

Planning Committee 24th November 2022

Addendum

21/2758/FUL; pages 5-185; 1-C King Street, 2-4 Water Lane, The Embankment and riverwall, Water Lane, Wharf Lane and The Diamond Jubilee Gardens

1. Environment Agency – response to consultation in October 2022

1. Confirmed no objection.
2. Welcome latest designs and site layout
3. Encourages ongoing engagement and early discussions on discharge of the planning conditions linked to flood risk management, ecological enhancements and land mediation.
4. Recommend conditions (as outlined in the report)
5. Would like to highlight the reclassification of the flood zones (as set out in the FRA) is incorrect. Whilst they acknowledge that the diversion of the flood defence wall will mean that specific areas of the site are unlikely to be inundated when considering the modelled flood depths, this is insufficient to formally change the flood zone classification. A formal flood map challenge must be submitted to change this officially.
6. The FRA should be updated regarding the maintenance of the defence. This should be maintained by the riparian owner and not the Environment Agency. (Officer – this has been outlined as an informative).

Officer update as a response to EAs representation

- In response to the Environment Agency's point 5.
- Section B of Table 15 – remove weight to the reclassification of flood zones. However, officers still conclude the scheme meets the exception test
- Para. 8.228 – replace *'the reclassification of the flood zones that would result'* with *'which would allow the proposed uses to be sited behind the improved flood defence wall'*.
- Para. 11.12 – remove *'reclassification of flood zones'*
- For clarity – the flood defence is not set at 7.4m, this is approximately 7.3mAOD. Under para. 8.233 – add the word 'suit' - *The proposed flood defence structure has been set to **suit** the proposed design of 7.40m AOD, greater than the minimum requirement of 6.9m (TE2100 defence level).* This amendment does not alter the conclusions.

2. Statement from Applicant:

The applicant would like the Committee to consider removing condition NS106: Service road gates. The applicant feels a gate is more appropriate given the proximity to the children's play area and will offer a greater level of security than bollards for playing children. The report raises concerns about the gate acting as a barrier, but pedestrian access is still possible through the pedestrian gate and the applicant feels there will be low pedestrian movement along the service road. There are a number of other routes into the public open space, including the other end of the service road which will be more frequently used.

3. Late representations since the publication of the Committee Report (up until 24 November)

Matters raised are deemed to be addressed in Section 8 of the Report.

A. General observations – 3 letters:

- all rainwater runoff should be dealt with via soakaways and rain gardens.
- No rainwater runoff should go down the drain which only results in Thames Water
- Can Thames Water deal with the sewage from the extra housing?
- Other than above - it looks good.
- Make sure there is a net biodiversity gain and the development is carbon neutral
- Trees removed should be replaced
- Object to height and bulk and loss of openness.
- Question need for another pub

B. Support – 48 representations

- misinformation from the riverside trust
- scheme was put through a thorough selection and consultation process
- Incredible location that is let down by current configuration
- Site currently provides little benefit
- Site too valuable for car park
- Current area not fit for purpose
- Long overdue of this under used and run down area
- The current DJGs were intended to be temporary and now its time to implement a long term solution
- Whilst scheme may not be perfect, it is a significant step forward and best proposal so far
- Will bring visitors and much needed commerce
- Gardens are now starting to fray quire badly
- Gardens are currently not being used by community the vast majority of time
- Events well attended, but rest of time pretty empty - No reason why events cant happen in new space

- Perfect mix of gardens, housing and shops
- More usable space for locals and rugby visitors alike
- Relocating parking from riverside will enhance the frontage
- Better public use and cycling and walking facilities
- Improve public realm
- Support local businesses
- Proposals address the site appropriately
- Provide greater replacement gardens
- Plenty of parking in Holly and Arragon Road to accommodate loss of parking
- Height not dissimilar to other buildings in King Street
- Provides balance between public space and development needed to fund scheme
- Area has severe housing shortage
- High street is dying
- The scheme would breathe much needed lease of life
- Will create great riverside
- Concerned over loss of trees, however, hope there are sound reasons
- Improve link between riverside and King Street
- Ice cream cars must be electric
- Request splash park in play area

C. Objections – 13 representations (some multiple submissions from same individual)

- Lack of notification
- Lack of transparency
- Lack of time to review
- Public lobbying by councillors
- Jubilee Gardens is lovely community area hosting family events throughout the year
- The scheme will be a massive blow to Twickenham
- Current plans do not meet the needs of local families
- Outside space is diminished, replaced by large / imposing buildings
- Loss of trees and supporting wildlife
- Impact on climate from loss of trees
- Climate change makes it hard to get trees to take
- Confusion over what is happening to the Black Poplar – this has cultural and historical significance.
- Council has poor track record of maintaining irrigation systems
- It is not re-provision of Diamond Jubilee Gardens, rather new provision
- Parking implications on street
- Not a site allocation
- Scheme proposes unaffordable housing
- Question need for housing

- Affordable housing not a problem, but destruction of public open space unacceptable.
- Too large, out of proportion, height and mass too domineering
- Harmful to character of area
- Loss of open space – detrimental to public amenity
- Wind impacts
- Overshadowing on gardens
- Felling of a large number of trees
- Contrary to policy – spatial strategy, other open land of townscape importance, trees,
- Net gain – not override matters of loss of mature trees
- Inhibiting river bird use
- Not put a case forward to justify demolishing King Street buildings rather than retrofitting
- Needs a whole of building life cycle assessment
- Not aware of the climate change Act Amendment requiring a 68% reduction by 2030; 78% reduction by 2035 and net zero by 2050
- Refurbishment scheme is capable of producing an exciting scheme
- Campaign for the riverside which has not be entirely accurate
- Summary of history of the site
- Playground will not meet demand
- Older children's play should be relocated to riverside
- No obvious expansion area for the playground
- Limited range of equipment
- No play for 12+ / ball games
- Lack of boundary treatment around play will inhibit use – and problems with dogs
- Railings will not stop children falling into river
- Questions over management
- Loss of public toilets
- Already empty premises
- Impact of proposed public house
- Council introduced Cumulative Impact Zone to try and curb excesses in Twickenham and Richmond
- New pub would place further stress on Central Twickenham – and emergency services
- Public drinking has very high negative impact on amenity of riverside
- Should be restaurant only
- Recommended conditions
 - Prevent cafe from serving alcohol
 - Prevent retail from converting to bars / selling alcohol
 - Prevent vertical dining
 - Allocate food / bar area
 - No consumption outside of match days
 - No alcohol drinking in gardens / event space
 - Grab chains / railings / escape ladders

D. Various objection correspondence from Twickenham Riverside Trust raising the following matters:

1. Chairs transcript of their presentation to the Audit, Standards and Statutory Accounts committee held on November 2022.
Particularly raising, how the scheme faces major financial and legal risks that make it undeliverable; spiralling costs; residential units at other sites remaining unsold; and matters of the Compulsory Purchase Order.
2. Playspace:
 - a. Use of different methods of measurement is misleading / inequitable.
 - b. Playspace not defined by surface material, but rather by function
 - c. Many areas for informal play within the DJGs
 - d. Submission only calculates the 'spongy' area within the play area and not the seating / safe run-around area. In comparison, the proposed takes account of the run-around / seating area.
 - e. Replacement does not match which is currently available
 - f. Proposed does not provide the extra 150m² required by child yield.
 - g. Calculations do not take into account sandpit.
 - h. No provision of ball games
 - i. Fragmented spaces
3. Daylight and sunlight impact
 - a. Limit assessment of impact of shadows on openspace.
 - b. BRE recommends a more detailed study of sunlighting potential be carried out.
 - c. Wharf Lane building introduces deep shadowing across the Public Open Space and negatively impacts appeal and usage of such areas.
4. Event space
 - a. Existing DJGs can provide 625m² of event space (on the same level, continuous, enclosed, not subject to flooding, not bisected) – does not include other areas that have also been used
 - b. Proposed event space may be comparable in size, however, different levels, not situated centrally
 - c. Proposed event spaces do not provide the flexibility and amenity value that currently available.
5. Landscape and public realm
 - a. Absence of section from Wharf Lane to gardens
 - b. Concern over accuracy of CGIs
 - c. Wall in service road is regularly hit
 - d. What measures have been taken to prevent conflict between vehicles and pedestrians at entrance of gardens / service road
 - e. Has a safety audit of this junction been carried out
6. Impact on local views

- a. C3.2 Twickenham Riverside and Eel Pie Island
 - b. C3.3 Twickenham Riverside East
 - c. Negative impact on local views based on height and proximity to riverside
- 7. Overdevelopment
 - a. Potential impact on development coming forward on King Street
 - b. Scale and massing – negative / sense of enclosure

E. Objection from the Twickenham Society

- Notice of these changes sent to a very limited number of people
- Time allowed for a response is extremely short.
- Documents removed from the original planning application submission
- Objects to removal of all the trees within the site, bar two;
- There are inconsistencies in the new documents e.g. the Black Poplar will be moved/the Black Poplar will be removed.
- Still no external safety audits on the turning areas at the bottom of Water Lane, Wharf Lane and in the service road.
- By providing a loading bay at the very top of Water Lane there is an acceptance by the Council that not all lorries are able to make deliveries to Church Street before the road closes at 10 a.m.
- Lack of drop off areas
- three point turn in the busy pedestrian area

4. **Updates to conditions and informatives**

New condition - Public House / Restaurant

A. Prior to the occupation of the restaurant / public house in the southern unit of the Wharf Lane building hereby approved, a plan for the external eating / drinking area associated to this public house / restaurant shall be submitted to and approved in writing with the Local Planning Authority for approval. The development shall not be implemented other than as approved, and thereafter maintained.

B. No customers shall consume food / drinks externally at the premises other than within the external area identified in (A).

REASON: To protect residential amenity

Add to condition NS65 – hard surfacing material samples and details of means of enclosure.

Add to condition NS101a – As set out in drawings and documents list dated 24 November 2022.

Informatives

Add to IL11: Environment Agency

- The applicants are advised of the Environment Agency's informative and Advice to applicant comments within their response letter dated 16 November 2022
- The submitted FRA (page 33: 7.1.6) states the flood defence structure shall be maintained by the Environment Agency in accordance with their inspection and repair requirements. The applicants are advised this is incorrect - The defences shall be maintained by the riparian owner and not the Environment Agency. The EA do not accept responsibility for the maintenance of the defences. The EA would like to remind the riparian owner of their responsibility to ensure a fit for purpose flood defence line is maintained in line with s.6 of the Metropolis Management (Thames River Prevention of Flood) Act 1879 to 1962 (The Act).

5. Corrections to report

Paragraph	Correction
Page 5 – application received date	Should read 4 August 2021
Page 11 – Image 1 -	Spelling corrections: A. Open Space (leisure, playground, café) E. Public square, civic space, active frontages, residential above.
Page 13 – para. 4.2, B – 03/1141/FUL	Last sentence – permanent
Page 38 – Public Realm, first point	Replace trained with 'retained'.
Page 43 – Trees,	Replace 'Arbocultural' with 'Arboricultural'.
8.119	Replace 'poot' with 'pool'
8.136	Remove 'not' under (a)
8.169	Remove 'for removal' in the first line
8.292 – bullet point 4	This should read 'blue zone'
Para. 11.16	Remove 'and subject to a legal agreement under Section 106 of the Act to secure those heads of terms outlined in Section 9 of this report'.
Condition NS63: contamination 2	(note at bottom of condition advising

	applicants to refer to condition NS16 for (b,c).
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6. Additions to the report

Issue vii – Neighbour amenity: Given the compatible height of the Water Lane building, context and separating distances with properties on King Street, Church Street and York Street, the scheme is not deemed to compromise their level of amenities.