referred to in the condition was replaced by new use Classes E(e-f) and F1. While, in these circumstances, it makes sense to review the use class reference in the condition, this does not automatically mean that the proposed change to any purpose within use class E(c)iii is appropriate. Therefore, this context of change to use classes does not in itself favour the proposal.
36. The proposal seeks to add use of the premises for any purpose within use class E(c)iii, to the existing stipulated use for/as only an information and/or exhibition centre. Use Class e(c)iii covers 'other appropriate services in a commercial, business or service locality'. With this addition being sought, I anticipate that future resultant commercial activity at the appeal site under the proposal would be not equivalent in use and impact to previous operation of the site, which included some catering provision by businesses referred to in enforcement appeal decision APP/L5810/c/2135924 in 2011. I therefore find that this previous decision does not weigh in favour of the current proposal.

Whether very special circumstances

37. Inappropriate development in the Green Belt and, so by local policy extension, on MOL should not be approved except in very special circumstances. Substantial weight should be given to any harm to the MOL, and very special circumstances will not exist unless the potential harm by reasons of inappropriateness, and any other harm, is clearly outweighed by other considerations.
38. I have found that the proposal would harm the character, appearance and heritage significance of the CA, and impact negatively on the setting and heritage significance of Richmond Bridge Grade I listed building. These matters carry substantial weight against the proposal.
39. I have found that the proposal would be inappropriate development in the MOL, which would by definition be harmful. The proposal would also result in moderate harm to the characteristic openness of MOL. Paragraph 153 of the Framework requires substantial weight to be given to any harm in the Green Belt, and by local policy extension this requirement applies to the MOL. Also, I have found that the proposal would harm the special character of the local river reach. The totality of identified harm to the MOL and local special character carries substantial weight.
40. For these reasons I find that the other considerations in this case do not clearly outweigh the totality of the harm to MOL that I have identified, and any other harm. Consequently, the very special circumstances necessary to justify the proposed development on MOL do not exist. The proposed development would therefore conflict with LnP Policy G3 and LP Policy 35.

Conclusion

41. The proposed development would be contrary to the development plan and Framework and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal fails.

William Cooper

INSPECTOR