



# Special meeting of the Planning Committee

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**Meeting Date:**

Thursday, 24 November 2022

## Agenda

**Meeting Time:**

7.30 pm

**Meeting Venue:**

Clarendon Hall, York House

A handwritten signature in black ink, appearing to read 'M. Jackson'.

Mike Jackson, Chief Executive

**Committee Members**

Councillor Jonathan Cardy (Chair) Councillor John Coombs (Joint Vice-Chair) Richard Pyne (Joint Vice-Chair) Councillor Piers Allen Councillor Richard Bennett Councillor Michael Butlin Councillor Iain Craigie Councillor Margaret Dane Councillor Jeremy Davis Councillor Martin Elengorn Councillor Andrée Frieze Councillor Penelope Frost Councillor Julia Neden-Watts Councillor Suzette Nicholson Councillor Stephen O'Shea Councillor Gareth Richards Councillor Chris Varley Councillor Paulina Vassileva

**Expected Attendance**

Councillor John Coombs (Joint Vice-Chair)  
Councillor Richard Pyne (Joint Vice-Chair)  
Councillor Piers Allen  
Councillor Ian Craigie  
Councillor Jeremy Davis  
Councillor Andrée Frieze  
Councillor Penelope Frost  
Councillor Gareth Richards  
Councillor Chris Varley

**Contact**

Democratic Services, [democratic.services@richmondandwandsworth.gov.uk](mailto:democratic.services@richmondandwandsworth.gov.uk)

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York House  
Twickenham  
TW1 3AA

**16 November 2022**

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Urdu

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Punjabi

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Turkish



**1. Election of Chair**

To elect one of the Joint Vice-Chairs present to Chair the meeting.

**2. Apologies**

To receive any apologies for absence.

**3. Declarations**

In accordance with the Members' Code of Conduct and the Planning Protocol, Members are requested to declare any interests orally at the start of the meeting and again immediately before consideration of the matter. Members are reminded to specify the agenda item number to which it refers and the nature of the interest.

Members are also asked to declare whether they have been subject to lobbying from interested parties, if they have carried out any site visits and whether they have predetermined their view on any item to be considered.

**4. Applications for Planning Permission; Listed Building Consent; and Enforcement of Planning Control Reports of the Assistant Director, Environment and Community Services (Planning & Transport Strategy) attached - see list below..**

Reports of the Development Control Manager attached – see list below.

The recommendations contained in the attached reports are those of the officers and are not binding upon the Committee.

The Chair will confirm the order in which the attached reports are to be heard at the start of the meeting. Members are asked to note that there may be an adjournment of the meeting for a period of approximately 10 minutes.

<b>7 - 192</b>	<b>21/2758/FUL 1-1c King Street, 2-4 Water Lane, The Embankment And River Wall, Water Lane, Wharf Lane And The Diamond Jubilee Gardens, Twickenham</b>	<b>Twickenham Riverside</b>
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**PROPOSAL:** Demolition of existing buildings and structures and redevelopment of the site comprising 45 residential units (Use Class C3), ground floor commercial/retail/cafe (Use Class E), public house (Sui Generis), boathouse locker storage, floating pontoon and floating ecosystems with associated landscaping, reprovision of Diamond Jubilee Gardens, alterations to highway layout and parking provision and other relevant works. (Regulation 3 application).

**APPLICANT:** London Borough of Richmond upon Thames

**AGENT:** Savills

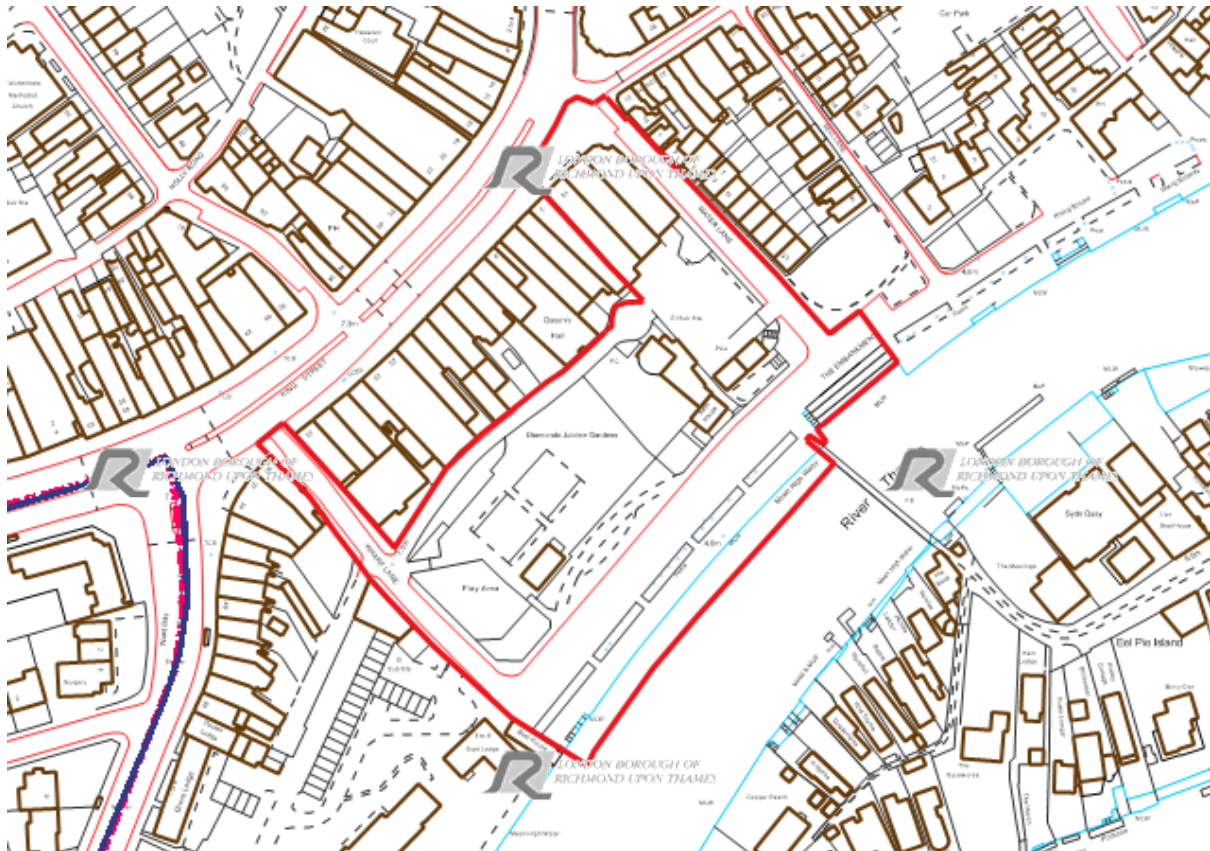
**RECOMMENDATION:** The Committee is recommended to APPROVE the application subject to Conditions and informatives set out in Sections 12 and 13 of the report.

[Planning detail - London Borough of Richmond upon Thames](#)



<b>APPLICATION NUMBER</b>	<b>21/2758/FUL</b>
<b>ADDRESS</b>	<b>1-1C King Street, 2-4 Water Lane, The Embankment And River Wall, Water Lane, Wharf Lane And The Diamond Jubilee Gardens, Twickenham</b>
<b>PROPOSAL</b>	<b>Demolition of existing buildings and structures and redevelopment of the site comprising 45 residential units (Use Class C3), ground floor commercial/retail/cafe (Use Class E), public house (Sui Generis), boathouse locker storage, floating pontoon and floating ecosystems with associated landscaping, reprovion of Diamond Jubilee Gardens, alterations to highway layout and parking provision and other relevant works. (Regulation 3 application).</b>
<b>APPLICANT</b>	<b>London Borough of Richmond upon Thames</b>
<b>AGENT</b>	<b>Savills</b>
<b>CONTACT OFFICER</b>	<b>Lucy Thatcher</b>
<b>APPLICATION RECEIVED</b>	<b>25.11.2021</b>
<b>WARD</b>	<b>Twickenham Riverside Ward</b>

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## 1. EXECUTIVE SUMMARY

- 1.1 The site forms a large riverside site, allocated within the Twickenham Area Action Plan (TAAP), incorporating land from Water Lane to Wharf Lane, the commercial units at 1-1C King Street and down to the river Thames. The scheme proposes the removal of the car parking along The Embankment, the Diamond Jubilee Gardens (DJGs) as it currently stands, and the demolition of all buildings on site. In its place, the scheme proposes new public open space and realm (which will also form the flood defence); a new building on both Water Lane and Wharf Lane, with commercial on their ground floor and residential above; a boat store and associated pontoon and aquatic ecology baskets along The Embankment, and a new road layout, with restricted vehicle access along The Embankment, and Water and Wharf Lane both becoming two way, in place of the existing one way system.
- 1.2 Open space: The site currently incorporates extensive areas of open space, including DJGs. Whilst the current arrangement will be lost, by area, the scheme will provide an uplift in open space; public open space and soft and hard landscaping. Further, the quality of the reprovided open space is deemed to be an upgrade in accordance with the aspirations of the TAAP, with the new DJGs extending eastwards linking in with the adjacent open space and southwards to The Embankment, with the road and car parking no longer severing the link between the open space and the river. Existing facilities within the open space are reprovided. Whilst the scheme does result in an increase in the floodable area, which will impact upon the frequency and useability of this area, this needs to also be balanced against the overall upgrade to existing provision and the opportunities for activities this provides.
- 1.3 Commercial uses: The Water Lane building proposes retail at ground floor level, retaining activity along the King Street key shopping frontage and introducing activity and potential for specialist retail, along Water Lane. A café at the southern end of Water Lane will activate this frontage, connecting with the newly formed public open space. Similarly, the Wharf Lane building includes commercial uses at ground floor level, with a public house / restaurant at the southern end, which will bring vibrancy to the river frontage and public open space, and offices at the northern end, providing flexible working space, which is welcomed. Below the Wharf Lane building, a boat store, boat activity area, and pontoon are proposed, allowing the development to establish a relationship with the river, and enabling the community to enjoy and gain access to the Thames. Whilst the floating ecosystem restricts the use of one mooring, two will remain, and the wider benefits of other river sports are acknowledged. The Embankment will remain as a working quay.
- 1.4 Housing: Forty-five residential units are proposed on the upper floors of both the Wharf and Water Lane buildings, including 21 affordable housing units, all of which have appropriate tenure (81% rent / 19% intermediate) and unit mix for this town centre location. The standard of accommodation is acceptable. The number of single aspect units is disappointing, it is accepted this is a symptom of the layout and footprint of the buildings. Private amenity space is provided to all units, there are marginal shortfalls against targets, there is generous provision of public open space along the riverside. In line with policy, the scheme proposes 11% wheelchair units, across tenures.
- 1.5 Design: Whilst there are concerns with some elements, as detailed in this report, the siting, scale, and design is acceptable. The layout has significant benefits, opening and activating the river frontage, improving the visual and physical links between the town centre and the river. A design led approach has been followed, that responds to

local character, with two buildings relating to other wharf buildings found along the river and on Eel Pie Island. The scheme is deemed to positively contribute to the character of Twickenham Riverside Conservation Area. The scheme will preserve the significance of the Queens Road Conservation Area and nearby listed buildings and buildings of townscape merit. Subject to safeguarding conditions, the development will not harm the significance of the archaeological heritage.

- 1.6 Metropolitan Open Land (MOL): Part of the site falls within MOL, the development within such areas, is deemed appropriate, by reason of use and not harming the open character of the MOL. The remaining part of the development is not deemed to visually or spatially harm the MOL, when seen in context.
- 1.7 Public realm: The TAAP is prescriptive in terms of its aspirations for public realm improvements, which the scheme is deemed to meet. It removes the car park along The Embankment providing an attractive pedestrian priority area; providing inclusive access throughout; integrating all open space with the wider public realm; widening the public realm along Water Lane and improving the quality of the hard surfacing materials. The public realm improvements are recognised as a significant benefit of the scheme.
- 1.8 Residential amenity: The scheme will alter the outlook of properties surrounding the site and cause a sense of enclosure to the upper floor units of King Street, on balance, by reason of the town centre location and separating distances, the scheme is not deemed to cause an unreasonable sense of enclosure, overbearing impact or loss of privacy. The development does cause a reduction in daylight and sunlight levels, particularly to properties in Water Lane.
- 1.9 Trees: The scheme results in a significant loss of trees, including those of high and moderate value, which is contrary to the TAAP. The visual impact of such loss on the site and surrounds will be significant. The extensive tree planting programme proposed will take time to establish and provide similar visual contribution. Mitigation planting is proposed both onsite and conditions are recommended for wider planting within the Twickenham Riverside ward and securing the Black Poplar cuttings and propagation and Pin Oak investigations, on balance this is accepted.
- 1.10 Ecology: The scheme will result in loss of habitats on site. Officers recommend safeguarding conditions to secure mitigation and compensation, the development will not directly or indirectly impact upon nationally or internationally designated sites, or protected and notable species. The development does not meet the Urban Greening Factor targets, which weighs against the scheme. The inclusion of green roof where feasible, the biodiversity net gain and the floating ecosystem are all acceptable.
- 1.11 Pollution: To ensure the development does not cause unacceptable noise, contamination, odour, and light pollution, which may impact both ecological receptors and existing and proposed residents, a series of safeguarding conditions are recommended. With such, it is deemed any potential harm can be mitigated. Whilst the whole Borough is within an Air Quality Management Area, and part of the site within an Air Quality Focus Area, with safeguarding conditions, the development is deemed to have a negligible impact, and will achieve Air Quality Neutral.
- 1.12 Flooding: The site is located within Flood Zones 2, 3a and 3b. In line with policy, the scheme is deemed to pass the Sequential and Exception Test. The scheme removes the existing flood defence wall, a new flood defence structure is proposed, which exceeds the minimum requirement and allows for essential maintenance and upgrading to be carried out. A Surface Water Drainage Strategy has been developed,

which follows the SUDs hierarchy. Whilst the strategy does not reduce the runoff rates to greenfield rates, it is reduced by more than 50%.

- 1.13 Highways and Transport: The scheme fundamentally alters traffic management arrangements, and results in a significant reduction in car parking on site. Whilst the wider benefits derived from the reduction in car parking are recognised there are highway and parking concerns arising from the loss of and displacement of parking, absence of Electric Vehicle Charging Points, and shortcomings regarding the swept paths and manoeuvrability for certain vehicles around the site. However, on balance, and in response to low traffic volumes and speeds, and with mitigation secured via conditions, it is deemed the residual impact on the highway network is not severe.
- 1.14 Energy: The scheme partially meets sustainability policy objectives, namely BREEAM Excellent, 35% reduction in emission target on site; zero carbon (through offset payments) and the water consumption targets. However, the energy strategy does not meet the reduction of CO2 emissions via 'lean' measures, nor overheating targets in certain environments, both of which are identified as a harm weighing against the proposal.
- 1.15 Infrastructure: The impact of the development on community infrastructure has been considered, including water, health, education, play and public open space, and concluded, with mitigation secured by conditions, there is sufficient capacity to cater for the needs of the development. The Fire Statement meets the intent of the London Plan. In reaching a recommendation Officers have had regard to the Public Sector Equality Duty, and the scheme is deemed to meet the aspirations of the Equality Act 2010.
- 1.16 Mitigation: Local planning authorities should consider whether otherwise unacceptable development could be made acceptable by conditions or planning obligations. As detailed within this report, several measures have been identified to mitigate harm caused and to make it acceptable. Under usual circumstances some measures would be secured via a S106 Legal Agreement. However, in this case, the applicant is the Council, which cannot enter into a legal agreement with itself, even where it has two separate functions. National guidance recognises in exceptional circumstances, a negatively worded condition that prohibits development authorised by the planning permission until a specified action has been taken (for example, entering into of some form of agreement requiring the payment of a financial contribution towards the provision of supporting infrastructure) is permitted where there is clear evidence that the delivery of the development would otherwise be at risk. As such, all matters that would usually be secured via a planning obligation, are recommended to be secured via condition, as detailed within Section 12 of this report.
- 1.17 For the reasons set out above and as detailed in the report, this application falls to be determined in accordance with the test under section 38(6) of the 2004 Act, this proposal is in general conformity with the Development Plan and Statute as a whole, subject to mitigation secured through conditions as set out in Section 12. Officers consider that no material considerations have been identified which would indicate to the contrary to justify refusal. Planning permission should therefore be granted

**RECOMMENDATION: The Committee is recommended to APPROVE the application subject to Conditions and informatives set out in Sections 12 and 13 of the report.**

## 2. REASON FOR PLANNING COMMITTEE DETERMINATION

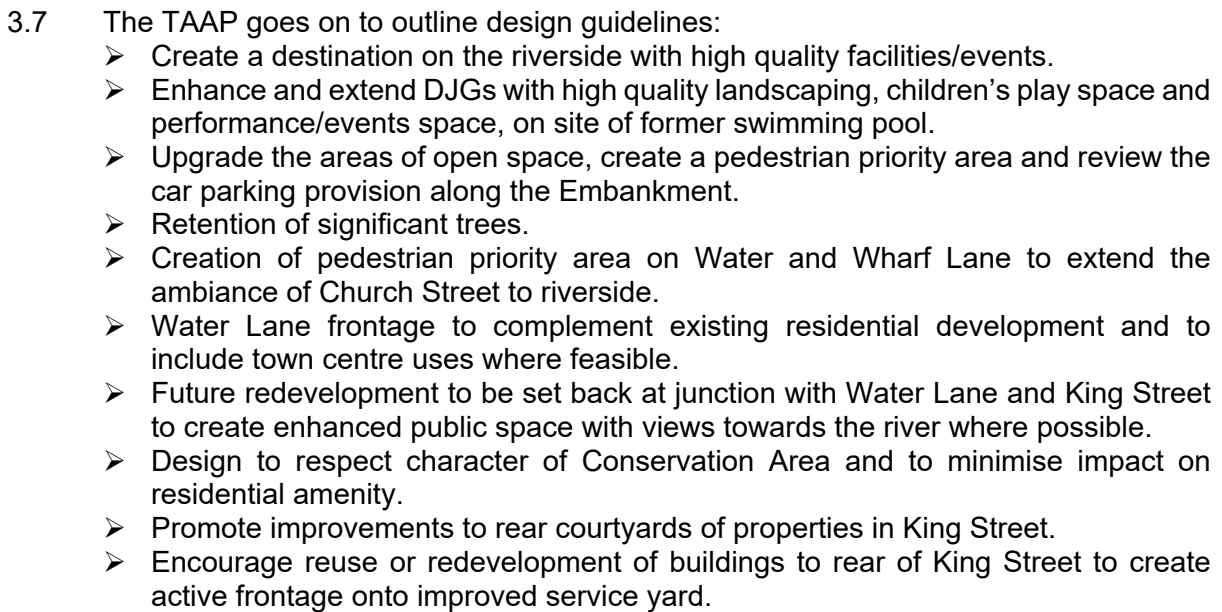
- 2.1 The Council's Constitution does not give the Assistant Director of Environment & Community Services (Planning & Transport Strategy) delegated powers to determine the application in the way recommended; such decisions can only be made by the Planning Committee. It is noted that the Assistant Director of Environment & Community Services (Planning & Transport Strategy) does have a general delegated power to make minor revisions to drafted conditions between the resolution of the Committee and the issuing of the decision notice.
3. **CONTEXT OF THE SITE AND ITS SURROUNDINGS INCLUDING PLANNING POLICY**
- 3.1 The site is an irregular shape, including all land between Wharf Lane and Water Lane, from King Street extending down to the river, excluding, 3-33 King Street. The application site area is 1.34 hectares and comprises public highway (Wharf Lane, Water Lane, The Embankment and service road to the rear of King Street;); the two storey buildings at 1 – 1c King Street and its rear car park; Diamond Jubilee Gardens, including café; Electric substation to the rear of King Street; Disused buildings to the east of Diamond Jubilee Gardens and public realm.
- 3.2 The site has a mixed land use, including:
- Diamond Jubilee Gardens – Use Class F2 (c)
  - Café within Diamond Jubilee Gardens – Use Class E (b)
  - 1 King Street – vacant bank - Use Class E (c)
  - 1a King Street – retail unit (currently occupied) – Use Class E (a)
  - 1b King Street – retail unit (currently occupied) Use Class E (a)
  - Upper floor of King Street - office
  - Disused buildings associated to the former swimming pool
  - Public highway and realm
- 3.3 The commercial units fronting King Street form part of the Key Shopping Frontage, and the whole site is within the boundary of Twickenham District Centre, Area of Mixed Use, and Twickenham Riverside conservation area. The King Street frontage is directly opposite Queens Road conservation area. The site is within the setting of both designated and non-designated heritage assets. The Embankment and southern end of Water Lane are within Thames Policy Area. The Embankment, the south-eastern corner of the site and River Thames are designated Metropolitan Open Land (MOL). The openspace on the eastern side of Water Lane and north of The Embankment, is also partially designated MOL and Public Open Space (POS). The River Thames is designated an Other Site of Nature Importance. The site sits within Public Transport Accessibility Level (PTAL) 5-6a.
- 3.4 The site has the following flooding designations:
- Flood Zones 2, 3a and 3b
  - Area benefitting from flood defence
  - Critical drainage area
  - Risk of Surface Water Flooding
  - Area with a less than 25% susceptibility to groundwater flooding
  - Throughflow catchment area
  - The southern section of the site forms part of the Thames Path – National Trail
- 3.5 The site is located within the Twickenham Riverside and Approaches area of the TAAP. The TAAP identifies this area as being critical to the success of Twickenham as a destination and therefore seeks a comprehensive approach to development to ensure connections to the riverside are enhanced and to make Twickenham a more attractive destination. The principles for the area include:

- Improve the pedestrian environment and reduce dominance of parked and moving traffic.
- Strengthen the retail offer on King Street and in Water Lane.
- Provide for pedestrian priority with extension of existing service road across the car park to Water Lane.
- Redevelopment of the car park to provide for residential and/or town centre uses.
- To open up and redevelop/refurbish the remaining area of the former pool site.
- To upgrade The Embankment south of the DJGs to provide a pedestrian priority/shared surface with new landing facilities.
- Improve links to the retail core, the Thames Path and open spaces up and downstream, so to become an attraction in its own right.
- The Embankment:
  - Carry out significant environmental improvements upstream of Water Lane.
  - Encourage a range of activities to attract visitors to the riverside, including the provision of new landing facilities.
  - Rearrange or possibly reduce parking along the Embankment.
  - Shared surface with retention of service access and disabled parking.
  - Landscaping of the Embankment to enhance areas of public open space.
- Water Lane:
  - Environmental improvements through shared surfaces with priority for pedestrians.
  - Rearrangement and possible reduction of on-street parking, with retention of service access and disabled parking.
- Wharf Lane:
  - Pedestrian priority with shared surface treatment.
  - Screen view of parking area to rear of Kings Parade from Wharf Lane.

3.6 More specifically, part of the site (Diamond Jubilee Gardens, surface road, 1-1c King Street and land to the rear) is identified as site allocation TW7 of TAAP (Image 1). The aim of the allocation is to bring this site back into active use and improve links between this area and the core of the town, and has the following objectives:

- maintain the existing ground floor retail frontages and residential uses above on King Street.
- provide new specialist retail, leisure and community uses.
- link the existing service road to Water Lane.
- create new open space, including on the former pool site and in the form of civic space beside Water Lane.
- to maintain The Embankment as a working quay and, subject to feasibility, provide mooring and landing facilities.
- to improve the environment of The Embankment including reduction in car parking.
- to improve the Water Lane and Wharf Lane links from the town centre to the Embankment as shared use spaces.
- to secure the redevelopment of the car park in Water Lane with residential and/or town centre uses.
- to achieve high quality traditional design and/or reuse of buildings.

**Image 1: Site Allocation TW7**



Opportunities:

- Improving and protecting the river and landscape setting.
- Enhancing access to and quality of the riverside.
- Preserve, enhance, and reinstate the architectural quality and unity.
- Coordinate colour and design, rationalise and improve quality of street furniture.

Threats:



- Development pressure which may harm the balance of the riverside and landscape-dominated setting.
- Obstruction or spoiling of views, skylines and landmarks.
- Lack of coordination, clutter and poor quality of street furniture.
- Domination of traffic and poor pedestrian safety.

3.9 Eel Pie Island is functionally strongly linked to Twickenham Riverside, however, in character terms the island has maintained a detachment and has developed as an eclectic and alternative enclave. The northern side of the island is the focus of working boatyards, with large boatsheds, rowing club, and single storey properties.

Other non-planning designations:

3.10 In 2012 the Diamond Jubilee Gardens (DJGs) were opened to the public. In 2014, the London Borough of Richmond upon Thames (LBRuT) Cabinet approved the designation of DJGs as Public Open Space under Section 122 of the Local Government Act 1972 and a lease of DJGs for 125 years to the Twickenham Riverside Trust. The appropriation to Public Open Space is not linked to the lease i.e., would continue even if the lease was determined or comes to an end. Under s122 of the Local Government Act 1972 the Council has to advertise a proposal to appropriate land held for the purposes of public open space to another purpose and consider any representations before proceeding. The existence of a planning permission for a different use would be likely to be a factor in determining what to do.

3.11 Whilst DJGs were designed as Public Open Space under Section 122 of the Local Government Act 1972 in 2014 (*Agenda for Cabinet on Thursday, 16 January 2014, 7.00 pm - London Borough of Richmond upon Thames*), the Gardens were not designated as Public Open Space in accordance with The Town and Country Planning (Local Planning) (England) Regulations 2012 and the Planning and Compulsory Purchase Act 2004. Therefore, the steps taken under the Local Government Act 1972 are not of relevance to the assessment of this application.

3.12 In 2021 the Council announced that it would initiate a Compulsory Purchase Order process to gain vacant possession of all land required to enable the redevelopment of Twickenham Riverside, including DJGs.

#### 4. **DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY**

**Proposal:**

4.1 The scheme is for the redevelopment of the site, and proposes:

- Water Lane building – This is located at the eastern end of the site, with a frontage on King Street and Water Lane. The building is L shaped, four storeys with the third floor accommodated in the long pitched roof. Retail uses are proposed at ground level (368m<sup>2</sup> within 5 units and a kiosk) and a café (255m<sup>2</sup>) along the southern elevation. The upper floors accommodate 21 affordable homes.
- Wharf Lane building – This is located at the west end of the site, adjacent to Wharf Lane. This is presented in an oblong form, and five storeys adjacent to Wharf Lane and reducing to four storeys adjacent to the newly formed public open space. A public house / restaurant (444m<sup>2</sup>) is proposed at the southern end of ground level, with flexible office space at the north end (320m<sup>2</sup>). A basement accommodates bike storage and plant. The upper floors accommodate 25 private tenure apartments.



- Newly formed public open space and public realm, with the re-provision of Diamond Jubilee Gardens incorporating petanque court, play space, river promenade and event space. This also forms part of the new flood wall defence
- Boat store to the south of the Wharf Lane building and associated pontoon for river related activities
- Floating aquatic ecology baskets.

#### Planning history:

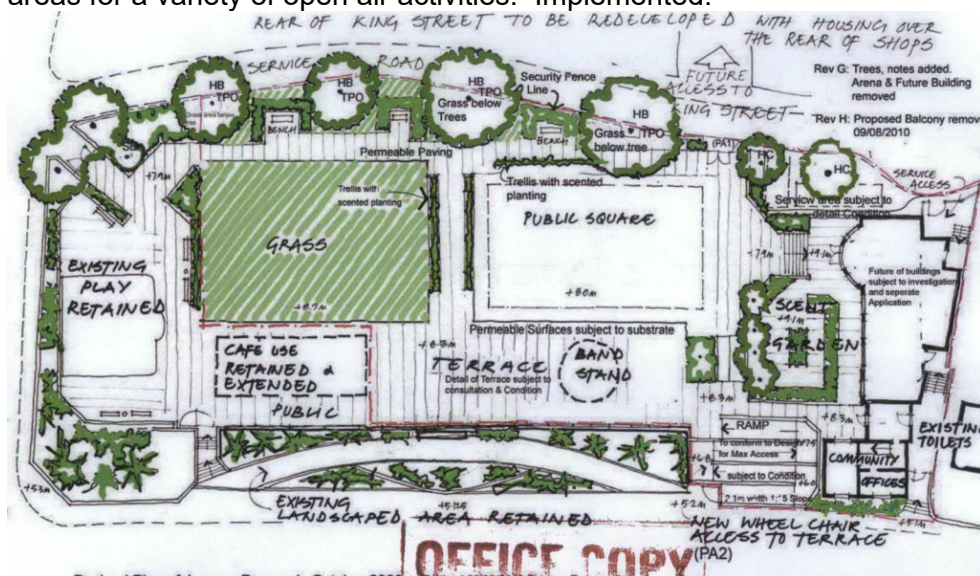
4.2 There is extensive history for the site, including several different parcels of land, however, most pertinent include:

- A. **17/4213/FUL:** Full planning application for the demolition and removal of all existing buildings and structures and redevelopment with a mixed-use development of the site at 1, 1A, 1B and 1C King Street and 2/4 Water Lane; the site of the remaining former swimming pool buildings at the corner of Water Lane and The Embankment; and the river facing parcel of land on The Embankment in front of Diamond Jubilee Gardens. The development proposals comprise:
- Two 3-4 storey buildings with a partial lower ground floor and a raised walkway to link the two buildings.
  - three seasonal units at Lower Ground Floor level; A3 floor space, B1 floor space, A1 floor space and flexible commercial at ground floor level (either A1/A3/D1); 39 residential apartments at first, second and third floors (18 no. 1 bedroom, 19 no. 2 bedroom and 2 no. 3 bedroom, including six no. affordable homes) and raised roof terrace.
  - new public square / areas of public realm throughout the site.
  - a Lower Ground Floor car park with new vehicular access from The Embankment consisting of 23 car parking spaces and cycle storage.
  - reconfiguration of street parking in the roads immediately adjacent to the Site and associated highway / footway works; amended pedestrian access and landscaping to the South of Diamond Jubilee Gardens; and amendment of service vehicle access to the service road at the rear of Diamond Jubilee Gardens.

The Planning Committee resolved to approve this application; however, whilst this was being considered by the National Planning Casework Unit, this was withdrawn by the Applicant (June 2018).

- B. Twickenham Bath site – for the use of the play area and café:
- a. **03/1142/CAC:** Appeal allowed for the total demolition of pool changing and plant rooms with exception of retaining wall at rear ground floor – implemented.
  - b. **03/1141/FUL:** Planning permission and conservation area consent approved by the Secretary of State for the demolition of the majority of the existing buildings and their replacement with hard and soft landscaping areas, steps up to the upper level to form a park and play area. (June 2004). This was approved as a short-term scheme of 5 years (expiring June 2009), enabling a more comprehensive permeant scheme – implemented.
  - c. **05/0251/FUL:** Approval for a single storey cafe. This was acknowledged as being a short-term development and approved for a temporary period expiring June 2009 – implemented.
  - d. **09/0914/FUL:** Approval for a temporary consent (until 14 February 2016) for the re-creation, by the use of hard and soft landscaping, of the currently

derelict part of the old swimming pool site to form public open space, including a scent garden, public square, shrub lined walks and landscaped areas for a variety of open air activities. Implemented.



- e. **09/1499/FUL:** Approval for the renewal of planning applications 03/1141 (play area and gardens) and 05/0251 (café) for a further year, with a condition requiring the use and buildings to be discontinued and buildings and works removed by September 2010. The reasoning for the discontinued use and removal of buildings was to ensure such did not prejudice the long-term planning objective of the area. Implemented.
- f. **10/2202/VRC:** This application approved the variation of the condition attached to 09/1499 allowing the gardens, play area and café to be used for another 2 years (expiring 19 November 2012), as a comprehensive redevelopment scheme was yet to be finalised.

- 4.3 As outlined in the above, the play area, gardens and associated café (secured through various consents) were intended to be temporary only. Conditions were secured on the relevant permissions for the use and the works carried out under those consents to be removed, in February 2016 and November 2012. The temporary consents were given as a measure to secure short term use of the site, to not prejudice the future development of the site and to enable more comprehensive permeant scheme to be designed, approved and commenced in the intervening period. Both use and works associated to the above consents are still in place.

#### Amendments/additional information:

- 4.4 During the course of the application, further information, corrections and amendments have been submitted, as summarised below.

1 <sup>st</sup> suite of amendments	<ul style="list-style-type: none"> <li>• Floating ecosystem</li> <li>• Hard and soft landscaping</li> <li>• Lighting</li> <li>• Play provision</li> <li>• Moorings</li> <li>• Design detail</li> <li>• Public open space</li> <li>• Heritage features on the site</li> <li>• Transport and highway information</li> </ul>
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	<ul style="list-style-type: none"> <li>• Flooding</li> <li>• Residential standards</li> <li>• Trees</li> <li>• Response to officers / consultee comments</li> </ul>
2 <sup>nd</sup> suite of amendments	<ul style="list-style-type: none"> <li>• Trees – AIA, AMS, CAVAT and survey</li> <li>• Floating ecosystem</li> <li>• Noise</li> <li>• Lighting</li> <li>• Urban Greening Factor</li> <li>• Open space public realm, events and furniture</li> <li>• Lighting</li> <li>• Flooding</li> <li>• Highways and transport</li> <li>• Fire statement</li> <li>• Landscape technical drawings</li> <li>• Response to officers / consultee comments</li> </ul>

## 5. DEVELOPMENT PLAN

### 5.1 London Plan (2021): [https://www.london.gov.uk/sites/default/files/the\\_london\\_plan\\_2021.pdf](https://www.london.gov.uk/sites/default/files/the_london_plan_2021.pdf)

Issue	London Plan Policy
Building strong and inclusive communities	GG1
Making the best use of land	GG2
Creating a healthy city	GG3
Delivering the homes Londoners need	GG4
Growing a good economy	GG5
Town centres and high streets	SD6
Town centres: development principles and Development Plan Documents	SD7
London's form, character and capacity for growth	D1
Infrastructure requirements for sustainable densities	D2
Optimising site capacity through the design-led approach	D3
Delivering good design	D4
Inclusive design	D5
Housing quality and standards	D6
Accessible housing	D7
Public Realm	D8
Tall Buildings	D9
Basement development	D10
Fire safety	D12
Agent of Change	D13
Noise	D14
Increasing housing supply	H1
Delivering affordable housing	H4
Threshold approach to applications	H5
Affordable housing tenure	H6
Monitoring of affordable housing	H7

Housing size mix	H10
Developing London's social infrastructure	S1
Health and social care facilities	S2
Education and childcare facilities	S3
Play and informal recreation	S4
Sport and recreation facilities	S5
Public toilets	S6
Offices	E1
Providing suitable business space	E2
Retail, markets and hot food takeaways	E9
Visitor infrastructure	E10
Skills and opportunities for all	E11
Heritage conservation and growth	HC1
Supporting the night-time economy	HC6
Green infrastructure	G1
Metropolitan Open Land	G3
Open space	G4
Urban greening	G5
Biodiversity and access to nature	G6
Trees and woodland	G7
Improving air quality	SI1
Minimising greenhouse gas emissions	SI2
Managing heat risk	SI4
Digital connectivity infrastructure	SI6
Reducing waste and supporting the circular economy	SI7
Flood risk management	SI12
Sustainable Drainage	SI13
Waterways – use and enjoyment	SI 16
Protecting and enhancing London's waterways	SI 17
Strategic approach to transport	T1
Healthy streets	T2
Transport capacity, connectivity and safeguarding	T3
Assessing and mitigating transport impacts	T4
Cycling	T5
Car Parking	T6
Residential parking	T6.1
Office Parking	T6.2
Retail parking	T6.3
Non-residential disabled persons parking	T6.5
Deliveries, servicing and construction	T7
Funding transport infrastructure through planning	T9
Delivery of the Plan and Planning obligations	DF1

**5.2 London Borough of Richmond Local Plan (2018):**  
[https://www.richmond.gov.uk/media/15935/adopted\\_local\\_plan\\_interim.pdf](https://www.richmond.gov.uk/media/15935/adopted_local_plan_interim.pdf)

Issue	Local Policy	Plan
Local Character and Design Quality	LP1	
Building Heights	LP2	
Designated Heritage Assets	LP3	
Non-Designated Heritage Assets	LP4	
Archaeology	LP7	

Amenity and Living Conditions	LP8
Local Environmental Impacts, Pollution and Land Contamination	LP10
Subterranean developments and basements	LP11
Green Infrastructure	LP12
Green belt, Metropolitan Open Land and Local Green Space	LP13
Biodiversity	LP15
Trees, Woodlands and Landscape	LP16
Green Roofs and Walls	LP17
River corridors	LP18
Moorings and Floating Structures	LP19
Climate Change Adaptation	LP20
Flood Risk and Sustainable Drainage	LP21
Sustainable Design and Construction	LP22
Water Resources and Infrastructure	LP23
Waste Management	LP24
Development in centres	LP25
Retail Frontages	LP26
Local shops, services and public houses	LP27
Social and Community Infrastructure	LP28
Health and Wellbeing	LP30
Public open space, play space, sport and recreation	LP31
New Housing	LP34
Housing Mix and Standards	LP35
Affordable Housing	LP36
Housing Needs for Different Groups	LP37
Infill, Backland and Backgarden Development	LP39
Employment and local economy	LP40
Offices	LP41
Sustainable Travel Choices	LP44
Parking standards and servicing	LP45

## 6. MATERIAL PLANNING CONSIDERATIONS

### 6.1 National Planning Policy Framework Sections (NPPF) (2021): [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1005759/NPPF\\_July\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf)

- Section 2: Achieving Sustainable Development
- Section 4: Decision-making
- Section 5: Delivering a sufficient supply of homes
- Section 6: Building a strong, competitive economy
- Section 7: Ensuring the vitality of town centres
- Section 8: Promoting healthy and safe communities
- Section 9: Promoting Sustainable Transport
- Section 11: Making effective use of land
- Section 12: Achieving well-designed places
- Section 13: Protecting Green Belt land
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment
- Section 16: Conserving and enhancing the historic environment

### 6.2 Supplementary Planning Documents

- Air Quality
- Affordable Housing
- Buildings of Townscape Merit
- Design Quality
- Development Control for Noise Generating and Noise Sensitive Development
- Planning Obligations
- Refuse and Recycling Storage Requirements
- Residential Development Standards
- Shopfronts
- Small and Medium Housing Sites
- Sustainable Construction Checklist
- Transport
- Twickenham Village Plan

6.3 These policies can be found at:  
[https://www.richmond.gov.uk/supplementary planning documents and guidance](https://www.richmond.gov.uk/supplementary_planning_documents_and_guidance)

### **Twickenham Area Action Plan – July 2013**

[adopted\\_twickenham\\_area\\_action\\_plan\\_july\\_2013.pdf \(richmond.gov.uk\)](https://www.richmond.gov.uk/supplementary_planning_documents_and_guidance)

<b>Issue</b>	<b>Policy</b>
Retail	6.1
Employment and Economic Development	6.2
Residential	6.3
Leisure, community and cultural uses	6.4
Open areas	6.5
Sustainability	6.6
Design and accessibility	6.7
Transport, parking and servicing	6.8
Twickenham Riverside and Approaches	7.5
General Principles for Twickenham Riverside and Approaches	7.5.2
Transport Proposals in Twickenham Riverside and Approaches	7.5.3
Environmental Proposals in Twickenham Riverside and Approaches	7.5.4
Proposal Site TW7 Twickenham Riverside	7.5.5

### **6.4 Other Local Strategies or Publications**

- Community Infrastructure Levy

## **7. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

7.1 The Council has undertaken a neighbour notification in excess of the Development Management Procedure Order; with statutory notices advertising the application posted around the site; the application was advertised in a local paper; and letters issued to local owners and occupiers. This section of the report is a summary of the consultation responses and representations received which have been considered by Officers in reaching the recommendation. It sets out ALL responses received, including those in response to the first round of consultation and irrespective of subsequent amendments made to the scheme to address responses received and/or as requested by officers of the local planning authority.

**First round of consultation on receipt of original submission****Objection**

7.2 In response to the original consultation, 314 letters of objection were received (Multiple responses were received from some same addresses):

Issue	Where addressed in the report
<u>General:</u> <ul style="list-style-type: none"> <li>• Last proposal was much better</li> <li>• Lost opportunity</li> <li>• Community views have been ignored</li> <li>• Will not draw people to riverside</li> <li>• No real benefit to the community</li> <li>• Needs a fundamental re-think</li> <li>• Less is more</li> <li>• No sense of place</li> </ul>	Addressed in a number of areas within the report.
<u>Land use:</u> <ul style="list-style-type: none"> <li>• Loss of sunshine café - an invaluable facility and support network</li> <li>• Loss of community space</li> <li>• Provision of a pub – use class, no need, over concentration, inappropriate next to playground</li> <li>• Inclusion of retail: Businesses are struggling / already empty shops - No need for more commercial and retail uses –</li> <li>• Should re-provide lido</li> <li>• Should provide affordable community space</li> <li>• No significant community use</li> <li>• Question the need for another boathouse and impact on the Eel Pie Island Rowing Club</li> <li>• Boathouse, floating wetlands and pontoon is un-costed</li> <li>• Lack of public toilets</li> <li>• Will toilets be designated community toilets</li> </ul>	Issue i (Land Use)
<u>Metropolitan Open Land:</u> <ul style="list-style-type: none"> <li>• Impact on MOL and its openness</li> <li>• No meaningful MOL impact assessment or Very Special Circumstances</li> </ul>	Issue ii (MOL)
<u>Housing</u> <ul style="list-style-type: none"> <li>• Units will be Air B&amp;Bs</li> <li>• Future leaseholders of the flats may not be local</li> <li>• Scheme will only benefit wealthy buyers</li> <li>• Need condition to prevent sale of housing to property investors</li> <li>• Need for housing questioned given vacant units at station</li> <li>• More homes with disabled access should be built</li> <li>• Do not need high building with luxury flats</li> </ul>	Issue i (Land Use)
<u>Affordable housing:</u> <ul style="list-style-type: none"> <li>• Need for provide more affordable housing</li> <li>• Affordability of the housing</li> <li>• Lack of viability information to justify grant funding</li> </ul>	Issue i (Land use)

<ul style="list-style-type: none"> <li>• The scheme should be tenure blind</li> <li>• Segregation of the private and affordable housing</li> <li>• Questions on the achievement of the 50/50 split</li> <li>• Have the affordable housing grants been obtained?</li> <li>• Lack of clarity over provision and tenure mix</li> </ul>	
<p><u>Siting / Design</u></p> <ul style="list-style-type: none"> <li>• Does not link King Street with riverside with a unified form</li> <li>• Impact on views and vistas</li> <li>• Layout and density of buildings</li> <li>• Visually intrusive for unique riverside location</li> <li>• Loss of and impact on visual amenity</li> <li>• Fails to address river, adjacent roads, views along riverside and important gateway to King Street</li> <li>• Overdevelopment, over-sized blocks and cramped</li> <li>• Perspective visuals are misleading – the design will not be car or vehicle free</li> <li>• Incongruous and not in keeping with Arcadian Thames</li> <li>• Will damage the landscape</li> <li>• Wharf Lane building – massive, out of scale, looms over view, dominates church, unimaginative</li> <li>• Wharf Lane – out of keeping to Riverside setting, overbearing and dominant</li> <li>• King Street building sticks out and is incongruous</li> <li>• Design: <ul style="list-style-type: none"> <li>• Bland poor-quality</li> <li>• Will look like Kingston</li> <li>• Eyesore and ugly</li> <li>• Soulless and unmemorable</li> <li>• Boat store - uninspiring</li> <li>• Appearance and materials</li> </ul> </li> <li>• Scale: <ul style="list-style-type: none"> <li>• Ignores the scale of the properties on Eel Pie Island</li> <li>• Excessive scale and height</li> <li>• Out of proportion and scale with neighbouring buildings</li> </ul> </li> <li>• Light <ul style="list-style-type: none"> <li>• Impact on height on natural light</li> <li>• Shadows on public open space</li> <li>• Will dwarf the public space</li> <li>• Bulk will overshadow the riverside</li> </ul> </li> </ul>	<p>Issue iii (Design)</p> <p>Issue v (Public realm)</p>
<p><u>Heritage</u></p> <ul style="list-style-type: none"> <li>• Does not preserve or enhance the conservation area</li> <li>• Harms the conservation area</li> <li>• Impact on listed buildings and BTMs</li> <li>• Scale of development in a conservation area</li> <li>• Buildings will look completed uncharmed, comparing to historic buildings in the area</li> <li>• Heritage, townscape and visual assessment is highly deceptive</li> <li>• Richmond has agreed the CGIs do not need to be produced as Accurate Visual Representations</li> </ul>	Issue iv (Hertiage)
<u>Public open space:</u>	Issue I (land use)



<ul style="list-style-type: none"> <li>• Loss of Diamond Jubilee Gardens and public open space</li> <li>• Less useable open space</li> <li>• Need for more public space not less</li> <li>• No agreement with DJG Trust for the loss</li> <li>• CPO would be at the cost to Council Taxpayers</li> <li>• No reason by the DJGs area needs to change</li> <li>• Lack of detail as to whether agreement with the trustees have been met</li> <li>• Whole site should be developed as public open space</li> <li>• Inaccessible for those with mobility issues</li> <li>• Loss of pool, and attractive art works (and indication of layout of the former pool)</li> <li>• Amount of hard standing</li> <li>• The new gardens will have a totally different character</li> <li>• No provision for teenagers</li> <li>• Petanque courts and pleated trees should be removed to increase the number of lawns</li> <li>• Impact on rights of access</li> <li>• Terraced lawns will be mud in winter and dry in summer</li> <li>• No safe or secure areas for elderly, disabled and small children</li> </ul>	<p>Issue v (Public realm)</p>
<p><u>Public Realm</u></p> <ul style="list-style-type: none"> <li>• Loss of community seating</li> <li>• Loss of usable event / amenity space</li> <li>• Loss of the playground</li> <li>• Event space and town square is not vehicle free</li> <li>• Town square underwhelming</li> <li>• Public realm elements – boathouse, wetlands, pontoon are un-costed and aspirational</li> <li>• Too many paths</li> <li>• Paths will be used by cyclists and e-scooters</li> <li>• Safety concerns without handrails</li> <li>• Playground smaller than existing and insufficient</li> <li>• Playgrounds do not provide more than 1 or 2 pieces of accessible equipment</li> <li>• Should provide a playing area similar to Marble Hill, play space for older kids, skateboarding space, benches for all</li> <li>• Will generate more litter – need for more bins</li> <li>• Not a flat, safe and secure play area for children and less mobile adults</li> <li>• The pontoon idea should be expanded</li> <li>• The character of the area will be ruined by the density of the planned buildings.</li> <li>• Overbearing urban buildings along riverside</li> <li>• Scheme will harm ambience and aesthetic qualities of riverside and Twickenham</li> <li>• Insufficient consideration given to enhancing the green spaces, adding more trees and sitting areas</li> <li>• Incomparable with 1924 commitment ‘pleasure grounds and public walks’</li> </ul>	<p>Issue v (Public realm)</p>
<p><u>River:</u></p>	<p>Issue I (Land use)</p> <p>Issue xii</p>

<ul style="list-style-type: none"> <li>Port of London have expressed concerns over maintenance and adequacy of riverside frontage for loading and unloading boats.</li> <li>Compromises emergency access</li> <li>Riverside will be dominated by hard surfacing</li> <li>Have PLA relinquished their land on the Embankment?</li> <li>Will generate more river traffic by those who do not know river safety and navigation rules</li> </ul>	(Transport)
<u>Neighbour Amenity</u> <ul style="list-style-type: none"> <li>Loss of light</li> <li>Overshadowing</li> <li>Loss of open space to residents</li> <li>Need to have higher levels of sound insulation, triple glazing and acoustic ventilation</li> <li>Overlooking and loss of privacy</li> <li>Impact of visual amenities</li> </ul>	Issue vii (Neighbour Amenity)  Issue x (Pollution)
<u>Transport and highway matters:</u> <ul style="list-style-type: none"> <li>Safety concerns</li> <li>Unsafe route for HGV access through pedestrian area</li> <li>Pedestrian and cycle safety in response to 2way Water and Wharf Lane</li> <li>Safety audits: <ul style="list-style-type: none"> <li>show the two-way layout presents safety concerns</li> <li>Lack of independent Safety audit for two-way traffic</li> <li>Lack of a full Road Safety Audit Stage 1</li> <li>Need for safety audits on all turning areas and two-way traffic</li> </ul> </li> <li>One way system should remain</li> <li>Reduction in pavements in King Street will increase rather than decrease the impact of traffic</li> <li>Insufficient and inadequacy of parking / loading / turning spaces for deliveries and disabled access – both for development, existing businesses and Eel Pie Island</li> <li>Turning areas for vehicles – impact on open space</li> <li>Insufficient junction mouths</li> <li>Absence of an Equality Impact Assessment for loss of parking</li> </ul>	Issue xii (Transport)
<u>Traffic:</u> <ul style="list-style-type: none"> <li>Unclear how traffic will be controlled</li> <li>Excessive traffic generation</li> <li>Congestion caused by 2-way system</li> <li>Will generate more traffic</li> <li>Whole of Twickenham will become at a standstill</li> <li>Transport and access plans are untested</li> <li>Lack of assessment on the effect on overall traffic flow</li> <li>Lack of safety report for 2-way traffic</li> <li>road safety audit stage 1 report recommends the retention of the 1 way arrangements.</li> <li>Loss of access for emergency vehicles</li> <li>Transport Assessment insufficient – does not show trip generation for all uses</li> </ul>	Issue xii (Transport)

<u>Parking</u> <ul style="list-style-type: none"> <li>• Not enough provision for displaced parking</li> <li>• Loss of parking and impact on residents, businesses, clubs</li> <li>• Lack of disabled parking provision</li> <li>• Insufficient car parking for residents</li> <li>• How will the loss of parking be managed?</li> <li>• Scheme should create more car parking not less</li> <li>• Need to remove the motorcycle parking</li> <li>• A scheme could reduce the level of parking, but keep some, focussing on disabled spaces</li> <li>• Prevent commercial vehicles from blocking the spaces beyond deliveries</li> <li>• The lack of parking will impact the town centre</li> </ul>	Issue xii (Transport)
<u>Cycling:</u> <ul style="list-style-type: none"> <li>• Layout of the cycle parking</li> <li>• No capability to park accessible cycles</li> </ul>	Issue xii (Transport)
<u>Construction:</u> <ul style="list-style-type: none"> <li>• Limited access to riverside during construction.</li> <li>• Loss of public open space during construction</li> <li>• Demolition / piling and main contractor must be signed up to the considerate contractors scheme</li> </ul>	Issue xii (Transport)
<u>Accessibility:</u> <ul style="list-style-type: none"> <li>• Richmond Council's Disability Advisory Group on Access (DAGA) should be consulted.</li> <li>• Full equality report is required – to ensure that the traffic infrastructure is suitable to allow all residents to enjoy the riverside as public transport is not an option for all.</li> <li>• Lack of disabled parking at the site</li> </ul>	Issue xii (Transport)
<u>Security:</u> <ul style="list-style-type: none"> <li>• Anti-social behaviour</li> <li>• Add to crime targets</li> </ul>	Issue iii
<u>Comfort facilities:</u> <ul style="list-style-type: none"> <li>• No proposal to install 'changing places' toilet</li> <li>• No changing facilities</li> <li>• Lack of public toilets outside café and pub</li> </ul>	Issue i (Land Use)
<u>Trees</u> <ul style="list-style-type: none"> <li>• Need for more trees</li> <li>• Loss of the Hornbeams</li> <li>• Loss of trees, including mature/healthy trees</li> <li>• Too much hard elements and insufficient green</li> </ul>	Issue vii (Trees and Landscaping)
<u>Ecology</u> <ul style="list-style-type: none"> <li>• Area supports bats and roosting birds</li> <li>• Introduction of lighting and impact on ecology</li> <li>• Lighting needs to be conditioned and bat friendly and follow Bat Conservation Trust Guidelines.</li> <li>• Need for more pre-development ecological surveys</li> </ul>	Issue ix (Ecology)

<ul style="list-style-type: none"> <li>• Surveys carried out are out of date</li> </ul>	
<u>Infrastructure:</u> <ul style="list-style-type: none"> <li>• Impact on health and dentist services</li> </ul>	Issue xi (Infrastructure)
<u>Sustainability:</u> <ul style="list-style-type: none"> <li>• Trapping heat</li> <li>• Despite the Council declaring a climate emergency, it has not managed the highest environmental standards</li> <li>• Not climate friendly</li> <li>• Will produce unquantified amounts of carbon dioxide</li> </ul>	Issue x (Sustainability)  Issue viii (Ecology)
<u>Pollution:</u> <ul style="list-style-type: none"> <li>• Noise pollution</li> <li>• Odour pollution</li> <li>• Air pollution</li> </ul>	Issue v (Pollution)
<u>Flooding:</u> <ul style="list-style-type: none"> <li>• Increased risk of flooding</li> <li>• Reduce open space free from flooding</li> <li>• Flood risk to local businesses</li> <li>• How will area be protected?</li> <li>• Built on a flood plain</li> <li>• Flood wall on the corner of Wharf Lane and Embankment is aesthetically poor and clumsy</li> </ul>	Issue vi (Flood Risk)
<u>Other:</u> <ul style="list-style-type: none"> <li>• Devaluation of home</li> <li>• Wasted opportunity</li> <li>• Costly</li> <li>• Applicant is LBRUT and will be determined by LBRuT</li> <li>• Publicity and email use by Liberal Democrat Party</li> <li>• Misleading visuals regarding sunlight and shadows</li> <li>• It is financed out of public and residents funds, however no costings have been published.</li> <li>• Lack of details and transparency of the costs</li> <li>• Breaking promises of the administration – no division between the affordable and private housing</li> <li>• Insufficient length of consultation</li> <li>• Worse form of local dictatorship</li> <li>• Calls into doubt the administrations commitment for democracy</li> <li>• Profit</li> <li>• Greedy developers</li> <li>• Departure to policy and the TAAP</li> <li>• Not carried out a full Environmental Impact Assessment</li> </ul>	Section 7
<u>Necessary amendments:</u> <ul style="list-style-type: none"> <li>• Reduce height from 5 to 3 storeys</li> <li>• Improved pedestrian safety</li> <li>• Prevent segregation between affordable &amp; private housing</li> <li>• Address flooding impacts.</li> <li>• Need for handrails</li> </ul>	Noted by officers and considered where relevant as material planning matters.

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>• Part of the flats should be converted to a multistorey car park</li> <li>• Earlier proposals should be adopted.</li> <li>• Wharf Lane building should be set back and stepped to disguise it</li> <li>• Leave the car park and build flats behind Santander</li> <li>• Scheme should follow Quinlan Terry design</li> </ul> |  |
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**Twickenham Riverside Trust:**

- The proposed replacement play space is not planning compliant: It does not match that which is available on the existing site and does not provide the extra c.150m<sup>2</sup> required by the 'Child yield' arising from the development.
- The scheme does not take into account the sandpit (69m<sup>2</sup>).
- The submission makes reference to the site being a brownfield site.
- Challenge the inclusion of DJGs on the Brownfield Land Register – the inclusion in 2017 was erroneous and did not meet the criteria of the Regulations. [*Officer note: this is considered in the planning assessment set out below under issue i, land use*].
- Request a review to be undertaken of the Gardens on the Brownfield Land Register [*Officer note: the Council reviews the BLR annually in December, if there are any amendments required as a result of the decision made on the application this will be considered as part of the annual review*].
- The Council is obliged to annually review entries on the Register and remove those sites which no longer meet these criteria.

**Eel Pie Island Association (Paul Mew Associates):**

- Arrangements for HGVs to use The Embankment is critical to the bespoke requirements of Eel Pie Island (EPI)
- Church Street is not comparable to The Embankment and the delivery and servicing requirements of EPI
- Loss of a loading in Water Lane – further displacement of loading activity at the southernmost end of Water Lane
- Any loading vehicles over 7.5t will need to use Water Lane, given restrictions on Wharf Lane
- The corners of the junction in Water Lane are very close to existing mature street trees
- Unclear as to whether the new carriage way construction will be detrimental to the health of these trees.
- Narrow pinchpoint in Water Lane
- Pedestrian safety / conflict between pedestrians and vehicles
- Questions over adequacies of vehicle visibility sightlines
- Narrow footways in Wharf Lane – inadequate and uninviting pedestrian environment
- Vehicle cannot turn within the proposed turning area
- Turning area for vehicles exiting service road.
- Inadequate forward visibility for vehicles turning into Wharf Lane
- Terms of reference for the safety audit did not consider The Embankment
- The safety audit team were not presented with any of the vehicle tracking diagrams of the turning manoeuvres at the bottom end of Water Lane and Wharf Lane – which is crucial
- Safety audit team recommend "*if possible, retain the one-way arrangement for Water Lane and Wharf Lane*"

- The application appears to accept the level of risk to road safety which is not in keeping with the Development Plan
- Too broad of an assessment of actual parking impacts – should not consider whole CPZ area, needs to be more local and take into account floodable areas
- There will only be 33 parking spaces within 200m of EPI footbridge - Resulting in a parking stress of 230%
- Unrealistic and harmful to safety and amenity of EPI residents to expect them to park further afield.
- Proposals result in a saturated parking, highway safety issues and harm neighbour amenity
- Lack of engagement with the Council on parking matters
- Impact on free movement of traffic
- Access to premises on EPI will be materially harmed
- The parking spaces on the Embankment are a vital resource
- Alternative provision for parking is inadequate

#### **Heatham Alliance:**

- Public Open Space – not a coherent, safe, accessible, lit space for public to enjoy. Too much hard standing.
- Diving platform must be preserved.
- Lack of focal point
- Trees and bats must be protected.
- Town Square is not fit for purpose.
- Wharf Lane building – too high, out of place in conservation area, dominates landscape.
- Water Lane building will overshadow adjacent residential homes.
- Design of Water Lane building on King Street.
- Segregation of private and affordable homes
- Contradictions with TAAP
- No connection between Water and Wharf Lane
- Pedestrian and cyclist safety
- Traffic movement
- Need for safety audits
- Parking impacts for town centre and need for socio/economic impact considerations
- Lack of detail in the construction plan.

#### **Richmond Yacht Club**

- Inadequate parking, loading and turning
- Pedestrian and highway safety
- Lack of disabled person's access
- Impact of two-way traffic on Water and Wharf Lane
- Reduction in road access
- Significant damage to the conservation area

#### **CPRE London**

- Urbanising effect of the development on this semi-rural stretch of the river Thames
- Should be returned to parkland
- Majority of the riverside promenade is MOL
- Fails to take into account of the topography of the historic core
- Design is too bulky
- Architecture does not relate to historic buildings nearby
- Inappropriate materials
- The Wharf Building will harm the MOL, reducing its openness

- Wharf Lane should be omitted or scaled back, and development concentrated on the existing King Street / Water Lane footprints
- More green space and trees should be included
- Do however strongly support the removal of the parking from The Embankment
- Reducing parking can support the mode shift away from the car.

#### **River Thames Society:**

- The current proposals do not do justice to this important site
- Little improvement on the status quo.
- Loss of public open space and be to the detriment of the riverscape.
- A large building at the end of Wharf Lane would dominate
- Loss of views
- The last vestiges of the lido and the present Jubilee Gardens would be diminished, with reduced area for children's play.
- Some mature trees would be lost.
- There is already a car-free walkway at the river's edge, so any added value from elimination of car-parking is outweighed by the negative impact on the businesses and residents that make Eel Pie Island (EPI) such a special location.
- Needs of the ice-cream van
- Congestion at the end of River Lane would damage the peace and harmony for all, including those on the river, as well as providing added risks to pedestrians.

#### **The Twickenham Society**

- Plans have changed since the competition - the Winter Garden disappeared, the road layouts have become more complicated and dangerous, and the Wharf Lane building is now built on a 2.5m concrete podium.
- The buildings are too high, in particular the Wharf Lane building.
- The buildings are too intrusive, especially in an historic Conservation area adjacent to the River Thames and opposite to Eel Pie Island.
- Lack of empathy of the architecture with the surrounding area.
- No external safety audits to back up the two way traffic route, lorry turning circles
- No Socio-economic assessment to back up the removal of so parking – impact on businesses
- No viability assessment.
- The Diamond Jubilee Gardens have not been re-provided according to the needs set out in the RIBA Brief, but are disjointed and are partly on the flood plain.
- The event space/public square is now on a road on the flood plain
- Private flats and affordable housing should not be segregated.
- Lack of transparency.
- Where is the destination point to attract people to the town

#### **Support**

7.3 In response to the first round of consultation 227 letters of support were received.

<u>General:</u> <ul style="list-style-type: none"> <li>• Great proposal for the wasted space</li> <li>• Well-conceived and attractive response</li> <li>• Creating a destination</li> <li>• Regenerates the neglected riverside</li> <li>• Revitalises riverside</li> <li>• Good combination of public and private space</li> <li>• Jewel in the crown for Twickenham</li> <li>• Provides a scheme for people not cars</li> <li>• Vast improvement over how site is currently utilised.</li> <li>• A coherent plan that benefits the community as a whole</li> </ul>	<p>Noted and addressed in the report where relevant to planning.</p>
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<ul style="list-style-type: none"> <li>• Will bridge the gap between Twickenham and its riverside</li> <li>• Will bring a heart to Twickenham</li> <li>• Ticks all the boxes</li> <li>• Brings significant benefits to local people</li> </ul>	
<u>Land use:</u> <ul style="list-style-type: none"> <li>• Provision of mixed-use buildings</li> <li>• Residents will spend locally, boosting the local economy</li> <li>• New hub for the community and proper use of the riverside</li> <li>• Pontoon – great connection to the river</li> <li>• Support the economical and wellbeing growth in Twickenham</li> <li>• Caters for wide range of wants and needs- water sports, play area, café, pub/restaurants, shops and event space</li> <li>• Provides pub, eatery and a space for markets, easing pressure on Holly Road</li> <li>• Retail will draw people down to river and openspace</li> <li>• Provision of flexible community space- allowing for music and theatre productions, fairs and relaxation</li> <li>• Boost to traders</li> <li>• Creation of jobs</li> <li>• Employment benefits</li> <li>• Question need for retail space</li> <li>• Need for the pub should be reviewed</li> <li>• Provides inclusive and vibrant use for the site</li> <li>• Should consider the retail as flexible spaces – for creative studios community uses.</li> </ul>	Issue i (Land use)
<u>Housing:</u> <ul style="list-style-type: none"> <li>• 50% of the apartments are affordable</li> <li>• Provides much needed housing</li> </ul>	Issue i (Land use)
<u>Traffic:</u> <ul style="list-style-type: none"> <li>• Traffic free</li> <li>• Parking bays and other obstructions should be removed</li> <li>• Use of the river for transport should not be forgotten</li> <li>• More accessible by sustainable travel modes – reduced traffic, emissions and demand for parking</li> <li>• Question truck / HGV route – will compromise flexible use of the space adjacent to the river – therefore this should be re-examined.</li> <li>• HGVs and traffic must be kept to absolute minimum</li> <li>• Should be no vehicular connection across the SW corner of the site</li> <li>• Further consideration should be given as to how it connects to the train station and other existing cycle routes.</li> </ul>	Issue xii (Transport)
<u>Cycles</u> <ul style="list-style-type: none"> <li>• Good cycle parking</li> <li>• Should reinstate the cycle route through the site.</li> <li>• Need for cycle parking</li> </ul>	Issue xii (Transport)
<u>Parking:</u> <ul style="list-style-type: none"> <li>• The riverside should not be compromised in favour of parking</li> <li>• Parking is unnecessary</li> </ul>	Issue xii (Transport)



<ul style="list-style-type: none"> <li>• The social and environmental benefits of the scheme outweigh the need for parking</li> <li>• Removal of parking on the riverfront - area should be dominated by pedestrians rather than cars</li> <li>• Car free development</li> <li>• Reports show there is capacity in the area for the loss of the parking</li> </ul>	
<u>Public Realm:</u> <ul style="list-style-type: none"> <li>• Site has been vacant and under used for too long</li> <li>• Public realm benefits</li> <li>• Public realm is well considered</li> <li>• Pedestrianisation attractive for visitors</li> <li>• Plenty of public space</li> <li>• Enhancement to the public realm</li> <li>• Provides a stronger connection to the river</li> <li>• Opens up the riverside</li> <li>• Support playground and improves children's play</li> <li>• Makes most of river</li> <li>• Creates a designation and place to visit</li> <li>• Reinstatement of Diamond Jubilee Gardens</li> <li>• Improves enjoyment of the river</li> <li>• The sloping lawn, petangue area and town square will building on the popularity of Diamond Jubilee Gardens</li> <li>• Space should be more accessible to the High Street</li> <li>• Concern over the loss of the winter gardens</li> <li>• Opportunity for a more unique play area and connection with river</li> <li>• Encourage a new pedestrian / cycle footprint</li> </ul>	Issue v (Public realm)
<u>Accessibility:</u> <ul style="list-style-type: none"> <li>• Access consultant should be involved to ensure it is fully accessible and inclusive.</li> <li>• Makes waterfront more accessible</li> </ul>	Issue I (Land use) Issue xii (Transport)
<u>Safety:</u> <ul style="list-style-type: none"> <li>• Ensure sufficient lighting for safety of users</li> </ul>	Issue v (Public realm)
<u>Siting and design:</u> <ul style="list-style-type: none"> <li>• Least disruptive</li> <li>• In keeping with surrounding building heights</li> <li>• Not overbearing or excessively tall</li> <li>• In a town centre, a 5-6 storey building cannot be called overdevelopment.</li> <li>• Much improved appearance for Twickenham</li> <li>• Sympathetic architecture</li> <li>• High quality buildings are in scale with their context and locations.</li> <li>• The height, massing and design fit in with their surroundings</li> <li>• The Architects, Hopkins, need to be retained to lead the project through to completion.</li> <li>• Density is modest and reasonable for the area</li> <li>• Buildings bland and heavy</li> <li>• Steep roofs – at odds with local vernacular</li> <li>• Should adopt a more sympathetic transition from King Street towards water front</li> <li>• Would prefer smaller, less imposing buildings</li> </ul>	Issue iii (Design)

<ul style="list-style-type: none"> <li>• Height of Wharf Lane building is of concern</li> <li>• Deals with the level changes well</li> <li>• Design reflects wharf like architect on Island</li> </ul>	
<u>Heritage Assets:</u> <ul style="list-style-type: none"> <li>• The conservation area will be enhanced</li> </ul>	Issue iv (Heritage)
<u>Materials:</u> <ul style="list-style-type: none"> <li>• Surface finishing and paving needs to be clarified – essential to shared surface.</li> <li>• Surfaces impact on how the site is experienced</li> <li>• Asphalt should be avoided</li> <li>• Material / colouring should be provided that indicates that pedestrians have priority</li> <li>• Materials should be traditional yellow London Stocks</li> <li>• Sand surfacing in playground unwelcome</li> </ul>	Issue iii (Design)
<u>Trees / landscaping:</u> <ul style="list-style-type: none"> <li>• Sympathetic landscaping</li> <li>• New green areas – huge improvement of current gardens</li> <li>• Need a condition for detailed landscape designs</li> <li>• Should align with Thames Landscape Strategy</li> <li>• Conditions required: <ul style="list-style-type: none"> <li>○ Tree species appropriate to Thames waterfront</li> <li>○ Tree growing-medium volumes proportionate to their ultimate canopy size in alignment with best practice guidance by TDGA</li> <li>○ Ensure continuous and interconnected tree trenches</li> <li>○ Whole-life sustainability appraisal for landscape materials</li> <li>○ Landscape Detail to reflect Thames Valley locale.</li> <li>○ Should retain contemporary feel</li> <li>○ Landscape maintenance and management plan – should eliminate the use of Glyphosate and other hazardous and toxic chemicals.</li> </ul> </li> </ul>	Issue viii (Trees and landscaping)
<u>Ecology:</u> <ul style="list-style-type: none"> <li>• Thought is being given to protecting and enhancing biodiversity</li> <li>• Ecology has been considered</li> <li>• Loss of habitat is being replaced</li> <li>• Provision of floating ecosystems</li> <li>• Bat and bird boxes welcomed</li> <li>• Green roofs welcomed but should be increased.</li> <li>• What stops the floating ecosystem from becoming an obstruction?</li> <li>• Net gain would be better</li> <li>• Need landscaping and SUDS that soften the function more harmoniously with the tidal water and support wildlife.</li> <li>• Should seek 'Building with Nature' excellent certification</li> </ul>	Issue ix (Ecology)
<u>Flooding:</u> <ul style="list-style-type: none"> <li>• Condition to increase flood attenuation</li> </ul>	Issue xi (Flood risk)
<u>Energy:</u> <ul style="list-style-type: none"> <li>• Condition to ensure carbon is minimised and operational emissions eliminated.</li> <li>• Should adopt biodiverse living walls and roofs throughout the site</li> </ul>	Issue xiii (sustainability)

<ul style="list-style-type: none"> <li>PVs could be increased</li> </ul>	
<u>Other matters:</u> <ul style="list-style-type: none"> <li>Congratulation to Council leadership</li> <li>Long overdue</li> <li>Consultation has been extensive, with every effort made to engage with the community</li> <li>Something has to be done and just need to get on with it</li> <li>Management of the site and facilities will determine how successful the project turns out to be</li> <li>Positive health impact assessment</li> <li>D&amp;AS – incorrect labelling of Richmond Old Deer Park</li> </ul>	Noted.

### Twickenham Riverside Park Team

- Supports approach by Council in bringing forward the scheme
- Is a scheme that meets the clear brief given and hits most of the targets set
- If adopted will produce significant benefits for Twickenham
- Lever for regeneration
- Will become a vibrant and active destination
- Delivers a modal shift away from vehicles towards active travel
- Removal of parking and traffic
- Opening up of views and routes to the riverside
- Buildings broadly of appropriate scale and design
- Protects and enhances access and service arrangements for Eel Pie Island
- Re-provides Diamond Jubilee Gardens, with attractive landscaped and accessible open spaces.
- Provision of 50% affordable housing
- Would seek integration of private and public housing
- Provision of a range of retail, office and hospitality venues
- Would welcome provision of Winter Gardens
- Provides a range of river activities uses
- Success will be dependent on the governance and management arrangement

### Richmond Cycling Campaign

- Welcome removal of car parking from The Embankment and prioritising active travel
- Hope to retain the long-discussed option of segregated cycling on Water and Wharf Lane – however trust the development will be sufficiently successful that such provision is unnecessary.
- Welcome inclusion of appropriate levels of cycling parking
- Concern that parking for nonstandard bikes receive limited mention

### Cllr Brown:

- Creates an attractive open area that makes the most of riverfront location, spaces to plan, events, and affordable housing
- Opens up views down Water Lane and markets helps to improve Twickenham town centre.

### General Observations

7.4 43 general observations were received in response to the first round consultation.

Issue	Where addressed in the report
<u>Land use:</u> <ul style="list-style-type: none"> <li>Loss of the outdoor pool to mundane housing</li> </ul>	Issue I (Land use)

<ul style="list-style-type: none"> <li>• Scope for high end restaurant</li> <li>• Will sunshine Café be allocated a café area?</li> <li>• Should remove public house / restaurant – no need</li> <li>• Should provide an enlargement of the existing garden</li> <li>• Pontoon and boathouse promising, but need more detail of organisation, management, maintenance and ownership</li> <li>• Lack of community space</li> <li>• Lack of young person's facilities</li> <li>• Loss of public toilets – and reprovision in a pub – should not be dependent on opening times. Should be provided adjacent to café and play area.</li> <li>• Disappointing lido not being replaced.</li> <li>• Already have lots of boating facilities.</li> <li>• Affordability of boards / SUPS / Kayaks</li> </ul>	
<u>Housing:</u> <ul style="list-style-type: none"> <li>• Question affordability of flats</li> <li>• Scheme dominated by housing</li> <li>• Need for genuine affordable housing</li> <li>• Lack of social rent</li> <li>• Social discrimination – location of the affordable units in separate blocks</li> <li>• No mention of self-building, community right to buy, link between mental health, poverty and housing</li> <li>• Question need for housing – still flats vacant at station</li> </ul>	Issue i (Land use)
<u>Siting and layout</u> <ul style="list-style-type: none"> <li>• Layout well considered</li> <li>• The size and height of the building and the large public gardens and events space are entirely proportionate to one another.</li> <li>• Fails to achieve 'opening up' the view of the river from King Street</li> <li>• Events space should be increased</li> </ul>	Issue iii (Design)
<u>Design:</u> <ul style="list-style-type: none"> <li>• Building design bland and heavy</li> <li>• Window design ugly – should be more traditional</li> <li>• Roof design looks at odds with Victorian and Georgian vernacular along waterfront</li> <li>• Design should adopt a more sympathetic transition from Kings Street to the river</li> <li>• Out of character</li> <li>• Loss of the winter garden</li> <li>• Wharf Lane – stand along but respects its location – focal point, steps down to public space.</li> </ul>	Issue iii (Design)
<u>Height:</u> <ul style="list-style-type: none"> <li>• Height – far above existing buildings</li> <li>• Height of Wharf Lane</li> <li>• Unacceptable and out of context</li> <li>• Does not respect historic character of area</li> <li>• Must be reduced</li> </ul>	Issue iii (Design)

<ul style="list-style-type: none"> <li>• Height well considered and proportionate</li> <li>• Water Lane building respects the scale of existing buildings</li> </ul>	
<u>Materials:</u> <ul style="list-style-type: none"> <li>• Colour of bricks</li> <li>• Bricks – out of context and look dirty</li> <li>• Scheme should use a lighter / greyer brick pallet</li> </ul>	Issue iii (Design)
<u>Heritage assets:</u> <ul style="list-style-type: none"> <li>• Ruin views of the conservation area</li> <li>• Height does not respect the conservation area</li> </ul>	Issue iv (Heritage)
<u>Views:</u> <ul style="list-style-type: none"> <li>• Need to consider views from various locations along river</li> </ul>	Issue iv (Heritage)
<u>Public Realm</u> <ul style="list-style-type: none"> <li>• Wider pedestrianised street and massively reduced flow of vehicular traffic</li> <li>• Need for water play area</li> <li>• If the Council cannot maintain the current parks and open spaces, how will they maintain an ambitious new development</li> <li>• Lack of direct visibility of the river from the main road</li> <li>• Waste management</li> <li>• A number of activity spaces are in areas liable to tidal flooding.</li> <li>• The scheme returns the site to predominately, recreational use</li> </ul>	Issue v (Public realm)
<u>River:</u> <ul style="list-style-type: none"> <li>• Need to ensure it meets PLA guidance on A Safer Riverside</li> <li>• Need for new riverside edge protection between site and continuing down to Champions Wharf</li> <li>• Need for grab chains, life buoys, signage etc.</li> <li>• Need for riverside safety measures to be in place prior to occupation</li> </ul>	Issue i (Land use)
<u>Noise pollution</u> <ul style="list-style-type: none"> <li>• Need to remove motorbike parking in response to noise pollution</li> </ul>	Issue x (pollution)
<u>Light:</u> <ul style="list-style-type: none"> <li>• Diminish sunlight and daylight in surrounding properties</li> <li>• Report demonstrates sunlight / daylight will not be compromised</li> <li>• Overshadowing will not be an issue</li> <li>• Shadow may be welcomed on sunny days</li> </ul>	Issue v (Public realm)
<u>Trees:</u> <ul style="list-style-type: none"> <li>• Trees to be preserved as far as possible</li> </ul>	Issue viii (trees)
<u>Biodiversity:</u>	Issue ix (Ecology)

<ul style="list-style-type: none"> <li>• Scheme should add to and increase the biodiversity contribution of the site</li> <li>• Should include living walls and roofs throughout the site</li> <li>• Need for landscaping and SUDs</li> <li>• Developer should seek 'Building with Nature' excellent certification</li> </ul>	
<u>Parking:</u> <ul style="list-style-type: none"> <li>• Removal of cars from riverside favourable, provided Eel Pie Island residents have alternative places to access homes / business</li> <li>• Parking along riverside is tragic misuse of space.</li> <li>• Need for a review of local parking in Central Twickenham</li> <li>• Disabled parking spaces should be retained and increased</li> <li>• Loss of parking along the river – for residents, businesses, visitors, trades and disabled people</li> <li>• The parking spaces are a blot on the riverside and detract from riverside setting and are on public Council owned land.</li> <li>• The residents of Eel Pie Island enjoy car free island, yet expect the riverside to be a car park to the detriment of the wider community</li> <li>• Need to consider Paul Mew Associated traffic consultant's report</li> </ul>	Issue xii (transport)
<u>Public transport</u> <ul style="list-style-type: none"> <li>• Reduction in public transport will not encourage people to visit by public transport</li> </ul>	Issue xii (Transport)
<u>Traffic flows:</u> <ul style="list-style-type: none"> <li>• Only emergency and maintenance vehicles to use the Embankment</li> <li>• Large lorries should be restricted to certain hours</li> <li>• Routes for large vehicles – tracking?</li> <li>• What will be the impact on traffic flow if drivers cannot park on the riverside?</li> <li>• Potential safety conflicts between vehicles and water sports area</li> </ul>	Issue xii (Transport)
<u>Construction:</u> <ul style="list-style-type: none"> <li>• Omission in the Framework Construction Plan – Annex H</li> <li>• Need for water connections to have protection during construction</li> <li>• Hugely carbon intensive</li> <li>• Need for low carbon construction methods</li> </ul>	Issue xii (Transport)
<u>Energy:</u> <ul style="list-style-type: none"> <li>• Energy statement flawed – does not include name of assessor</li> <li>• Need to provide ice cream van proprietor an electric vehicle or fridge and charging point adjacent to usual parking location.</li> <li>• Existing buildings should be re-used</li> </ul>	Issue xiii (Sustainability)

<ul style="list-style-type: none"> <li>• Questions as to whether environmental impact assessments have been undertaken</li> <li>• Scheme fails to calculate or take into consideration             <ol style="list-style-type: none"> <li>1. the carbon cost of the construction process itself;</li> <li>2. the PM2.5 and NOX pollution from the primarily diesel construction apparatus, and</li> <li>3. the impact on local residents' health</li> </ol> </li> </ul>	
<p><u>Other matters:</u></p> <ul style="list-style-type: none"> <li>• Validity of the compulsory purchase of the tenancy agreement with the Trust of the Jubilee Gardens.</li> <li>• Safety not been covered by documentation</li> <li>• Lack of acknowledgement of the historic past of the site</li> <li>• Use of promotional emails and misleading material from the Liberal Democrat Party</li> <li>• Inaccurate statement as to what has happened on the site over the last 40 years</li> <li>• Summary of history of site</li> <li>• Linked site strategy</li> <li>• Conservative leaflet campaign is misleading</li> <li>• Need for councillors to work together to deliver scheme rather than point scoring</li> <li>• Just get on and do it</li> <li>• How can the Council be judge and jury on its own scheme</li> <li>• Impartial decision making could be compromised.</li> <li>• Vanity projects should not be prioritised over people and livelihood.</li> </ul>	<p>Noted and addressed in the report where relevant to planning.</p> <p>To note that the role of the Local Planning Authority is a regulatory one separate to the Council as applicant.</p>

### **Richmond and Twickenham Green Party (not planning committee member)**

Broadly welcome and support the scheme, with the following suggested improvements and amenity:

- Welcome removal of car parking and most through traffic
- Parking away from site and for deliveries and servicing should ensure the interests are protected whilst offering significant improvement to the wider amenity
- Imaginative re-provision of Diamond Jubilee Gardens – large, well landscaped, multi-functional
- Welcome provision of 50% affordable housing
- Buildings are imaginative and of a suitable scale and mass
- The widening of Water Lane – ensure buildings do not dominate and will open up views to the river
- Increased the towns connection to the river
- Whilst recognising the balances - the possibility of lowering the height of the Wharf Lane should be given further consideration
- Further consideration should be given to the use of the commercial spaces - ensuring these meet the needs
- Consider reinstating some of the functions of the public Winter Gardens
- Little reference to the use of sustainable building materials, heating, ventilation and energy provision
- This must be exemplary in terms of sustainable construction
- Wish to see as much planting as possible – creating shaded spaces and habitat
- Recognise some tree removal is necessary, however, this should be minimised.

- Very effort should be made to ensure space remains open for public use during construction.

#### **Twickenham Riverside Trust**

- Yet to reach a decision on relevant aspects of the proposal
- The DJGs are public open space and 25% of development site
- The Trust holds a 125-year lease
- An alternative space for the Trust has been laid out
- The decision to accept the offer needs to go to the Charity Commission for approval – and demonstrate that the space is ‘not less in area’ and ‘equally advantageous’.
- The Trust understand that the Council intends to pursue a different course of action (alongside its consideration of the compulsory Purchase Order) to acquire the land.

#### **Eel Pie Island Association: Comment on Traffic Order**

- Difficulties in policing the loading area
- Use of the loading bay on Water Lane will send not an inconsiderable amount of vehicle movement down Water Lane – all of which need to turn at the southern end.
- The introduction of the loading bay on Water Lane undermines the ascertain the servicing of the development will be via Wharf Lane
- The loading bay and parking areas in Water Lane will cause additional restrictions on two-way working in Water Lane.
- Lack of safety audit of traffic movements in Water Lane
- As part of the CPO process, the Council is promoting a stopping up order that will remove the existing use of the Embankment as a designated highway. This order will need to be in place before construction can begin. If at this point the measures are shown to be unsafe or unworkable it will be too late to change the arrangements as essential roads will have been closed.
- Need to complete Stage 1 Safety Audit of the servicing area
- Need to consider implications of the stopping up order before any planning permission is given.

#### **Second round of consultation**

- 7.5 A 14-day re-consultation was undertaken in February 2022 on the new/amended information submitted.

#### **Objection – 22 further letters of objection were received (up to 15 August)**

<b>Issue</b>	<b>Where addressed in the report</b>
Policy: <ul style="list-style-type: none"> <li>• Conflicts with the published Strategic Vision and objectives and Spatial Strategy in the Local Plan</li> <li>• Contradicts with criteria of original brief</li> </ul>	Section 8
Design <ul style="list-style-type: none"> <li>• Eyesore</li> <li>• Not match surrounds</li> <li>• Overbearing</li> <li>• Oversized blocks</li> <li>• Height</li> <li>• Fails to respond with sensitivity to the established character of Twickenham Riverside Conservation Area.</li> </ul>	Issue iii (Design)



Issue	Where addressed in the report
<p>Land use:</p> <ul style="list-style-type: none"> <li>• Block of luxury housing on public open space</li> <li>• Where is retail study to justify more shops and pub</li> <li>• Segregation of private and affordable housing</li> <li>• The social rented housing for the Riverside has already been built in the form of the linked sites strategy</li> <li>• Density</li> <li>• Compulsory Purchase Order to the DJG is appalling</li> <li>• To make the site a destination it needs a focal facility - not more shops.</li> </ul>	Issue i (Land use)
<p>Economy:</p> <ul style="list-style-type: none"> <li>• Will not bring in tourists / visitors</li> <li>• Fewer regular visitors will visit the site</li> <li>• Bad scheme for business</li> <li>• Impact on businesses through the loss of parking</li> <li>• There are plenty of pubs in Twickenham</li> </ul>	Issue i (Land use)
<p>Flooding</p> <ul style="list-style-type: none"> <li>• The Embankment will flood</li> <li>• At high tides there must be access through the bollards to prevent gridlock in Water / Wharf Lanes and junction with King Street</li> <li>• Turning at the southern end of Water and Wharf Lane will not be viable when in flood</li> <li>• Should invest in flood barriers first</li> </ul>	Issue xi (flood risk)
<p>Sustainability:</p> <ul style="list-style-type: none"> <li>• Co2 emission required to produce the construction materials</li> <li>• Loss of mature trees</li> </ul>	Issue xiii (Sustainability)
<p>Transport</p> <ul style="list-style-type: none"> <li>• No parking</li> <li>• How will parking be replaced</li> <li>• Lack of information</li> <li>• Need for full safety audits prior to decision on two way traffic, turning circles, road junctions.</li> <li>• Outstanding matters to be resolved</li> <li>• Inability to make an informed assessment</li> <li>• Lack of attention paid to the Service Road traffic</li> <li>• Traffic scheme is dangerous for pedestrians and cyclists</li> <li>• Impact on traffic floors not properly assessed</li> <li>• Add huge traffic congestion</li> <li>• Safety of public has not been assessed.</li> <li>• Lack of investigation and surveys as to the impact of traffic through the closing of the Embankment to public traffic</li> <li>• Servicing of Eel Pie Island has not been taken into account</li> <li>• Impact on businesses</li> </ul>	Issue xii (Transport)

Issue	Where addressed in the report
<ul style="list-style-type: none"> <li>Hours of access (7-10am) along The Embankment shows lack of awareness of the rides / environmental constraints</li> </ul>	
<p>Open space</p> <ul style="list-style-type: none"> <li>Loss of public open space</li> <li>Proposed is inferior to existing</li> <li>Loss of public toilets,</li> <li>Current Gardens are a safe, level and enclosed, compared to the proposed, which are liable to flooding and accommodates a lorry route.</li> <li>Will become a place to bring alcohol on summer beings</li> <li>DGJs have disappeared</li> <li>Is the same leisure area available?</li> <li>Where is agreement with the Council and Twickenham Riverside Trust and Port of London Authority to give up their land?</li> <li>Misleading comparisons of play / DJG</li> <li>Play space should not be prescribed in m2</li> <li>Not a cohesive safe recreational space.</li> <li>What are the plans for the town square</li> </ul>	<p>Issue i (Land use)</p> <p>Issue v (Public realm)</p> <p>Issue xiv (Infrastructure)</p>
<p>Public realm</p> <ul style="list-style-type: none"> <li>Diving board has not been included in the layout – an iconic reminder of the Pool and should be trained</li> <li>Need for more Location Boards, that marks DJGs</li> <li>Introduction of tarmac as the shared surface public realm</li> <li>At the northern end of Water Lane, the hardscaping presents a confusing, potentially unsafe environment for pedestrians, cyclists and vehicles</li> <li>Unattractive mess of mixed materials.</li> <li>Where is the traffic free town square</li> <li>Lack of public toilets (people may not want to use the pub)</li> </ul>	<p>Issue v (Public realm)</p>
<p>Trees</p> <ul style="list-style-type: none"> <li>Loss of mature trees</li> <li>Fate of the Black Poplar tree seems uncertain</li> <li>Serious mistake to relocate the Black Poplar</li> <li>Siting of the disabled parking space results in the felling of two important mature hornbeams</li> </ul>	<p>Issue viii (Trees and landscaping)</p>
<p>Other matters</p> <ul style="list-style-type: none"> <li>Drawings still refer to 'Draft' / 'illustrative purposes' / 'subject to change'</li> <li>Scheme should limit redevelopment to the southwestern side of Water Lane, which would remove considerable, planning, legal and contractual risk.</li> <li>No way to mitigate the scheme</li> <li>Viability study for spending £40m of resident's money</li> <li>Lack of time to review documents</li> <li>Wellbeing of the population would be better served by outdoor communal spaces</li> </ul>	<p>Noted and considered within the officer report where relevant to planning.</p>

Issue	Where addressed in the report
<ul style="list-style-type: none"> <li>• One third of residents with disability will no longer visit</li> <li>• What is the magnet that will pull people to the town</li> <li>• Haphazard distribution of the neighbour notification</li> <li>• How can the Liberal Democrat Council conclude there is broad public support for the Council when only 605 people out of a population of 196,000 said such (0.3%)</li> <li>• Amendments do not address fundamental deficiencies</li> <li>• Application should be withdrawn and revised to remove potential planning, legal, and contractual risks and costs that presently face the Council and the wider community, and increase the chances of securing a development that really would provide a truly 'exciting, energising and inspiring' solution and merit the support of the entire Twickenham community.</li> </ul>	

### **York House Society:**

Whilst development of the derelict part to the site is something we all want to see, there are remaining concerns:

- Objects to the CPO
- Height of the buildings – overbearing
- Loss of DJGs and safe and secure space
- Siting of new event space – flooding, safety of pedestrians
- Playground not as safe as existing
- Private housing located on an existing playground and café
- Need for a pub and noise arising from pub
- Untested traffic plans
- Unneighbourly – overlooking, loss of light
- Inadequate consideration of flooding and climate change

### **Twickenham Riverside Trust:**

#### **1. Trees:**

- Wholesale removal and uprooting of trees
- Lack of a concerted effort to retain trees
- Accuracy of the survey
- High cost and risk strategy associated to relocation of trees
- Loss of the Black Poplar – much loved community asset, key feature of openspace, cultural contribution, provides sensory experience, endangered nature timber tree, ability to support wildlife; relocating will diminish its value and be a considerable loss of the Garden and wildlife; accuracy of information in Tree Survey; suitability of relocation siting.
- London Planes – Provide a valuable visual display; contribute to the health and well-being of users / Gardens; scheme fails to consider the trees as a cohesive unit this has not assessed their true value; the loss will be catastrophic and be a substantial environmental loss; accuracy of survey;
- Hornbeams: provide nature screening; provide a visual and noise buffer; the loss will negative impact the environment, landscape, and visitor experience.
- Pin Oaks: Much valued community asset, important feature along the riverside; tackle pollution; important foraging line for bats;
- Hedgerow: Offset the loss of hedgerow with replanting elsewhere is not of value to existing users.

#### **2. Inadequate mitigation against onsite environmental losses**

3. Does not deliver the required 10% net gain in biodiversity
4. Fails to compensation against the loss of amenity

#### **The Twickenham Society:**

- Lack of socio-economic assessment for the removal of pay and display parking – which could affect local businesses
- No external safety audits for lorry turning circles
- Design: The buildings are too high, too intrusive, lack of empathy of the architecture with the surrounding area.
- No viability assessment.
- Diamond Jubilee Gardens have not been re-provided according to the needs set out in the RIBA Brief, and are disjointed and are partly on the flood plain.
- The event space/public square is now on a road on the flood plain and with lorries running through it. Private flats and affordable housing should not be segregated.
- Lack of transparency by the Council
- Difficulty for community to be informed about these plans – those who do not have computers / or are not computer literate
- Removal of trees
- Still unclear as to where the destination point is to attract people to town?
- Stopping up order:
  - Land is still owned by Port of London
  - Impact on working boatyards
  - No external safety audits on turning area
  - Adverse impact on Eel Pie Island, local residents and town from re-routing traffic and stopping up order.

**Cllr Samuel:** Repeat previous objections, which equally apply to this amendment.

#### **Eel Pie Island Bridge Company**

- Stopping up order could have detrimental effect on shareholders access to bridge and traffic flow that facilitates that access will prove inadequate.
- Unclear if two-way traffic in Water Lane is viable.
- Safety concerns arising from turning head south of Water Lane
- Turning area is in area prone to flooding.
- Stopping up order does not recognise adhoc large deliveries to the Island, needing access along the Embankment.

**Support** – 4 further letters of support were received in response to the second consultation round.

<b>Issue</b>	<b>Where addressed in the report</b>
<ul style="list-style-type: none"> <li>• Riverside current unsafe, decrepit and an eyesore</li> </ul>	
<ul style="list-style-type: none"> <li>• Excellent opportunity to regenerate the area</li> <li>• Development will have positive impact on residents and visitors</li> <li>• Attract people to area and enjoyment of area</li> <li>• Provides a welcoming and vibrant riverside</li> </ul>	Issue I (Land use) Issue v (Public realm)
<ul style="list-style-type: none"> <li>• Scheme will boost economy</li> </ul>	Issue I (Land use)

**General observation** – Five further letters of general observation from residents in response to the second round of consultation.

Issue	Where addressed in the report
<p>Concerns over consultation:</p> <ul style="list-style-type: none"> <li>• Lack of notice to review amendments</li> <li>• Residents not receiving letters</li> <li>• Deadlines should be extended</li> </ul>	<p>Noted – not material to the assessment of the application. Comments are accepted until the day of the planning committee, where received these are reported at committee.</p>
<p>Location of cycle standards – potential for these to conflict with proposed loading bay on King Street.</p>	<p>Issue xii (Transport)</p>
<p>Floating ecosystem (and pontoon):</p> <ul style="list-style-type: none"> <li>• Lack of information as to how it could be implemented</li> <li>• The floating ecosystem design should be robust before it is accepted as a suitable offset to the loss of woodland</li> <li>• Submission shows benign situations, rather than the context proposed</li> <li>• Challenging environment floating ecosystem: <ul style="list-style-type: none"> <li>○ Surges in the river – weight of water will impose strain on the floating beds (speeds reaching 6/7 knots)</li> <li>○ River draw off - Floating ecosystem would need to be able to dry out</li> <li>○ Flooding – any ecosystem, will need to be able to rise above flood level</li> <li>○ Need for River Works License</li> <li>○ Need maintenance scheme to remove pollution / waste / repair damage</li> <li>○ Is it a box ticking exercise or will it add anything.</li> </ul> </li> </ul>	<p>Issue ix (Ecology)</p>
<ul style="list-style-type: none"> <li>• Scheme does not provide the riverside park, but rather a largely paved area with large building footprints</li> </ul>	<p>Issue I (Land use)</p> <p>Issue v (Public realm)</p>
<ul style="list-style-type: none"> <li>• Mooring survey – invalid, as it was conducted in winter. Needs to be repeated in July / August.</li> </ul>	<p>Issue I (Land use)</p>

### **Twickenham Riverside Trust**

#### **a. Open Space:**

- Adaptation of the definitions of Open Space for existing and proposed
- Inaccuracies on the existing open space - artificial grass identifies as hardscape rather than softscape; planting beds shown as hardscape; softscape on The Embankment level has been omitted; raised seating area at the bottom of Water Lane has been omitted; hedges around the playground are shown as hardscape; area around Eel Pie Island bridge is inconsistency represented.

- On the proposed site, the Embankment is identified as proposed open space however, is going to be a vehicular access. If there is going to be a closure of highway, it will need a Stopping-Up Order.
- Proposed open space is also a service road and parking bay.
- b. Seating:
  - Existing seating has not been accurately represented – for example seating walls within DJGs, along The Embankment, and benches.
- c. Events
  - Within DJGS, the artificial grass is not the only area used for events / gatherings, where the wider gardens are used, providing c.800m<sup>2</sup> of event space (which does not include circulation space).
  - The existing event space is provided on a single and enclosed level, in comparison to the proposed, which is bisected by cycle route or controlled highway.
  - The application indicates there are no connections to power or water for the existing event space, which is incorrect. There is external source of both power and water on the existing DJGs
  - The Trust supplied the DJG event layouts and photographs to inform the 2019 RIBA Design Brief.
  - The artificial grass area and hard standing is not just used for outdoor events and gatherings – used for informal and formal play; cycle riding, scootering, roller skating, for nurseries, general leisure.
- d. Environmental Impact Assessment:
  - Absence of an EIA
  - Requests an up-to-date Screening Opinion to capture alterations made to the scheme post adoption of the Screening Opinion (May 2020), particularly:
    - (a) Extension of site boundary to include Tidal Thames
    - (b) Reconfiguration of flood defences
    - (c) Installation of floating structures
    - (d) Removal of over 5 trees within a conservation area
    - (e) Reprovision of open space to flood zone 3
    - (f) Site runoff impact on water quality
  - Regard should be given to the sections in the screening matrix.
- e. Brownfield Land Register
  - The Trust is the owner of the DJG for a terms of 125 years. The lease requires the Trust to preserve the Gardens for use as public open space.
  - The Council has registered DJGs as brownfield land under Part 1 of the Brownfield Land Register, without the Trust's knowledge or consent.
  - The Trust is formally challenging such registration - the land is designated by the Council as public open space; and the Gardens do not meet the statutory criteria given the Trust has not expressed an intention to sell or develop the Gardens – and therefore is not available for residential development.
  - The Trust has formally applied for the removal of the Gardens from the Register.
  - It is a requirement for the Council to review the Register once a year, and the Trust do not have any intention to sell or develop the Gardens and therefore it is not available for residential development nor meets the criteria for inclusion within the Register.
  - The Trust's request to have the Gardens removed from the BL Register should in no way be construed as a lack of willingness on the part of the Trust to continue to be open to consider the re-provision of all or parts of the Gardens within any scheme of improvement and partial development of Twickenham Riverside which also meets the Trust's charitable objectives of protecting, preserving and improving Twickenham riverside and its environs.

**Third round of consultation**

- 7.6 A 14-day additional re-consultation was undertaken in October 2022 on the new/amended information submitted before that date.

**Objection – 9 further letters of objection were received ( up to 31 October)**

Issue	Where addressed in the report
Land use <ul style="list-style-type: none"> <li>• There should be a decent sized pontoon / mooring</li> <li>• No where for boaters to moor</li> <li>• A Lido would be a better option.</li> <li>• Should be a community friendly scheme</li> </ul>	Issue i (Land use)
Open space <ul style="list-style-type: none"> <li>• Keep DJGs as it is</li> <li>• Loss of public open space and amenity</li> <li>• This site is public open space and should not be sold off to housing</li> <li>• Scheme should be developed as public amenity</li> </ul>	Issue i (Land use)
Trees: <ul style="list-style-type: none"> <li>• Destroying all mature trees to maximise density and just to make way for development</li> <li>• Ill conceived scheme out of line with Council's supposed environmental aims.</li> <li>• Loss of 66 trees – essentially all bar one.</li> <li>• Root disturbance to retained trees</li> <li>• Contradicts previously Arbocultural Reports recommending tree retention</li> <li>• Loss of Black Poplar – special significance / removal from the site detracts historical meaning / endangered specie</li> </ul>	Issue viii (Trees and landscaping)
Other matters <ul style="list-style-type: none"> <li>• Consultations have been ignored.</li> <li>• The application has been called in</li> </ul>	Note: The application has not been called in.

**The Twickenham Society:**

- Notice of changes sent to a very limited number of people for comment, and the time allowed for a response is extremely short.
- Documents have been removed from the original planning application submission and should be reinstated
- Strongly objects to the removal of all the trees within the site, bar two; and one of those is in danger of being removed because of disturbance to its roots by the development.
- There are inconsistencies in the new documents e.g. the Black Poplar
- There are still no external safety audits on the turning areas at the bottom of Water Lane, Wharf Lane and in the service road.
- The Council legally has a duty to take steps to reduce and prevent accidents, promote road safety and secure the safe movement of traffic (including pedestrians) on their roads.
- Eel Pie Island- Their needs have been airbrushed out of the servicing/delivery equation.

- Residents and businesses on Eel Pie Island will need to be able to drop off children, elderly people, the disabled, shopping, equipment for their businesses etc before trying to find a parking place.

### **Eel Pie Island Association**

1. Adequacy of parking / loading / turning
  - Double yellow lines on The Embankment would compromise the functions of the proposed servicing area for the Island
  - Swept paths do not take account of pedestrians, cyclists and other users.
  - Servicing at the top end of Water Lane will impact on passing area
  - Extensive turning movements required at Water Lane / The Embankment
  - Level of traffic has been consistency understated
  - Swept paths do not take into account tide lines
  - Missing swept paths
  - Road safety audit was not presented with the details of cycling and pedestrian activity
  - Two way traffic flows ned to take account of large vehicles waiting on the highway.
2. Highway safety
  - Highway safety audit missing
3. Public transparency concerns
4. Full safety audit needs to take place prior to a planning decision.
5. Access and traffic flows
  - Traffic data and figures are not consistent with information previously posted
  - Referring to Twickenham Riverside area as traffic free / low flow is highly misleading

### **Support**

Five further letters of support were received (up to 31 October):

<b>Issue</b>	<b>Where addressed in the report</b>
Land use <ul style="list-style-type: none"> <li>• Delivery of affordable housing</li> <li>• Site vacant for too long and redevelopment needed</li> <li>• Will bring riverside back to life.</li> <li>• Introduction of new water activities</li> <li>• Opportunity for creative arts / events</li> <li>• Delivery of affordable housing</li> </ul>	Issue i (Land use)
Siting and design <ul style="list-style-type: none"> <li>• Massing and aesthetic sympathetic to context.</li> <li>• Choice of architects</li> <li>• Layout embraces riverside</li> <li>• Accommodation will provide natural surveillance</li> </ul>	Issue iii (Design)
Public Realm <ul style="list-style-type: none"> <li>• Prioritisation of waling and cycling over car park</li> <li>• Considerably improved riverside setting</li> <li>• Better step free access</li> <li>• Replaces hidden / unattractive DJGs</li> <li>• Proposed space more inclusive</li> </ul>	Issue v (Public realm)



**General Observation – 1 further representation (30 October)**

Issue	Where addressed in the report
<b>Other matters</b> <ul style="list-style-type: none"> <li>• Lack of notification of changes</li> <li>• Too many documents to review in short time</li> </ul>	Noted.

**Consultees:**

**7.7** The responses of the Statutory consultees are set out below, these reflect all the materials received to date and the three consultations which have been conducted:

<b>Environment Agency</b>	<p>We welcome the new scheme for Twickenham Riverside which will help deliver an improved riverside environment and improved flood defences in line with local, regional, national planning policies and the requirements of the Thames Estuary 2100 Plan. The updated scheme has been informed by detailed pre-application discussions and has been amended to reflect our requirement for setback of buildings from the flood defence. The scheme has been informed by the latest flood risk evidence and data. We are keen to continue working with the applicant at the detailed design stages and maximise opportunities for delivering improved riverside habitat and a high-quality riverside environment for people and wildlife. We have no objection to the proposed development, subject to conditions:</p> <ul style="list-style-type: none"> <li>• Inaccordance with Flood Risk Assessment</li> <li>• Detailed design of the flood defence</li> <li>• Ecological enhancement</li> <li>• Contamination – remediation strategy</li> <li>• Contamination – verification report</li> <li>• In line with remediation strategy</li> <li>• Drainage</li> <li>• Sustainable drainage scheme</li> <li>• Piling</li> </ul> <p>Informative: Permits, Piling, Disposal of soil, Metropolis Management Act</p>
<b>Port of London</b>	<p>Welcome:</p> <ul style="list-style-type: none"> <li>• the enhancement to the waterside, particularly for recreational uses</li> <li>• a key objective to maintain the embankment area as a working quay.</li> <li>• repairs to the existing slipway and floating ecosystem</li> <li>• provision of a river activity space and floating pontoon, and potential flexible options on boat storage and caging facilities, which should complement and add to the existing range of access points and other riverside activity spaces located along this stretch of the Tidal Thames, which all help to achieve the PLA's vision for the Tidal Thames (2016) goal to see greater participation in sports and recreation on and alongside the water.</li> </ul>

	<ul style="list-style-type: none"> <li>• The intention for a landscape and ecological management plan</li> <li>• Lighting plan, which show that lux levels will not have an impact on river ecology and navigation –</li> <li>• Any enhancements to the Thames Path and access to it would be in line with the PLA's Thames Vision goal</li> </ul> <p>PLA are content with the information provided for the floating ecosystem for this planning stage. Recommend a series of conditions and informatives:</p> <p>Did raise objection if there was no access outside the 7-10am along The Embankment, which is necessary in order to ensure there are no negative effects caused to the operations of the existing operational boat yards located on Eel Pie Island. (London Plan policy SI15, states that existing boatyard sites, which are essential to London for servicing passenger and other vessels should be protected). However, accept the condition proposed addresses this.</p> <p>Conditions – management of vehicle access along the Embankment; pre-occupation condition for booking system for large vehicles; construction management plan (taking account of the Tidal Thames); slipway repairs; riparian lifesaving equipment; piling methodology; floating ecosystem navigational risk assessment, pontoon details; lifesaving equipment; suicide prevention measures (CCTV / signage); lighting (with review process); traffic management scheme (to ensure no negative effects are caused to the operations of the existing operational boat yards located on Eel Pie Island); road safety audit; use of the river for construction; CMS to take into account the need for access for boatyards, emergency and service vehicles including articulated vehicles.</p> <p>Informatives – Construction, River works license, Floating ecosystem.</p>
<b>Marine Management Organisation</b>	<p>The Marine Management Organisation (MMO) is a non-departmental public body responsible for the management of England's marine area on behalf of the UK government. Works activities taking place below the mean high water mark may require a marine licence in accordance with the Marine and Coastal Access Act 2009.</p>
<b>Thames Water</b>	<p>No objection, subject to conditions regarding piling and informatives regarding easements / wayleaves; pressures; permits; use of water; diverting pipes, basement pumps, working near their assets.</p> <ul style="list-style-type: none"> <li>• <u>Waste water, sewerage treatment works infrastructure:</u> No objection, based on the information provided.</li> <li>• <u>Surface water drainage:</u> If the developer follows the sequential approach to the disposal of surface water, we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable</li> </ul>

	<p>drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services">https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services</a>.</p> <ul style="list-style-type: none"> <li>• <u>Water Comments</u>: With regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application.</li> <li>• Expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer</li> </ul>
<b>Historic England (GLAAS)</b>	<p>No objection, subject to conditions and informatives:</p> <ul style="list-style-type: none"> <li>• Geo/archaeological mitigation</li> <li>• Written scheme of investigation</li> <li>• Foundation design</li> <li>• Public engagement</li> </ul>
<b>Historic England (heritage assets)</b>	<p>On the basis of the information available to date, we do not wish to offer any comments.</p>
<b>Transport for London</b>	<p>This site is located upon King Street, which forms part of the Strategic Road Network (SRN). While the Local Planning Authority is also the Highway Authority for those roads, TfL has a duty under the Traffic Management Act 2004 to ensure that any development does not have an adverse impact on the SRN. TfL has the following comments to make:</p> <ol style="list-style-type: none"> <li>1. The development appears to provide Healthy Streets improvements in line with London Plan Policy T2. A new pedestrian / cycle priority space is provided, alongside new public realm and high-quality landscaping.</li> <li>2. The development includes 85 long-stay and 32 short-stay cycle parking spaces which meets the quantum required by London Plan Policy T5. The cycle storage should meet London Cycle Design Standards (LCDS) – for layout and design.</li> <li>3. The site is proposed to be car free with the exception of blue badge spaces parking provision. The development is proposing to reduce the total car parking spaces from 112 spaces down to 3 spaces, which is compliant with Policy T6 of the London Plan. All operational parking must provide infrastructure for electric or other UltraLow Emission vehicles, including active charging points for all taxi spaces in line with Table 10.6 of the London Plan. The applicant should confirm the blue badge and EV provision proposed.</li> <li>4. The Delivery and Servicing Plan (DSP) and Construction Logistics Plan (CLP) should be approved by the Council.</li> </ol>

	<p>5. To comply with London Plan Policy T7, the footway and carriageway of King Street must not be blocked during construction. Temporary obstruction during the construction must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians or obstruct the flow of traffic.</p> <p>6. All vehicles associated with the works must only park / stop at permitted locations and within the time periods permitted by existing on-street restrictions</p>
<b>Natural England</b>	<p>Wishes to make no comments on the application. Natural England has not assessed this application for impacts on protected species.</p> <p>Consideration should be given to the potential impacts on the nearby Thames Path, National Trail. Appropriate mitigation measures should be incorporated for any adverse impacts.</p> <p>The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.</p>

7.8 Non-statutory consultee responses received and based on all of the information received to date (31 October)

<b>Arboricultural Officer</b>	<p>The remains concerns over soil volumes and inconsistencies between drawings, however, these matters can be resolved via condition.</p> <ul style="list-style-type: none"> <li>• Soil volumes:</li> <li>• Black poplar cuttings and commitment to funding thereof.</li> <li>• Pin oaks</li> <li>• In accordance with tree protection plan and AMS</li> <li>• Soft landscaping scheme</li> </ul>
<b>Ecology Officer</b>	<p>No objection, subject to conditions:</p> <p>Ecological data; Ecological Construction Management Plan; Hard and soft landscaping works; external lighting; Biodiverse wildflower green roof; floating ecosystem; Ecological Enhancements and Biodiversity Net Gain.</p>
<b>Parks</b>	No objections, subject to conditions
<b>Transport</b>	No objection, subject to conditions

<b>Planner</b>	
<b>Travel Plan</b>	Recommend conditions – travel plan (both residential and commercial – 5-year, annual survey and monitoring), permit removal; car club membership;
<b>Planning Policy</b>	<p>Do not find any conflict with planning policy and is considered to accord with TW7, bringing overall benefits:</p> <ul style="list-style-type: none"> <li>• Support the office space, working quay, mooring and landing facilities</li> <li>• the public house, and as part of the mix of uses is complimentary</li> <li>• the open space / public realm – overall re-provision of open space.</li> <li>• Housing standards – despite 2 units falling short of the nationally described space standards (less than 75% of the ceiling height at 2.5m / 2.5m, given this only impacts 2 units and other standards are met)</li> <li>• the proposed mix / location of commercial units, with an active frontage at King Street extending along Water Lane.</li> <li>• the quantum and tenure mix of affordable housing, which is policy compliant. However: <ul style="list-style-type: none"> <li>○ What grant funding has been secured for the rented products? – GLA only funding social rented products rather than LAR</li> <li>○ If grant funding falls, how would this be addressed?</li> <li>○ Require nomination rights</li> <li>○ Intermediate products must abide by Councils intermediate strategy.</li> </ul> </li> </ul> <p>Condition – restriction on future changes within Class E</p>
<b>Conservation</b>	<p>The proposals, subject to conditions regarding further design details, can be seen to preserve the character of the conservation areas when viewed from the river as well as various surrounding roads within those Conservation Areas. The character and setting of both the listed buildings and BTMs in close proximity to the site will also be preserved. No objections, which complies with policy, NPPF and the London Plan.</p> <p>Conditions – materials, fenestration, reveals, landscape details, roof and roof plant details, patterned brickwork, detailing of King Street façade, blinds and balcony designs, signage and lighting.</p>
<b>Urban Design</b>	<p>No issues, subject to Trees Officer comments, however conditions required on paving, hard and soft landscape details, lighting, balustrades, gates, cycle stands, bollards or equal, furniture, signage, pontoon.</p> <p>Informative - There may be opportunities to reuse some of the existing high quality paving, and possibly other items, within the scheme, or failing that for use elsewhere.</p>
<b>Affordable</b>	Support the scheme, which will deliver additional affordable

<b>Housing</b>	<p>housing to assist in meeting the Council's priority need and demand for affordable housing. The scheme has been prepared with the full involvement of housing colleagues to ensure the scheme complies with the Council's adopted housing planning policy.</p> <ul style="list-style-type: none"> <li>• The scheme provides 47% affordable housing by units and 50% by habitable room.</li> <li>• All affordable homes comply with National Design standards.</li> <li>• 10% wheelchair accessible homes have been allowed for.</li> <li>• The required tenure split has been met.</li> <li>• The affordable rent will need to be let at social rents rather than LAR.</li> <li>• The preferred RP has received an indicative grant from the GLA for the 2021-2026 programme and further positive discussions with the GLA on utilising that indicative grant for this scheme have been held. Confirmation of the GLA grant will be subject to a firm bid to the GLA in future months.</li> <li>• The Council will also seek to utilise LBR Housing Capital Grant to support the delivery of the affordable housing in the tenure mix as proposed by the application.</li> <li>• Conditions – 10% of all affordable housing to be fully accessible; nomination rights, affordability (also to take account of service charge); intermediate housing to be marketed in accordance with the Intermediate Housing statement</li> </ul>
<b>Housing Accessible Homes</b> –	<ul style="list-style-type: none"> <li>• Inclusive design and M4(3) plans good.</li> <li>• Access - It is not good practice having a single lift when wheelchair users are in occupation.</li> <li>• Condition – maintenance plan for the lift in Wharf Lane building; details of lift in marketing plan for Wharf Lane building; play (sensory, inclusive and accessible); engagement with design and layout, Water Lane door in corridor to be accessible to all occupants; Affordable Rent be built out as fully accessible (M4(3) 2b), Shared Ownership and Private can be built out as adaptable (M4(3) 2a).</li> </ul>
<b>Education Achieving for Children</b> –	<p>No objection –The number of units proposed is relatively modest. Even with probable additional demand resulting from the national cost-of-living situation, the impact of this development would have a comparatively low impact on the supply of state-funded school places due to its location (in the western half of the borough) and its relatively modest scale.</p>
<b>Environmental Health – Air Quality</b>	<p>Improvement on previous applications, being car free and using non combustion. No objection subject to conditions:</p> <ul style="list-style-type: none"> <li>• Air Quality construction logistics plan – no engine idling, holding bay to be identified, wheel cleaning, sweeping regime, routing.</li> <li>• Construction delivery times to avoid peak times.</li> <li>• Air Quality – holding bays, no engine idling, wheel washing.</li> <li>• Non-Road Mobile Machinery (NRMM).</li> <li>• No bonfires.</li> </ul>

	<ul style="list-style-type: none"> <li>• Emissions control system.</li> <li>• EV parking – 80% passive / 20% active.</li> <li>• Disabled parking must be provided.</li> <li>• Cycle parking must be provided.</li> <li>• Travel Plan.</li> <li>• Delivery and service management plan (no deliveries 8am-9.30 and 3-4pm term).</li> <li>• Non combustion heating and cooling – ASHP as per the AQ Assessment.</li> <li>• Sealed windows, MVHR and no open balconies fronting King Street.</li> <li>• Construction and operation must comply with Air Quality SPD.</li> <li>• Construction to use river.</li> <li>• Electric cabling to be installed with the community area to avoid diesel generators / to feed Ice Cream van.</li> </ul>
<b>Environmental Health – Noise</b>	There is potential for loss of amenity to new occupiers and existing residents due to the impact of noise arising from events, play, transportation, transmission from commercial to residential units; mechanical plant; music; patrol noise outbreak; construction; deliveries. Further, has considered impact from odours and rodent activity. Notwithstanding such, does not raise an objection, subject to conditions to secure mitigation.
<b>Environmental Health – contaminated land</b>	No objection, subject to conditions (site investigation strategy, remediation strategy).
<b>Lead Local Flood Authority</b>	<ul style="list-style-type: none"> <li>• Drainage hierarchy – Pass. The applicant has satisfactorily justified that the proposed infiltration feature will not increase groundwater contamination levels.</li> <li>• Runoff rate – Pass. The discharge is at 10 l/s. This is not the same as the greenfield runoff rate not a maximum of 2 l/s. however, this has been agreed with the LLFA and an appropriate climate change consideration has been applied.</li> </ul> <p>However, do not recommend approval:</p> <ul style="list-style-type: none"> <li>• Attenuation volume: Further information on the pipes identified to flood, particularly where these are located on site and levels.</li> <li>• Maintenance: More information is required as to who will own the maintenance tasks as required.</li> </ul> <p><i>[Officer note: it is considered this can be secured by a condition]</i></p>
<b>CIL Team</b>	<p>The final CIL can only be confirmed once details are approved and any relief claimed, however, this is estimated to be:</p> <ul style="list-style-type: none"> <li>• Mayoral CIL - £458,135.35</li> <li>• Richmond CIL - £1,377,681.94</li> </ul> <p>If any relief is successfully claimed, the CIL estimate is:</p> <ul style="list-style-type: none"> <li>• Mayoral CIL - £308,674.46</li> <li>• Richmond CIL - £732,780.05</li> </ul>

<b>Metropolitan Police</b>	No response.
<b>CCG</b>	<p>The Health Impact Assessment (August 2021) identifies three GP practices within 0.3 miles of the site. Since August 2021 the patient list at the two of the closest practices - Cross Deep Surgery and York Medical which form part of the East Twickenham Partners Primary Care Network has increased by 3.4%. This has resulted in a higher ratio of 1:1826 above the standard of 1:1800 indicating that there will be an adverse impact which requires mitigation in the form of a s106 contribution.</p> <p><i>[Officer note: this has been recommended to be secured by a condition as a Section 106 cannot be used in this instance]</i></p>
<b>Sport England</b>	<p>The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case, but would wish to give the advice to aid the assessment of this application, including matters concerning loss of any sports facility, provision of any new sports facility, demand on existing facilities, how the scheme leads to healthy lifestyles and communities.</p>
<b>Fire safety consultants</b>	No objection.
<b>Energy consultants</b>	<p>Outstanding requirements:</p> <ul style="list-style-type: none"> <li>• Requires BREEAM pre-assessments for non-domestic units (pub, restaurant and cafe).</li> <li>• The non residential Be Lean scenario does not meet the minimum 15% reduction through efficiency design measures.</li> <li>• Confirm the CO2 reduction achieved by installing the PV panels.</li> <li>• Detail future District Energy connection proofing.</li> <li>• Provide compliance with TM59 criteria by investigation further mitigation measures for enhanced solar control glazing / retrofit additional brise soleil, for the on residential development.</li> </ul>
<b>Waste</b>	<p>Residential - No objection raised, subject to conditions:</p> <ul style="list-style-type: none"> <li>• Scheme provides sufficient waste and recycling storage.</li> <li>• Both residential bins are accessible to within 20m or less for collection vehicular.</li> <li>• Recommends condition for push route; dropped kerb locations; type of locks for refuse stores.</li> <li>• Requests food waste collection facilities and temporary storage for bulky goods.</li> </ul> <p>Commercial storage – no objection, subject to conditions.</p>
<b>Thames Path Manager</b>	<ul style="list-style-type: none"> <li>• Include Thames Path diversion through the Construction Management Plan.</li> <li>• The diverted route should be signed at all times formally with Thames Path Diversion signs</li> </ul>



	<ul style="list-style-type: none"><li>• Thames Path Manager should be notified prior to the closure so information can be posted on social media and via National Trails website.</li><li>• Once the development is completed, it looks like the Thames Path will go back to its current alignment. The Thames Path at this location currently runs along Wharf Lane/ The Embankment, which is presumed to be public roads. If the roads are stopped up, will the Thames Path have a 'public highway status' as it is not a recorded Public Footpath at this location. Should for any reason in the future the Thames path get obstructed at this location it will be easier for Richmond to enforce if it is a public highway.</li></ul>
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**THE FOLLOWING SECTION OF THE REPORT EXPLAINS THE OFFICER RECOMMENDATION WITH REFERENCE TO THE PROPOSED DEVELOPMENT AND WITH REGARD TO THE DEVELOPMENT PLAN AND ANY RELEVANT MATERIAL CONSIDERATIONS INCLUDING THOSE RAISED IN RESPONSE TO CONSULTATION.**

## 8. EXPLANATION OF OFFICER RECOMMENDATION

- 8.1 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. (Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004).
- 8.2 The key issues for consideration are:
- i. Land Use
  - ii. Metropolitan Open Land
  - iii. Design
  - iv. Heritage Assets
  - v. Public Realm
  - vi. Design scrutiny
  - vii. Neighbour Amenity
  - viii. Trees and Landscaping
  - ix. Ecology
  - x. Pollution
  - xi. Flood Risk
  - xii. Transport
  - xiii. Sustainability
  - xiv. Infrastructure
  - xv. Fire Safety
  - xvi. Public Sector Equality Duty

### Issue i: Land Use

#### **Brownfield Land:**

##### Brownfield Land Register (Part 1)

- 8.3 Part 1 of the Brownfield Land Register (BLR) comprises all brownfield sites that a local planning authority has assessed as appropriate for residential development. Representations have been received raising objections to DJGs having been entered onto the Brownfield Land Register (BLR), and the implications this has on the assessment of the current application. The whole site allocation TW7 is on the BLR in response to the TAAPs aspiration for a comprehensive redevelopment of the whole site, and Twickenham Riverside Trust having previously agreed to consider a re-provision of its land as part of the RIBA competition for the redevelopment of the site. As such, it was deemed the site met the criteria for including land within the BLR. Whilst the whole site may be included within the BLR, this is not a formal designation, land allocation, nor does it mean that the whole site, in its entirety, is appropriate for residential development or the entry is being relied upon during the assessment of this application. The Register provides up-to-date information on sites that have potential for residential development.

##### Brownfield Land:

- 8.4 The NPPF requires substantial weight to be given to the value of using suitable brownfield sites for homes and other identified needs (Para. 120) and LPAs should take a proactive role in helping to bring forward land that may be suitable for meeting development needs, including suitable sites on BLR or held in public ownership, using the full range of powers available to them (para. 121). Policy GG2 of the London Plan states Councils must enable the development of brownfield land, prioritise those that

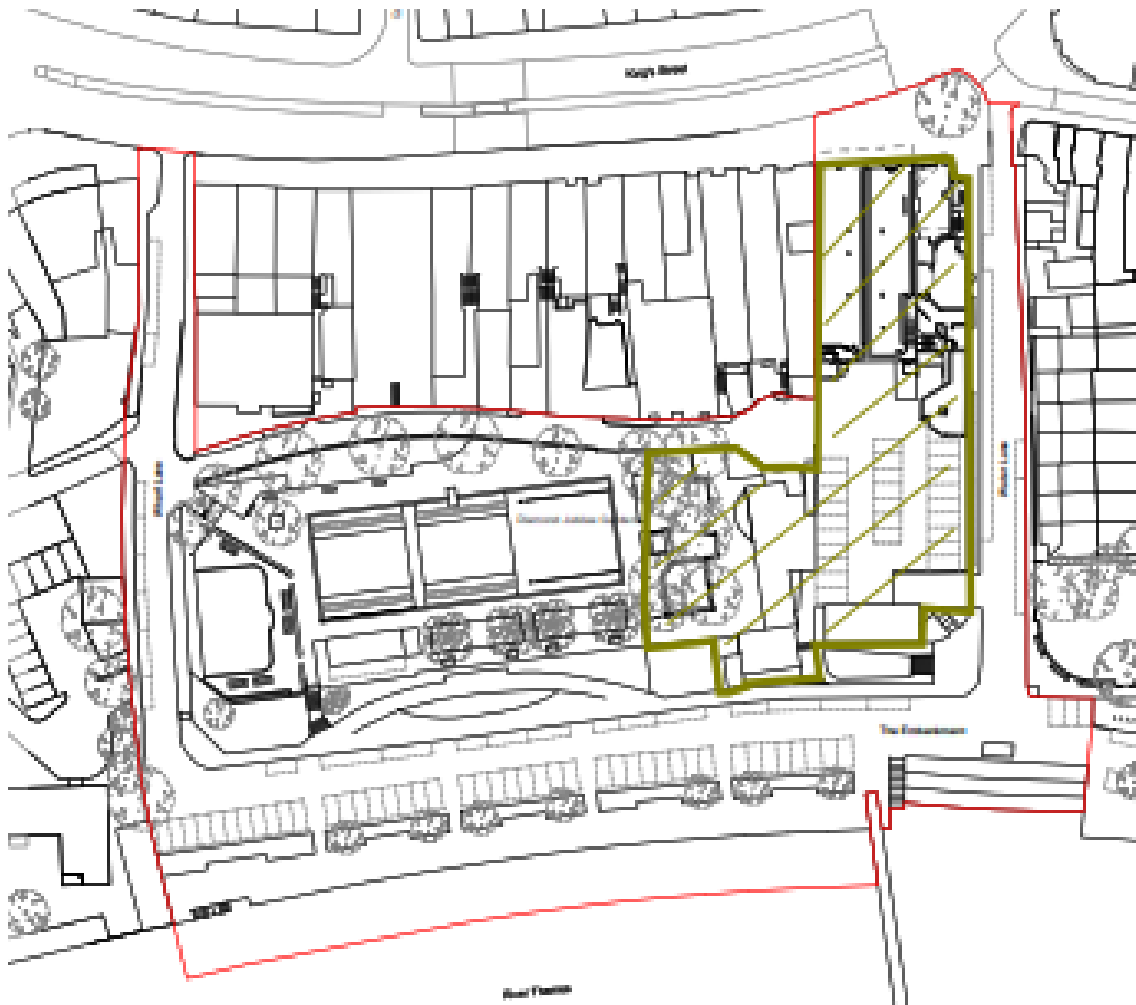
are well connected to public transports, and explore the potential to intensify the use of land.

- 8.5 When defining Brownfield Land, the NPPF refers to Previously Developed Land, and defines this as

*“Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape”.*

- 8.6 There is no doubt the site, as a swimming pool with associated buildings and 1, 1a and 1b King Street (with associated car park) was a brownfield site. However, following the consents in 2004 and 2005 for the demolition of buildings on the former swimming pool site, and provision of hard and soft landscaping, café and play area, officers conclude there has been a change in circumstance, and now only part of the site can be identified as previously developed land. Whilst the consents for the landscaping, café and play areas were only temporary (to ensure this did not prejudice the long-term planning objective of the area) and all such decisions expired in 2012 – 2016, given the length of time that has passed, the play area and café have gained lawful use through the passage of time, and the gardens remain unlawful (in a planning perspective).
- 8.7 Taking account of the above, Plan 1 below identifies the part of the site that officers have defined as brownfield land (hatched) for the purpose of this application and assessment (and does not include public highway in this assessment). This too meets the NPPF definition, *“Land which is or was occupied by a permanent structure, including the curtilage of the developed land”*. For clarity, the existing DJGs is not defined as brownfield land as this constitutes *“land in built-up areas such as residential gardens, parks, recreation grounds”*.

**Plan 1: Brownfield land for the purpose of this application**



- 8.8 The hatched area contains:
- 1-1b King Street (2-3 storey buildings fronting King Street and Water Lane).
  - Hard standing car park associated to 1-1b King Street.
  - Substation to the south of the service road.
  - The former PC on the corner of Water Lane and The Embankment.
  - The former Bath House and land within the curtilage of this building (contained behind fencing).
- 8.9 The proposed Water Lane building is therefore sited wholly on brownfield land.
- District Centre (retail and office)**
- 8.10 The NPPF places significant weight on the need to support economic growth and productivity, taking account both local business needs and wider opportunities for development (para. 81) and supports the role that town centres play at the heart of community's, which includes, ensuring town centre uses are located within centre boundaries and recognising residential development can play an important role in ensuring the vitality of centres (para. 86). The NPPF requires decisions to plan positively for the provision and use of shared spaces, communities' facilities (shops, openspace, public houses) and other local services to enhance the sustainability of communities and residential environments (para. 93).
- 8.11 London Plan policy SD6 wishes for the viability and vitality of town centres to be promoted and enhanced by encouraging strong hubs with a diverse range of uses that meet the needs of Londoners; for centres to be the primary location for commercial

activity, and the management of vibrant daytime, evening and night-time activities promoted to enhance the town centre. Any commercial space should relate to the size and role of the centre, is appropriately located and fit for purpose (with at least basic fit out) and provides a range of unit sizes to support diversity (SD7). Policy E9 goes onto say, proposals should bring forward capacity for additional comparison good retailing and support convenience retail.

- 8.12 Under policy LP25, development within the borough's centres will be acceptable if it is keeping with the centres role and function within the hierarchy and is of scale appropriate to the size of the centre; is in an appropriate location; does not adversely impact on the viability and viability of the centre and the scheme optimises the potential of sites by contributing towards a suitable mix of uses that enhance the viability and vitality of the centre, with commercial or community uses provided on the ground floor fronting the street.
- 8.13 More specifically to Twickenham, policy LP25 supports developments including retail, leisure, entertainment, offices and encouraged proposals for leisure, cultural and tourism, and Policy TWP1 of TAAP supports the provision of small retail units within the retail core, which are identified as important to both the local character and to local businesses.
- 8.14 The site is partially within a Key Shopping Frontage (facing King Street). Policy LP26 resists the loss of retail floorspace within such areas to protect a compact retail core, which fosters comparison shopping and helps to maintain a critical mass of retailers. However, paragraph 7.2.8 of the Local Plan does recognise the policy primarily protects the ground floor.

Retail:

- 8.15 The site currently has two retail units fronting King Street, within the Key Shopping Frontage, with approximately 439m<sup>2</sup> GIA at ground floor level. The scheme proposes 368m<sup>2</sup> of retail floor space, all at ground floor level. Whilst the scheme results in a loss in the quantum of retail floorspace, this is modest, and the scheme retains retail activity along the frontage in King Street and introduces retail activity along Water Lane, which will preserve the core of Twickenham Centre and meet the aspirations of the TAAP of maintaining the retail frontages, introduce new town centre uses along Water Lane and improving the link between the river and the centre. The applicant requested flexibility for the Class E units on Water Lane. However, in response to the reduction in retail floor area within the Key Shopping Frontage, any further loss will be restricted, and therefore a condition is recommended restricting these uses to retail.
- 8.16 The retail is proposed within 5 units, which allows for smaller specialist businesses, as sought by the TAAP. The applicants have sought advice from commercial letting agents, who have confirmed no concerns with the size of the retail space, which are to attract the boutique style business similar to those operating in Church Street (it is noted the units are larger than many of those in Church Street); and the design allows for flexibility to remove the partitions between units should a larger unit be required. The agents also advised the market prefers the retail units to be shell (with back of house including storage and WCs to be designed by fit out contractors to suit the needs of individual operators). Similarly, the café, at the southern end of the Water Lane building will activate the frontage with the newly formed public open space.

Night-time economy:

- 8.17 The London plan (HC6) promotes the night-time economy, where appropriate and which are well served with safe and convenient night-time transport. Policy LP27 recognises the important role and social function public houses place in the community

and can add to the local character of the area. As such, the proposed public house / restaurant within Water Lane is supported, is suitably located, will bring vibrancy and activity to the public open space and river frontage.

- 8.18 A condition has been secured for both the public house / restaurant and café to be part of the Council's Community Toilet Scheme from commencement of use.

Offices:

- 8.19 The London Plan (GG5, E1 and E8) supports the growth of employment space in right locations and the provision of new office spaces, that provide opportunities for flexible and adaptable space and for a diverse range of sectors. Policies LP40 and LP41 requires land in employment use to be retained; and any loss only permitted with there is robust and compelling evidence that clearly demonstrates there is no longer demand and there is not likely to be in the foreseeable future (which is to be supported with marketing evidence), and then a sequential approach to the redevelopment to include alternatively employment uses; then mixed uses; followed by residential with maximum provision of affordable housing. This is reflected in policy TWP2 of TAAP.
- 8.20 The Council supports new office development, and for major developments to be directed towards Twickenham; for office accommodation to be useable to meet the future needs of local business and small firms; for the design to allow for flexible occupation and co-working. (Policy LP41).
- 8.21 The existing site includes 245m<sup>2</sup> of office space within the buildings facing King Street. Within the redevelopment the scheme proposes to an uplift of office space within the Wharf Lane building (320m<sup>2</sup>). Further the office space has been designed to accommodate flexible occupation; modern methods of working such as co-working; and meet the needs of local firms and SMEs in need of smaller working spaces. All of such is welcomed, especially within the town centre boundary, and is in accordance with policy. The application does seek for this space to be 'flexible'. However, a condition is recommended to restrict such to office space only (Use Class E (g) (i), to avoid any potential loss, which would be contrary to the aforementioned policies.

**River related uses and community uses**

- 8.22 Policy SI16 expects proposals to protect and enhance waterway infrastructure, access points, moorings, public access, and water related cultural, educational and community facilities and events. Further new facilities and moorings should be supported and promoted, where this does not negatively impact on navigation or on the protection of the waterway, are appropriately designed and respect the character of the waterway. Improvements to river biodiversity is supported. Similarly, policy LP18 requires developments alongside the River Thames to establish a relationship with the river, maximising the benefits and incorporate uses that enable communities enjoy the riverside, especially at ground level. Schemes should be functionally related to the river and include river related uses where possible, including gardens which are designed to embrace and enhance the river and be sensitive to its economy. Schemes will be resisted that result in the loss of riverside facilities. The policy expects an assessment of the effect of the development on the operation of existing river dependent uses and their facilities. Where it is appropriate to accept residential uses, these should be compatible with the operation of the established river related and river dependent uses.
- 8.23 Policy LP19 supports moorings or other floating structure if it does not harm the character, openness and view of the river; its use is river dependant or related; there is not interference with the recreational use of the river, riverside and navigation; and there are wider benefits to the community.

- 8.24 The NPPF supports the delivery of community facilities to enhance the sustainability of communities and residential environments (para. 93), which is reflected in the London Plan (policies SD6 and S1) and Local Plan policy LP28, that supports new social and community infrastructure where it provides for an identified need, is of high quality and inclusive design.
- 8.25 The scheme is deemed to be compliant with the aforementioned policies:
- The scheme removes of the parking along The Embankment and provides newly formed public open space, enhancing the riverside walkway, and allows the community to enjoy the riverside and its environment.
  - Provision of new community boatstore facility to the south of the Wharf Lane building, including a boat preparation area adjacent to promenade, and ramp and pontoon for access, all of which encourage water sports and create a link between the site and the River.
  - Aquatic floating eco baskets to enhance the biodiversity value of the river
  - Provision of riparian lifesaving equipment along The Embankment, secured via condition
  - Repairs to the slipway
- 8.26 Concern has been expressed regarding the location of the river side activity and the potential conflict with vehicular traffic. To mitigate any such harm, the boat preparation area will be sited to the east of the bollards, the activity space is located in a pedestrian priority area, for which the Transport Assessment predicts a low usage for vehicular activity and there is sufficient space for vehicles to turn without conflicting with those using the boathouse lockers and changing area. If further safety measures are required, these will be secured via the S278 Agreement.
- 8.27 The scheme identifies three existing mooring points along The Embankment. A mooring survey has been undertaken, which shows a low usage, moorings mostly taking place on the western end of the site at an informal mooring location, and no more than two moorings used at one time. There are concerns over the robustness of the survey given it was undertaken in winter months when one would expect moorings to be less frequency used in response to the weather and river condition. However, given two mooring points will remain, and the wider benefits of other river sports are acknowledged. Port of London have advised that as part of the River Works License, a Navigational Risk Assessment will be required to ensure this does not unduly impact on the recreational / leisure use, and a further mooring survey to assist with assessing the impact on the area.

### **Education and Training**

- 8.28 Under policy E11 proposals should support employment, skills development and other education and training opportunities in both construction and end-use phases. Where developments (either through construction and / or end use) generates more than 20 (Full Time Equivalent) employment opportunities, policy LP29 requires a Local Employment Agreement to be secured via a legal agreement.
- 8.29 The submission estimates the scheme will generate 82 full time employees, an uplift from 7, which is welcomed. No estimate has been provided for the construction stage; however, it is envisaged to exceed 20 FT employees, and as such, a condition requiring details of a Local Employment Agreements for both construction and end use in line with policy, which will ensure the scheme provides opportunities for local employment.

**Public open space, sport and recreation**

- 8.30 Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless it meets one of the following exceptions:
- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; **or**
  - b) The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; **or**
  - c) The development is for alternative sports and recreation provision, the benefits of which clearly outweigh the loss of the current or former use. (para. 99 of the NPPF)
- 8.31 The above is reflected in both the Local Plan and London Plan (LP31, S5, G1 and G4 respectively) which seeks to protect open space, formal and informal grounds, playing fields and green infrastructure.
- 8.32 Policy LP12 requires the following to be considered when assessing 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.
- 8.33 In addition to protection of open space, new (and access to) areas of publicly accessible open space; green infrastructure; and play, sports and recreation space are also sought by the London Plan (GG3, G4 and D3) and Principle 4 of the TAAP, with the latter specifically looking for the upgrade of the public open space and new open hard civic spaces at Twickenham Riverside.
- 8.34 The Development Plan has various definitions of open space, as summarised in Table 1 below:

**Table 1: Definition of openspace**

<b>Development Plan document</b>	<b>Definition of Open Space</b>
The NPPF	All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.
London Plan	All land in London that is predominantly undeveloped other than by buildings or structures that are ancillary to the open space use. The definition covers the broad range of types of open space within London, whether in public or private ownership and whether public access is unrestricted, limited or restricted.
Local Plan	Open Space: All land that is predominantly undeveloped other than by buildings or structures that are ancillary to the open space use. The definition covers a broad range of types of open spaces, whether in public or private ownership and whether public access is unrestricted, limited or restricted.



	Public Open Space: Parks and similar land for public use, whether provided by the Council, or privately, where access for the public is secured by virtue of legal arrangements.
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- 8.35 The submission documents, for the purpose of this application, define open space as all open space of public value which offer important opportunities for sport and recreation and can act as a visual amenity. This is accepted and in line with the above definitions. The submission has not included areas where vehicles have priority over pedestrians within their open space definition. This too is accepted, whereby such areas fit more appropriately in with the definition of public realm, which is defined in the London Plan as, “*publicly accessible space between and around buildings, including streets, squares, forecourts....*”
- 8.36 The site currently incorporates extensive areas of open space, both soft and hard landscaped, as identified in Plan 2 below. This includes Diamond Jubilee Gardens (DJGs), landscaping areas south of the DJG, the promenade on The Embankment, and the fenced off landscaping to the north of Bath House. Unfortunately, the existing car park and access road along The Embankment, severs the open space, and severely devalues the quality of such and enjoyment of Twickenham Riverside.

**Plan 2: Existing open space**



- 8.37 As set out in Section 4 (Planning History) planning permission has been granted for DJGs as public open space, and for the play area to the west. However, such consents

have now lapsed. In response to the passage of time, the play area and café approved by applications 03/1141/FUL and 05/0251/FUL are now lawful uses. The remaining DJGs approved via application 09/0914/FUL is now unlawful (in a planning perspective), given this had a condition requiring the use and associated works to stop and or be removed within 5 years from the date of the consent (14 February 2016). Conditions are enforceable for 10 years.

- 8.38 In response to the inability for DGJ to revert to its former use (in response to the demolition of the pool buildings), it is deemed this part of the site currently has no lawful use (from a planning perspective). Therefore, any planning policy documents indicating a preferred use will be relevant in considering a new application.
  
- 8.39 DJGs is not formally designated as Public Open Space within the Local Plan. However, in 2014 the former pool site was appropriated to public gardens under the Local Government Act 1972; the TAAP report refers to DGJs as a public park (3.4.2), public open space (Principle 4) and areas of parkland and other open areas (2.2.42). Therefore, whilst not formally designated as POS within the Local Plan, the Gardens clearly function as such, and so the scheme will be assessed against those relevant policies.
  
- 8.40 The scheme results in the loss of the existing open space, with the Wharf Lane building (and the Water Lane building to a lesser degree) proposed on such areas, contrary to LP31 and the aspirations of the TAAP (which seeks the upgrade, enhancement and extension of DJGs (3.4.1, Principle 4 and 7.5.5.4). However, each application must be assessed on its own merits that consider the exceptions set out in the Framework, and re-provision (value, facilities, access) and the planning balance.
  
- 8.41 The application has not been accompanied with an assessment to demonstrate such open space is surplus to requirements, nor has this been observed by officers, therefore exemption (a) of the Framework does not apply. The scheme does however re-provide the open space that is lost, as set out in Plan 3 below and as detailed in Table 2, in line with exception (b).

**Plan 3: Proposed open space**



Table 2: Comparison of open space

	Existing	Proposed
<b>Total open space</b>	4,463m <sup>2</sup>	5,642m <sup>2</sup>
<b>Public open space</b>	4,277m <sup>2</sup> (this excludes the fenced off area to the north of Bath House)	5,642m <sup>2</sup>
<b>Hard landscaped public open space</b>	3,203m <sup>2</sup>	4,122m <sup>2</sup>
<b>Soft landscaped public open space</b>	1,074m <sup>2</sup>	1,520m <sup>2</sup>
<b>Floodable public open space</b>	1,361m <sup>2</sup>	2,486m <sup>2</sup>
<b>Open space outside floodable areas</b>	3,102m <sup>2</sup> (however, 2,916m <sup>2</sup> as public open space – excluding area to the north of Bath House)	3,156m <sup>2</sup>

8.42 By area, the scheme provides an uplift in open space; public open space; soft and hard landscaping; open space outside a floodable area. The quality of the reprovided open space is deemed to be an upgrade in accordance with the aspirations of TAAP:

- Increased open space outside a floodable area, thereby allowing for increased usage by the community
- The current open space (promenade and DJGs) is separated by a road and car park. By comparison, all openspace is connected, from the north service road down to the river, to Water and Wharf Lane, with accessible access for all. Whilst occasional vehicles may require access along The Embankment, this is limited and thereby not demonstrably devaluing such open space.
- The existing DJGs has poor legibility from surrounding pedestrian walkways and feels detached from the riverside. In comparison the scheme proposes a wave of

open space, that visually and physically links to its surroundings, and benefit from views to the river

- Compared to existing, the scheme enhances the functionality of the open space, providing a series of spaces for different functions, allowing for increased enjoyment of such, including gardens, river activities, town square for events, riverside promenade, lawn terrace for informal recreation, alfresco dining; play; petangue area, amphitheatre; and seating within different character areas.
- Whilst it is recognised DJGs currently holds events, the scheme enhances such provision because of its size, siting (and thereby ease of access); and provision of services (external lighting, power and water). The submission has undertaken event capacity studies, which shows the town square alone, could provide an ice-rink; cinema and seating; stage with seating, farmers markets, fun fair – demonstrating the versatility of this space.

#### Diamond Jubilee Gardens:

- 8.43 Considerable objection has been received with regards to the loss of the existing DJGs, and the quantum and quality of the re-provision, all of which has been considered. The scheme does alter the DJGs boundaries (red dotted lines in plans 2 and 3), with the land use extending eastwards to incorporate the lawn terrace and southwards to the embankment, incorporating the Square. Table 3 provides a comparison to existing and proposed areas and demonstrates the total public open space proposed would be larger than existing. The scheme does result in an increase in the floodable area, which will likely impact upon the frequency and useability of this area and is a harm. This will be covered in the planning balance.

**Table 3: Changes to Diamond Jubilee Gardens Boundary - Public Open Space**

	Existing	Proposed
Total public open space	2,483m <sup>2</sup>	3,635m <sup>2</sup>
Hard landscaped	1,996m <sup>2</sup>	2,525m <sup>2</sup>
Soft landscaped	487m <sup>2</sup>	1,110m <sup>2</sup>
Floodable	-----	1902m <sup>2</sup>
Outside floodable area	2,483m <sup>2</sup>	1733m <sup>2</sup>

- 8.44 The proposed scheme satisfactorily re-provides the existing equipment and facilities found in the Gardens, associated to informal and formal recreation, as summarised in Table 4. (The uplift in play equipment is to cater for the needs of the development and is considered in more detail under Issue xiv (infrastructure)). All such areas are accessible for all, whether they are approaching the site from Water Lane, Wharf Lane or The Embankment.

**Table 4: Diamond Jubilee Gardens equipment / facilities**

Existing DJGs	Proposed DJGs
Total play surface: 187.5m <sup>2</sup> <ul style="list-style-type: none"> <li>• Play tower with slide</li> <li>• 3 person seesaw</li> <li>• Climbing frame</li> <li>• Roundabout</li> </ul>	Total play space: 377m <sup>2</sup> <ul style="list-style-type: none"> <li>• Tree house with slide</li> <li>• Seesaw</li> <li>• Climbing net</li> <li>• Roundabout</li> <li>• Tipping crane</li> <li>• Sand tipper</li> <li>• Spinner</li> <li>• Climbing wall</li> </ul> Additional seating and sensory plan (40m <sup>2</sup> )

Sandpit (63m2)	
Surrounding hardstanding area with seating: 161m2	Seating around play (13.4m2)
2 Petanque courts (125m2)	2 Petanque courts and additional seating (287m2)
Astro-turf lawn area: 281m2	Lawn area (571m2)
Flexible space: 216m2	Event space: 720m2

- 8.45 To conclude on the matter of open space, the scheme replaces the (public) open space and re-provides an area for Diamond Jubilee Gardens, which is deemed to be an upgrade to existing provision, both the quantum and quality, whereby a road and car park will no longer sever the link between existing open space and the river; the scheme will provide a wave of open space that connects with the river, adjacent public open space and wider green infrastructure network. Further, the new space is capable of being used for extensive civic functions and activities and thereby increasing its value. In summary, the scheme is deemed to meet the exceptions of para. 99 of the NPPF and policies, both through the re-provision, the quality of the proposed space, and benefits of the proposed provision outweighing the loss of the current arrangement.

#### **Land Use - Housing**

- 8.46 The NPPF recognises small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. (Paragraph 69).
- 8.47 Policy GG4 of the London Plan states LPAs must ensure more homes are delivered, in mixed and inclusive communities and that are of a high standard. To ensure that ten-year housing targets are achieved, policies SD6 and H1 of the London Plan requires boroughs to optimise the potential for housing delivery on all suitable and available brownfield sites, especially the following sources of capacity:
- Sites with existing or planned public transport access levels (PTALs) 3-6 or which are located within 800m distance of a station or town centre boundary.
  - Housing intensification on other appropriate low-density sites in commercial, leisure and infrastructure uses.
  - The redevelopment of public sector owned sites.
- Further, Borough's should proactively use brownfield registers to increase certainty for those wishing to build new homes.
- 8.48 The Local Plan sets a Borough target of 3,150 homes for the period 2015-2025, of this target, it was envisaged that approximately 1000-1050 units would be provided within Twickenham (LP34). This target has been superseded by the ten-year targets for net housing completion as outlined in the London Plan 2021 which, for Richmond, sets a target of 4,110 for the period 2019/20 – 2028/29 in excess of 30% more than the targets within the local plan.
- 8.49 The introduction of 45 residential units on the highly accessible town centre location is welcomed, which will contribute to the vitality of the centre, assist in the Borough meeting housing need, making more intensive use of the site, as sought by policy.

#### **Housing mix**

- 8.50 Schemes should generally consist of a range of unit sizes (policy H10), which is determined by local evidence of need; the requirement to deliver mixed and inclusive neighbourhoods and units of different price points; tenures; location of the site (with a

higher proportion of one and two bed units generally more appropriate in town centre locations or with higher public transport connectivity); optimising housing potential and the role of one and two bed units provides in freeing up existing family housing. The above is reflected in policy LP35, which requires a higher proportion of small units within the five main centres (such at Twickenham).

- 8.51 The mix of the proposed residential units is outlined in Table 5. In line with policy, the scheme has an appropriate mix of units suitable for this town centre location, with a higher proportion of units being small (studio / 1bed), and the private units having a range of unit sizes allowing for a range of price points.

**Table 5: Housing mix**

<b>Overall mix</b>	Studio: 5 units (11%) 1bed (2 person): 20 units (44%) 2bed (3 person): 6 units (13%) 2bed (4 person): 13 units (29%) 3bed (6 person): 1 unit (2%)
<b>Private</b>	Studio: 5 units 1bed (2 person): 9 units 2bed (3 person): 3 units 2bed (4 person): 7 units
<b>Affordable housing mix – affordable rent</b>	1bed (2 person): 9 units 2bed (3 person): 1 unit 2bed (4 person): 6 units 3bed (6 person): 1 unit
<b>Affordable housing mix – intermediate</b>	1bed (2 person): 2 units 2bed (3 person): 2 units

### Housing Standards

- 8.52 Policy D6 of the London Plan sets out necessary housing quality and standards scheme should achieve, including, minimum internal space standards and heights; functional layouts; maximising the provision of dual aspect dwellings (single aspect only where it is considered a more appropriate design solution, and the units have adequate ventilation, light, privacy and avoid overheating); sufficient daylight and sunlight; provision of adequate and easily accessible storage space and a minimum of 5sqm of private outdoor space for 1-2 person dwellings and an extra 1sqm for each additional occupant.
- 8.53 The above aspirations are reflected in policy LP35, which requires housing development, to comply with the Nationally Described Space Standard (NDSS) and for adequate external space for the number of occupiers, which is private, usable, functional and safe, accessible from living areas, well orientated. Purpose built, well designed and positioned balconies or terraces are encouraged if they comply with LP8 (amenity).
- 8.54 Overall, 64% of the units are dual aspect, and 36% single aspect. Whilst it is disappointing not all units are dual aspect, given the layout and footprint of the buildings, all north facing units being dual aspect, and the good outlook of remaining units, this is deemed acceptable. The unit sizes meet the NDSS and have acceptable layouts, and all wheelchair housing units provide accommodation with generous living

rooms and bedrooms, allowing ease of access. Whilst two units fall below the height restriction of 2.3-2.5m, given this is a limited extent (27-29% of unit area) and the units exceeding the unit size requirement, a satisfactory level of accommodation will remain. All units have access to private amenity space, accommodated off living accommodation, however, 31% of the units (13 private and 1 affordable) fall short of the quantum of amenity space. Whilst regrettable, in response to the site's town centre location, marginal shortfalls, and the generous provision of the public open space within the scheme and access to the improved environment along the riverside, this will not unduly diminish the quality of the accommodation.

- 8.55 A lighting report has been undertaken to assess the quality of the proposed accommodation. This concludes:
- 87% of habitable rooms meet or exceed the recommendations for Spatial Daylight Autonomy.
  - 65% of residential units have at least one window facing within 90 degrees of due south
  - 73% residential unit living rooms receive at least 1.5 hours of direct sunlight on 21<sup>st</sup> March
  - 91% of residential unit habitable rooms received at least 1.5 hours of direct sunlight on 21<sup>st</sup> March.
- 8.56 There are reasons where some rooms do not meet the necessary targets, which is owed to combining kitchen / living / dining rooms or the inclusion of inset balconies which in turn reduces light to rooms, the quality of the accommodation is deemed acceptable.

### **Accessibility**

- 8.57 The NPPF (para. 92) and London Plan (D5) required proposals to achieve the highest standards of accessible and inclusive design, and be convenient and welcoming with no disabling barriers, to be able to be used easily and with dignity for all and designed to incorporate safe and dignified emergency evacuation for all building users.
- 8.58 To ensure residential developments provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children, policy D7 of the London Plan requires such developments to provide at least 10% of dwellings to meet Building Regulation requirement M4(3) 'wheelchair user dwellings' and all other dwellings to meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'. This is similarly reflected under policy LP35 of the Local Plan, which also outlines the Building Regulations M4 (2) and M4 (3) require step free access.
- 8.59 An Access and Inclusive Design Strategy has been submitted. Each block provides level access and lifts within for ease of accessibility. The submission has also considered materials and colour, to create distinct visual identities to improve wayfinding and orientation.
- 8.60 In line with policy, the scheme proposes 11% wheelchair units. Whilst these are not evenly spread across tenures, there is at least one unit in each the private, affordable rent and intermediate housing tenures. Further, the 3bed affordable rent is identified as an M4(3) unit, all of which is welcomed. A condition is recommended to ensure the affordable rent units, which the Council has nomination rights for, to be built out as fully accessible M4(3) 2b units. The M4(3) unit within the Wharf Lane building has access to only one lift, and therefore a condition is recommended to ensure a robust maintenance plan to ensure access to the units is maintained in good working order.

A condition is recommended for the corridor door in Water Lane to remain accessible to all units to ensure occupants have appropriate lift access.

### **Affordable Housing**

- 8.61 The NPPF expects major residential developments to provide at least 10% of the total number of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups (Paragraph 65). The London Plan and Local Plan have higher expectations. Policies GG4, H4 and H5 of the London Plan sets the strategic target of 50% of all new homes to be genuinely affordable, with such to be provided on site. To achieve such, the policy puts forward measures including:
- 1) the use of grant to increase affordable housing delivery beyond the level that would otherwise be provided
  - 2) public sector land delivering at least 50% affordable housing on each site and public sector landowners with agreements with the Mayor to deliver at least 50% affordable housing across their portfolio
- 8.62 Policy H6 sets out the necessary split of affordable products:
- 30% low cost rented homes (London Affordable Rent or Social Rent)
  - 30% intermediate housing (London Living Rent / London shared ownership)
  - 40% determined by borough
- Therefore, in this instance, the scheme should provide 62% low cost rented homes and 38% intermediate housing. To follow the Fast-Track Route (whereby the applicants do not need to provide a viability appraisal), the tenure of 35% of homes must meet this housing split.
- 8.63 Similar to the London Plan, policy LP36 of the Local Plan expects 50% of all housing units to be affordable housing, with 50% provision on site with schemes capable of 10 or more units, comprising a tenure mix of 40% affordable rent and 10% affordable intermediate housing. Based on need, the affordable housing mix should reflect larger rented family units and the Council's guidance on tenure and affordability, based on engagement with a Registered Provider (RP) to maximise delivery. Where on site provision is required, an application should be accompanied by evidence of meaningful discussions with a RP which have informed the proposed tenure, size of units and design to address local priorities and explored funding opportunities. Where a reduction to affordable housing is sought from the quantum and mix, on economic viability grounds, a development appraisal is required to demonstrate that schemes are maximising affordable housing.
- 8.64 Policy requires applications be accompanied by evidence of meaningful discussions with a RP to demonstrate this has informed the proposed tenure, size of units and design to address local priorities and explored funding opportunities

### Content and quantum

- 8.65 By unit, the scheme delivers 47% affordable housing. However, paragraph 9.3.6 of the Local Plan states, "*Where affordable housing involves dwellings with larger numbers of habitable rooms per dwelling, or different sizes of habitable rooms with different tenures, it may be more appropriate for the calculation of the affordable housing proportion to be in terms of habitable rooms or floor space*". The scheme delivers 50% affordable housing by habitable room, with a split of 81% Rent / 19% Intermediate, as sought by local plan policy. Whilst this deviates from the London Plan split, within the Borough the acute need is Affordable Rent, and therefore the tenure mix is welcomed and a positive attribute of the scheme. The tenure and unit size of



the affordable homes are summaries in Table 6:

**Table 6: Tenure and unit size of the affordable homes**

<b>Tenure</b>	<b>1 bed</b>	<b>2bed</b>	<b>3 Bed</b>	<b>Total</b>
Affordable Rent	9 (53%)	7(41%)	1(6%)	17(81%)
Shared Ownership	2 (50%)	2 (50%)	0	4 (19%)

- 8.66 It is understood that the viability of delivery of a policy compliant scheme is challenging, an allocation of funding support from the Housing Capital Programme will be sought in addition to funding from the Mayor's Affordable Housing Programme which is required to support delivery of the affordable homes. (The Registered Provider (RP) has received an indicative grant from the GLA for the 2021 -26 programme that will be subject to further discussions with the GLA on utilising that indicative grant for this scheme).
- 8.67 At this point of assessment, the scheme delivers 50% affordable housing, which will be secured via condition. If there is any deviation to this, a Section 73 application would be required.
- 8.68 The affordable housing is to be provided in a single block (Water Lane building) allowing for ease of maintenance and limiting servicing charges, comply with the National Design Standards, incorporate 10% wheelchair accessible homes, and includes a mix which is a good fit with the Council's priority housing needs, providing a potentially attractive location for downsizing households and also much needed family sized homes. The building design is tenure blind.
- 8.69 The Affordable Housing statement confirms the applicant conducted soft market testing and engaged with a number of Registered Providers (RPs) including RHP, Paragon Housing, Shepherds Bush Housing Association, Richmond Charities, Octavia Housing, L&Q Group, A2 Dominion, Clarion Housing Association, Guinness Trust, Metropolitan Thames Valley Housing and Peabody. The RPs were generally favourable of the design; provided positive feedback regarding DJGs; were favourable to the energy strategy and use of Air Source Heat Pumps; however, raised concerns of the use of cross-Laminated Timber due to fireproofing (which has since been omitted from the scheme) and duplexes. Whilst duplexes remain, given the limited number (9) and the acute affordable housing need, this does not raise concern they would not be occupied.

**Affordability:**

- 8.70 The Council's Intermediate Housing Policy Statement requires two thirds of the shared ownership homes to be affordable at gross household income of £50,000. The five intermediate housing units will need to be marketed in accordance with the Council's Intermediate Housing Statement with the associated affordability criteria which would be secured via condition. The three elements that make up the housing costs for the intermediate housing (mortgage, rent and service charges) will only be determined nearer the completion of the homes when the open market value of the homes and the estimated service charges will be known. The RP would then need to set the rent on the unsold equity to ensure the marketing of the homes is in accordance with the affordability criteria. This will need to be approved by the Council when the RP submit their marketing strategy to the Council for the intermediate homes at least 6 months prior to practical completion of the intermediate homes, which will be secured via the legal agreement.

**Land use Summary:**

- 8.71 In summary on issue i, the commercial uses will strengthen the retail offer of Twickenham town centre, enhance office provision, and the café and public house will activate the frontages adjacent to the river and public open space. The new river relates uses are supported, maintaining and enhancing The Embankment as a working key. The residential uses, particularly the affordable housing, are welcomed, and will assist in meeting both housing and priority housing needs. Residential use in, in part, on brownfield land and that part of land identified to be greenfield is considered to be acceptable. Open space (by area) is re-provided through the scheme as demonstrated in the submission and there is an uplift in quality. The scheme is thereby not deemed to compromise the aims of policy.

**Issue ii – Metropolitan Open Land**

- 8.72 Part of the site is designated Metropolitan Open Land (MOL), as indicated on Plan 4 (grey line). London Plan policies GG2 and G3 and Local Plan policies LP13 and LP31 are relevant, as are paragraphs 137-151 of the NPPF on Green Belts, which apply equally to MOL. 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, as such it is a policy to restrain development.

**Plan 4: MOL boundary**

- 8.73 Policy LP13(A) states that the borough's MOL will be protected and maintained in predominantly open use. Paragraph 147 sets out the general rule that 'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 goes on to state 'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations'. However, paragraphs 149 and 150 do identify forms of development that are not inappropriate provided they preserve openness and do not conflict with the purpose of include land within MOL. LP13 is considered to accord with the NPPF 2021.
- 8.74 Within the MOL boundary, the scheme proposes hard and soft landscaping associated to the scheme including:
- pontoon and ramp for watersports
  - floating ecosystem.

- c. public open space,
  - d. highway and associated turning and parking areas on the public highway.
- 8.75 It first needs to be considered whether the development within MOL is 'appropriate' or 'inappropriate' development. Appropriate uses within MOL include public open spaces, open recreation and sport, biodiversity including rivers and bodies of water and open community uses. Development will be supported if it is appropriate and helps secure the objectives of improving the MOL. Improvement and enhancement of the openness and character of the MOL and measures to reduce visual impacts will be encouraged where appropriate.
- 8.76 Paragraph 149 of the NPPF states that 'a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt' save for in the specified exceptions listed within that paragraph of the NPPF. This includes (b) *"the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation...as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it"*. Policy LP13 also recognises biodiversity including rivers as appropriate uses.
- 8.77 The proposed pontoon and ramp are in connection with an existing use of land and provide appropriate facilities for outdoor sport and recreation, therefore partially meet 149B of the NPPF (consideration as to whether this preserves the MOL and therefore appropriate is considered below). The floating ecosystem is deemed appropriate, supporting biodiversity, under LP13. Similarly, the change of use of the land to public open space, and the hard landscaping works associated to the public highway are not deemed inappropriate (subject to openness test), by virtue of paragraph 50(b) of the NPPF 'engineering operations; and (c) local transport infrastructure which is required in this location.
- 8.78 Prior to being able to conclude whether a use is appropriate, it is necessary to demonstrate that the proposed uses will not harm the character and openness of the MOL.
- 8.79 Openness is both a spatial and a visual concept, there is a wealth of relevant case law around this part of an assessment. The Supreme Court grappled with this exception in *Samuel Smith Old Brewery (Tadcaster) and others) v North Yorkshire County Council* [2020] UKSC 3, and the findings of Sales LJ in *Turner* [2016] EWCA Civ 466 was not disputed:
- "The concept of 'openness of the Green Belt' is not narrowly limited to the volumetric approach suggested by [counsel]. The word 'openness' is open-textured and a number of factors are capable of being relevant... Prominent among these will be factors relevant to how built up the Green Belt is now and how built up it would be if redevelopment occurs ... and factors relevant to the visual impact on the aspect of openness which the Green Belt presents."*
- 8.80 Ouseley J in *Europa Oil and Gas Limited v. SSCLG* [2013] EWHC 2643 (Admin) found that *"considerations of appropriateness, preservation of openness and conflict with Green Belt purposes are not exclusively dependent on the size of the building or structures but include their purpose. These concepts are to be applied, in the light of the nature of the particular type of development."*
- 8.81 For the following reasons, the uses are not deemed to harm the openness of the MOL:

- The pontoon and ramp are modest in size (considering the length of the river frontage of this site), will respond to the river level, be seen in the foreground of the solid river wall adjacent and allow for public open use. A condition is recommended for the piling details.
- The floating ecosystem will adjust to the river level, and will provide landscaping to soften the hard river wall, thereby enhancing the character of the MOL
- The new public openspace visually improves the openness of the MOL, removing parking, replacing an existing wall and allowing for level access to public openspace.
- The proposed hard surfacing associated to the public highway essentially involves renewing existing hard surfacing and altering the proposed highway layout, with replacement street furniture.

It is the opinion of Officers that the proposals within the MOL boundary are therefore appropriate developments, meeting the exceptions in paragraphs 149 and 150 of the NPPF and policy LP13.

#### Visual impact on MOL from development outside MOL boundary

- 8.82 Policy LP13 of the Local Plan requires any possible visual impact on the character and openness of the MOL to be considered for developments on sites outside and adjoining MOL.
- 8.83 Part of the character of the MOL on this site is its hardstanding immediately adjacent to the river frontage with landscaping, parking, landscaping set back and raised up, and buildings (single and two storey). Adjacent to the site, are flatted developments sited closer to the riverbank and landscaping. Whilst the scheme introduces built form on the site with the 5 storey building adjacent to Wharf Lane and 3 storey building on Water Lane, in response to the set back from the river (and to a greater degree than the buildings adjacent in Water Lane and Eyot Lodge to the west), and removal of the parking along the river frontage, the opening up of the raised public open space and the creation of views through the site, and being seen in context with other built development and river related buildings, the scheme is not deemed to visually or spatially harm the character and openness of the MOL.
- 8.84 Further, any impact is also balanced against the removal of car parking, replacement of negative buildings (disused toilets and garage, backs of Santander and associated) and provision of additional planting, green areas, pontoon and ecological riverside planting, which will all improve the view to the river wall.
- 8.85 To conclude on issue ii, the proposal is considered appropriate within MOL as set out above. Further that part of the scheme outside of MOL is not considered to have any visual impact on MOL. As such, this element of the scheme complies with the relevant development plan policies and NPPF.

#### **Issue iii- Design**

- 8.86 As recognised in the NPPF, good design is a key aspect of sustainable development. Decisions should ensure developments will function well and add to the overall quality of the area; are visually attractive and sympathetic to local character and history (whilst not prevention or discouraging appropriate innovation or change); optimise the potential of the site; and create places that are safe, inclusive and promote health and wellbeing. The NPPF makes clear, development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings. (para. 134 of the NPPF).

- 8.87 The London Plan policies, including GG2, D1, D3 and D5 stress the need to make the best use of land by following a design led approach that optimises the capacity of sites, in a manner that enhances local context and responds to local distinctiveness (through layout, orientation, scale, appearance and shape); achieve safe and secure environments, and achieves the highest standard of accessible and inclusive design. Similarly, in the Local Plan, policies LP1 and LP2 state, whilst policies require development to make the best use of land, this to be achieved in a manner that respects, contributes to and enhances the local environment, with consideration to local character and existing townscape, and responding to and being sympathetic to development patterns and layout, views, scale, height, massing, proportions, form, materials, and detailing. Further, as sought by LP2, buildings should generally reflect the prevailing building heights. Proposals that are taller than the surrounding townscape must be of high architectural design quality and standards, deliver public realm benefits, have a wholly positive impact on the character and quality of the area and preserve and enhance the borough's heritage assets, their significance and setting. The centre of Twickenham Centre is an area which has been identified where taller buildings may be appropriate. (The development is below the threshold of what the London Plan (D8) defines as a tall building (it is less than 6 storeys or 18m from ground to floor level of uppermost storey (14.4m)). With respect to skylines, policy LP5 seeks to protect the quality of views, vistas, gaps and the skyline, all of which contribute significantly to the character, distinctiveness and quality of the local and wider area.
- 8.88 Policy LP18 seeks to protect the natural, historic and built environment of the River Thames corridor and the Thames Policy Area; for development adjacent to the river corridors to contribute to improvements and enhancements to the river environment, to establish a relationship with the river; to retain access and provide riparian life saving equipment where required and necessary. This is reflected in London Plan policy SI17.

#### Layout

- 8.89 It is recognised there are several physical factors (constraints and opportunities), policies and local characteristic that have informed the layout of the scheme, including, but not limited to:
- Linking King Street with the River
  - Connecting the green space with the river
  - Establishing a relationship with the river
  - Creating a designation on the riverside
  - Creation of pedestrian priority areas and removing parking along The Embankment
  - Maintaining a green buffer to the rear of King Street
  - Flooding
  - Ground levels
- 8.90 Overall, the masterplan layout of the scheme is considered to be acceptable and follows a design led approach. It provides the widened vista along Water Lane, physically and visually opening the riverside up to King Street, and the raised pedestrian footway, activated with retail units on one side and landscaping on the other, will draw pedestrians to the riverside setting. To the rear of the Water Lane, the site opens up providing generous areas of public open space, and their differing uses

and levels (play and lawn) will create interest and use. Along The Embankment, the space is multi-functional, providing event space, riverside activity, seating, and servicing (during restricted hours), all of which are an improvement to the existing car park, which cuts the site off from the river. The Wharf Building, to the west of the newly formed public open space, provides a book end and frames the site.

Water Lane building:

- 8.91 Officers recognise the challenge of the Water Lane building, with three different contexts – King Street, Water Lane and The Embankment. Rather than try and ‘fit in’ with all three contexts and mimic one architectural style, the scheme proposes a distinct stand alone building, that reflects the period in which it will be built and incorporates features sympathetic to its surroundings. The height of the building broadly reflects those on King Street. Whilst the roof form is strong, with the set back of the façade, this will not appear overwhelming or unduly compete with the adjacent listed building. The set back of the second floor respects the eaves line of 31 Church Road (which reduces the heaviness along this frontage), and window and floor proportions are responsive to the adjoining parade. Along Water Lane, the elevation has a finer grain, picking up on the pattern of development on the east side of the road, and incorporates a set back towards the southern end, which successfully breaks this long elevation. The ground floor is activated by full glazed shopfronts (with space for advertising within), that incorporate discreet, although valuable, variation to differentiate the end units. Modulation and interest are achieved in the upper floors through setback and protruding balconies. The southern elevation, facing the newly formed public open space incorporates a series of double doors, allowing an active frontage and relationship with the outside space, and incorporate blinds (to avoid retro fitting). Further, the composition from the riverside, reading as 2 elements rather than a monolithic block, is welcomed.
- 8.92 Whilst the building does not respond to the change in levels moving south along Water Lane, and therefore, appears of a greater scale to the domestic units on the east side of Water Lane, this is not deemed essential or overwhelming in response to the widening of Water Lane (road and public realm) and soft landscaping.
- 8.93 There are some criticisms with the design of the building, in particular the King Street elevation – for example, the blank brick wall of the stair link block which would benefit from patterns brickwork / vertical window; the ‘basic’ design of the upper floor windows which would benefit from detailing below. Amendments were sought to improve these aspects of the scheme, which were rejected by the applicants on grounds of reduction in unit sizes. This is not identified as a harm.
- 8.94 The scheme identifies the building to be finished in Charnwood bricks. This may be rather monotone red, a condition is recommended for details and the applicants are advised this should include a multi-version brick, which will be more in keeping with the character of Twickenham. The roofing is proposed to be finished in zinc, and the gables with zinc cladding, stainless steel tie bars and aluminium brise soleil, which are acceptable, providing an industrial approach and will relate to the riverside buildings on Eel Pie Island.

Wharf Lane building:

- 8.95 The Wharf Lane building, reads as one building with three components, including a single and four storey eastern wings adjacent to the public open space and five storey western wing adjacent to Wharf Lane. The building would be of mixed use.
- 8.96 The building successfully reflects the form of larger wharf type / boathouses found along the river, with a strong long linear gable pitched roof on all three elements. Whilst

the building extends to five storeys, the height nor scale appears overly excessive, and has been sufficiently broken up through the different wing components, and use of materials and glazing. It would be set back from the river and off the boundaries with adjacent properties.

- 8.97 The five-storey wing on the south elevations incorporates extensive glazing and set in balconies, all of which lighten the appearance of the building and enable residents to connect with the river and river views, the brise soleil will add interest at roof level. This elevation lacks depth and articulation, with an absence of overhanging balconies and overhanging roof, this is in response to Environment Agency requirements. The adjoining single storey element reflects the design of the western wing, and too has a strong form that defines the identity of the pub / restaurant. This part of the building incorporates timber in the columns and rafters, which will soften its finish and be more appropriate as this wing turns the corner on the eastern elevation. Using materials, the adjacent entrance foyer provides a visual link to this unit. The extensive use of glazing on the south and east elevations will activate this part of the site and the river frontage and establish a relationship with the adjoining open space. Whilst signage does not form part of this application, this could be fixed in front of the louvres in the gable. The staggered heights of the eastern elevation break up the scale of the building adjacent to the open space, and the inclusion of openings and inset balconies liven and activate the elevation and give outlook benefits to future residents.
- 8.98 The western elevation is considered to be acceptable, with the use of materials, glazing, curtain walling, set-in balconies, all of which break up the scale and massing of the building. The ground floor has a lack of activity, with only four of the 13 'bays' being clear glazed. However, the reasoning is accepted, with the need to provide residential entrance, servicing for refuse, kitchen and stair core. Further the residential entrances will provide a degree of animation. This also enables the active frontages on the remaining elevations.
- 8.99 The northern elevation will be prominent in Wharf Lane, and unfortunately the design and detail of this elevation is inferior to other elevations and appears flat, with the lack of overhangs, balconies and modulation. Further the entrance of the office appears insignificant and lost. The applicants claim balconies are not possible in response to the arrangement of the flats and deem the ventilation recesses above the windows add depth and articulation. Regardless this is regrettable for a new build not to be designed and arranged internally to ensure all elevations are of the same quality.
- 8.100 The building is proposed to be finished in buff brick, with zinc roofing, curtain walling, concrete cladding, and aluminium brise soleil. Whilst this is broadly acceptable and will provide a contrast to the Water Lane building (whilst the roof material achieving a visual connection), the brick may appear too flat an appearance with little variation. This can be mitigated through a condition. (The applicants have advised the brick will be London Stock, which would be acceptable).
- 8.101 The building incorporates a modest basement, accommodating plant and bike stores. This is deemed to comply with policy LP11 given its limited size, setting away from other buildings, the lack of habitable accommodation at the lower ground floor level, and not exacerbating flood risk (refer to Section xi).
- 8.102 Boat store: The boat store is proposed below the Wharf Lane building, and incorporates open grilles, which allows this to both be floodable and visible, and activated, all of which is acceptable. Officers did indicate an opportunity to provide public art within the openings, this has not been taken forward by the applicant.

Views:

- 8.103 A series of views have been provided. Whilst the Wharf Building is quite dominant, it provides a 'visual 'bookend' to the scheme and when seen upstream by York House Gardens will be seen in the context of Eel Pie Island structures. The scheme is deemed to improve the view from Eel Pie Island Bridge, and with the replacement of trees struggling on the Embankment will appear as an improvement when viewed upstream of The Embankment. Downstream from west: only the roof form of the Wharf building is visible, and this fits into the setting with riverside form, and does not dominate the view to Radnor House School or St. Mary's spire in the distance.

Security:

- 8.104 Policy D22 of the London Plan requires LPAs to work with local Metropolitan Police Service 'Design out Crime' officers and include measures to design out crime. This is reflected in the NPPF, which aims for safe places so that crime and fear of crime do not undermine the quality of life or community cohesion (para. 92). Officers have expressed concern regarding the set back of the entrance on the east side of Water Lane. The applicants have produced a Security Needs Assessment and will incorporate good lighting and CCTV coverage. Further, a condition requiring Secure by Design is recommended.
- 8.105 In summary on issue iii, whilst there are some concerns with elements of the buildings, namely the north elevation of Wharf Lane building, west façade of the Water Lane building, and the lack of detail on King Street, the siting, scale and design of the scheme is considered to be acceptable. The layout has significant benefits, opening and activating the whole site and river frontage, the increased width of Water Lane visually and physically links the river to the rest of the town centre and will draw people down to the riverside. The buildings provide active frontages, establishing a relationship with the adjoining public space. The scheme has followed a design led approach, responding to local character, with two buildings that have a strong form and relate to other wharf buildings found along the river and Eel Pie Island, and the scale and massing has been successfully broken up through materials, detailing and balconies. As such, the scheme is overall compliant with design policies and the aspirations of TAAP. Conditions are recommended to ensure the detail and finish is high quality.

**Issue iv - Heritage Assets**

- 1.106 Sections 16(1) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require that, when considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses. In this context, "preserving", means doing no harm. To give effect to this duty decisions of the court have confirmed that a decision-maker should accord "considerable importance and weight" to the desirability of preserving the listed building or its setting when weighing this factor in the balance with other material considerations which have not been given this special statutory status. However, this does not mean that the weight that the decision-maker must give to the desirability of preserving the building or its setting is uniform. It will depend on, among other things, the extent of the assessed harm and the heritage value of the asset in question. This creates a strong presumption against granting planning permission where harm to a listed building or its setting is identified. The presumption can be rebutted by material considerations powerful enough to do so.
- 8.107 In considering the impact of a proposed development on the significance of a designated heritage asset, the NPPF gives great weight to the asset's conservation



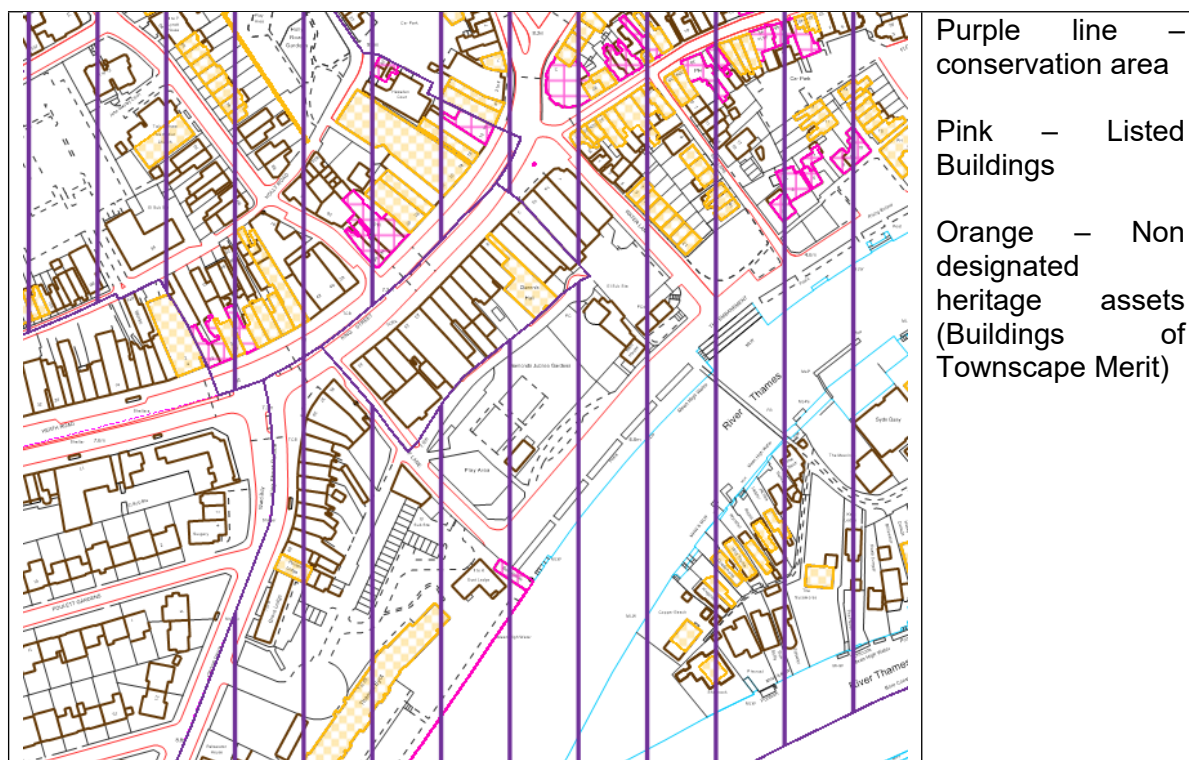
(and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para. 199 and 200).

- 8.108 Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, the NPPF states LPAs should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm (para. 201). Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use (para. 202).
- 8.109 The NPPF requires the effect of an application on the significance of a non-designated heritage asset (NDHA) to be considered. In weighing applications that directly or indirectly affect NDHA, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (para. 203).
- 8.110 Policy HC1 of the London Plan requires developments that affect heritage assets, and their settings, to conserve their significance, by being sympathetic to the assets significance and appreciation within their surroundings. This is reflected in policy LP3 of the Local Plan and principle 4 of TAAP that requires development to conserve and, where possible, take opportunities to make a positive contribution to, the historic environment of the borough.
- 8.111 Policy LP4 considers NDHA, which seeks to preserve, and where possible enhance, the significance, character and setting of such, including Buildings of Townscape Merit (BTM).

Context:

- 8.112 The site is within Twickenham Riverside Conservation Area No.8, adjacent to Queens Road Conservation Area No.47, and within the setting of designated and non-designated heritage assets, as identified in Plan 5 below.

**Plan 5: Heritage assets**



- 8.113 The Twickenham Riverside Conservation Area No.8 is varied in architectural character and scale. To the northeast of the site lies Church Street, part of the historic core of Twickenham with its large number of non designated heritage assets (which are known in the borough as Buildings of Townscape Merit, BTM) and listed buildings, mainly 18<sup>th</sup> and 19<sup>th</sup> century in origin. One of these BTMs (31 Church Street) is situated on the corner of Church Street and Water Lane on the opposite corner to the part of the development facing King Street. To the north of the site and diagonally opposite the King Street elevation, at 2 York Street, lies the imposing classical style Grade II Listed Barclays Bank in a very prominent position at the junction of King Street, York Street, Church Street and London Road. Opposite the site on the east side of Water Lane are several BTMs (7-21 Water Lane), as there are also on the opposite side of King Street to the north (6-8 and 16-22), which includes a Grade II listed building 10-12 King Street (6-22 King Street – No. 10-22 are within the Queens Road Conservation Area No.47). Immediately to the northwest of the site lies the Queens Hall, a BTM and originally Twickenham Town Hall before the building was cut back with the widening of King Street c1930. Situated to the south of the site is the Grade II listed boathouse which was originally part of the Poulett Lodge estate and is now part of a surviving wider landscape within the grounds of Thames Eyot flats. The structures are currently on the Historic England Heritage at Risk Register. Eel Pie Island faces the southern bank of the site, which is also within the Twickenham Riverside Conservation Area and has several BTMs. Within the wider context there are many listed buildings and BTMs which front the river either side of the site and are also within the Conservation Area.

#### Demolition of existing buildings

- 8.114 The scheme involves the demolition of 1, 1a and 1b King Street; the former public toilets at the southern end of Water Lane; Bath House and adjoining buildings; and sunshine café building within Diamond Jubilee Gardens.
- 8.115 1-1c King Street, is a two-storey flat roof c1960s building, on the corner of King Street and Water Lane. It is bland in its appearance, fails to relate to the architectural form and design of the surrounding streetscape, and is a weak corner building for this

important junction. Therefore, subject to a suitable replacement build, its demolition is not deemed to harm the setting, character and appearance of the Twickenham Riverside Conservation Area, Queens Road Conservation Area, nor adjacent heritage assets.

- 8.116 The buildings at the southern end of the site, including the public toilets, café, and Bath House with adjoining building, all have a neutral impact on the conservation area and setting of heritage assets. Whilst the 1930s former pool buildings have a historical link to the previous use of the site as a swimming pool, which will be lost because of the development, the TAAP site allocation accepts the reuse or replacement of these existing buildings. Further, a heritage strategy has been developed in recognition of the interesting and locally valued features within the site that can be relocated within the site, as agreed with the LPA. This includes:

- The lido pool edge tiles – identified to be relocated within the newly formed DJGs. As such, with conditions to secure the above, and subject to the implementation of the development, the loss of these buildings are not deemed to harm the significance of the conservation area or adjacent heritage assets.

Impact on heritage assets:

- 8.117 The siting, scale and design of the scheme is deemed acceptable, as outlined under 'Issue iii'. Nevertheless, it remains necessary to assess the impact of the development on the heritage assets and against associated policy, which is summarised within Table 7.

**Table 7: Heritage asset assessment**

Heritage assets and significance	Impact on significance
<p><u>Twickenham Riverside Conservation Area No.8</u>, designated in 1969 and extended since, has a varied character with a mix of urban, suburban and semi-rural form, and can be split into sub areas. Of relevance is the Commercial Centre, Twickenham Riverside and Eel Pie Island.</p> <p><u>The commercial centre</u>: Based around the landward former village this has evolved into a C19th town, which is also a major traffic route. The piecemeal redevelopment and poor quality of some C20th design has lent greater value in townscape terms to the earlier intact parades. Church Street is an attractive road with 18<sup>th</sup> and 19<sup>th</sup> century buildings retaining their intimate scale, with varied materials and good quality shopfronts. This provides a satisfying transition from the bustle of King Street to the calm of the church at its east end. The river is hidden from the main through route, which deprives the centre of potential drama. The part of the town centre which lends itself best to become the natural focus, is the area at the junction</p>	<p><u>The commercial centre</u>: (Refer to images 2:1 and 2:2). The scheme provides the 'missing' focal point to this prominent corner site. The massing responds to the scale in King Street; however, its horizontal form facilitates a transition to the finer grain in Church Street, and the materiality picks up from both the buildings in Water Lane and King Street. As such, preserving the character of King Street and setting of the adjacent conservation area.</p> <p>The building form is influenced by the boatsheds on Eel Pie Island, and with the incorporation of the gable form pitched roof introduces a link between King Street and the riverside. The widening of the historic width of Water Lane will alter the views within the conservation area. However, subject to satisfactory detailed designs for public realm and landscaping, this change is viewed as a positive benefit.</p> <p><u>Twickenham Riverside</u>: The removal of the extensive car park, with a much enhanced and enlarged</p>

<p>of Water Lane, Church Steet and King Street</p> <p><u>Twickenham Riverside:</u> The environmental quality is high with much of the historic fabric intact, with C18th buildings, narrow lanes, and footpaths. The tidal nature of the river, buildings and equipment associated with the working boatyards of Eel Pie Island make an enormous contribution to the interest and character of the Embankment. The extensive car parking and dead end of the embankment deprive it of potential interest.</p> <p><u>Eel Pie Island:</u> The Island has its own distinct character as an eclectic mix of river related industry and residential development, with boat building yards on the northern bank, single storey bungalows, with natural features at the west and eastern ends.</p>	<p>public realm with landscaping, public open space and river related activities enhances this river frontage, responds to the riverside setting, and contribute positively to the character and appearance of this part of the conservation area.</p> <p><u>Eel Pie Island (CA and BTMs):</u> By reason of the built development largely being set back from the river frontage towards the taller parade of shops fronting King Street; the new buildings complementing the more industrial character of the boathouses on the island and taking some design inspiration from them; and the existing situation, including derelict buildings, hard standing and parking adjacent to the river, the impact on the setting of Eel Pie Island and its BTMs facing the river will be largely positive, particularly around the improved river frontage. (Refer to images 2.6 and 2.7)</p> <p><u>Wider context:</u> In response to the set back of the development, (partially due to Environment Agency restrictions) the new buildings will have a modest impact on the wider views of the riverside and its historic character when viewed from the river, thereby preserving their significance.</p>
<p><u>Queens Road Conservation Area No.47:</u> This is a conservation area of late 19<sup>th</sup> and early 20<sup>th</sup> century residential infill behind the 18<sup>th</sup> century frontages onto King Street. Of relevance to the application site is the area bordering King Street. This forms part of the busy commercial high street, and includes 2-3 storey narrow buildings, which provides variety in form and a broken skyline. The predominant materials are a mix of red and stock bricks and render.</p>	<p>The proposed development replaces an existing poorly designed structure fronting King Street with something more appropriate in scale for its prominent location that also responds to the buildings adjacent, adds visual interest at roof level, and allows for a widened vista from the historic village core to the river. As such, the scheme is deemed to have a positive effect on the conservation area.</p>
<p><u>Barclays Bank, 2 York Street.</u> A three-storey early 20<sup>th</sup> century Portland stone-clad neo-classical style building, which plays an important townscape role, borne from its contrasting materials, curved form and being a prominent focal point in the high street. It is Grade II listed.</p>	<p>The scheme removes the existing poorly aesthetically designed building within the setting of this listed building with an appropriately scaled and designed building, allowing for the Bank's local landmark status as a focal point to be preserved and enhanced.</p>

<a href="https://historicengland.org.uk/listing/the-list/list-entry/1253034?section=official-list-entry">https://historicengland.org.uk/listing/the-list/list-entry/1253034?section=official-list-entry</a>	
<p><u>K6 telephone kiosk</u>, Grade II Listed, on the junction of Water Lane and King Street. This holds historic and architectural and artistic interest demonstrative of Sir Gilberts Scott's work and commemorates King George V's Silver Jubilee.</p>	<p>In response to the enhanced architectural design of the replacement building, the scheme is deemed to improve the setting of the listed structure, and does not harm its character and appearance</p>
<p><u>10-12 King Street</u>: These are Grade II 18<sup>th</sup> century listed buildings, located to the north of the site. They hold architectural and historic interest, representative to the early development of Twickenham and demonstrative to the changing needs of the town, when the ground floors were converted to commercial uses. <a href="https://historicengland.org.uk/listing/the-list/list-entry/1357721">https://historicengland.org.uk/listing/the-list/list-entry/1357721</a></p>	<p>The scheme is not deemed to harm these listed buildings' significance as part of a cohesive streetscape on the opposite side of King Street, due to disassociation of physical form; in response to the removal of the existing building, and by reason of the development's appropriate scale and design.</p>
<p><u>2 The Embankment</u>: A three storey red brick early 18<sup>th</sup> century house. This holds special architectural, historic and artistic value and is representative of the early residential development along the Thames in Twickenham. <a href="https://historicengland.org.uk/listing/the-list/list-entry/1080813?section=official-list-entry">https://historicengland.org.uk/listing/the-list/list-entry/1080813?section=official-list-entry</a></p>	<p>Due to the relative location of the property and the Site, and the delivery of built form and landscape enhancements along The Embankment because of the development, the scheme is deemed to deliver improvements to the property's setting.</p>
<p><u>Boathouse and dock, Thames Eyot</u>: The Grade II listed building holds architectural and artistic value as an 1870s boathouse and dock. The brick side elevation is visible from Twickenham Embankment. <a href="https://historicengland.org.uk/listing/the-list/list-entry/1400159?section=official-list-entry">https://historicengland.org.uk/listing/the-list/list-entry/1400159?section=official-list-entry</a></p>	<p>By reason of the existing site arrangements (car park next to the Boathouse, and a rather inactive river frontage); the proposed siting of the Wharf Lane building off the boundary; and the introduction of a watersports area at the west end of the site, the scheme is not deemed to harm the significance of this listed building. It would be beneficial if this listed building's presence could be celebrated more with appropriate landscaping and public realm improvements, which are secured via condition.</p>
<p><u>BTMs in Water Lane</u>, comprise of a well composed terrace of c1990s 2-3 storey buildings, finished in a red / brown brick, with pitched tile roofs, and dark fenestration. Window sizes and</p>	<p>The eastern elevation of the proposed Water Lane building is expressed in a series of bays, which positively responds to the domestic scale and grain of the BTMs opposite, thereby preserving their</p>



positions are varied, and the detailing includes flat parapets above central bays, and inset balconies with dark metal railings.	setting and significance. (refer to image 2:4)
<u>Queens Hall (BTM):</u> The rear of the surviving section of this building faces the service lane which runs along the north side of the site. Queens Hall is not of architectural merit externally, however, it remains of historical interest.	By reason of the siting of the buildings away from the Hall, their appropriate design, and the proposed landscaping, that will be secured via condition, this is not deemed to harm the significance of this non designated heritage asset.

**Image 2:1- View from King Street**



**Image 2:2 – View from King Street**



**Image 2:3**



**Image 2:4 – Relationship with BTMs in Water Lane**



**Image 2:5****Image 2:6 – Twickenham Riverside viewed from Eel Pie Island Bridge****Image 2:7 - Twickenham Riverside viewed from Eel Pie Island Bridge**Archaeology

- 8.118 Policy HC1 requires developments to identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation. Policy LP7 seeks to protect, enhance and promote the archaeological heritage of the Borough (both above and below ground), and encourages its interpretation and presentation to the public. Permission will be refused where proposals would adversely affect archaeological remains or their setting.

- 8.119 An archaeological desk-based assessment has been submitted. The assessment identifies a low potential for remains or artefacts of prehistoric, Roman or early medieval date being encountered during the course of the development. However, it recognises there is a medium to high probability of medieval evidence and post medieval remains being encountered. The previous use of the site as a swimming pool and development of the land at the junction of King Street and Water Lane, are likely to have impact upon any archaeological remains, however, the extent of any damage cannot be confirmed without intrusive investigations. Whilst the southern part of the site has remained largely undeveloped public realm works associated to the landscaping and car park may have impacted, to at least a degree, on any buried archaeological remains.
- 8.120 Given the sites high archaeological potential, the desk based assessment recommends a further programme of archaeological works, and should the results indicate level of significance below ground distance a watching brief is recommendation.
- 8.121 Historic England (GLAAS) confirms the application correctly identifies the site to contain a high archaeological potential. It is noted that limited, separately unreported, archaeological evaluation has occurred within the eastern area of the site as mentioned within the desk-based assessment.
- 8.122 In summary on issue iv, the scheme is deemed to positively contribute to the character of Twickenham Riverside Conservation Area when viewed from the river, as well as various surrounding roads. This is achieved through the architectural and landscape enhancements and the visual and architectural engagement between the river and the town centre. Further, the scheme is deemed to preserve the significance of the Queens Road Conservation Area and nearby listed buildings and buildings of townscape merit (non-designated heritage assets), in accordance with aforementioned policies and with the NPPF. Whilst the development could cause harm to archaeological remains, given the nature of the archaeology recorded within the limited pre-determination trial trench evaluation in combination with the fact that the central area of the site has been impacted by a former swimming pool construction, it is deemed the significance of the asset and scale of the harm to it is such that the effect can be managed using planning conditions (for site investigation, foundation design and public engagement), which are included under Section 12 of this report.

#### **Issue v- Public Realm**

- 8.123 Policy D8 encourages opportunities to create new public realm, which is well designed, safe, accessible, inclusive, attractive, well connected, related to local and historic context and easy to maintain. Further, developments should maximise the contribution that the public realm can make by encouraging active travel and design that discourages travel by car and excessive on street parking, which can obstruct people's safe enjoyment of the space. Consideration should be given to the use, design and location of street furniture so it complements the use and function of space. Schemes should provide for free drinking water at appropriate locations.
- 8.124 The NPPF (para. 92) and London Plan (D5) requires proposals to achieve the highest standards of accessible and inclusive design. Policy LP18 seeks development adjacent to the river corridors to contribute to improvements and enhancements to the river environment, to establish a relationship with the river; to retain access and provide riparian lifesaving equipment where required and necessary. This is reflected in London Plan policy SI17.



- 8.125 The TAAP is prescriptive in terms of its aspirations for the site, both spatially and functionally, aiming for the whole site to have improved links to Twickenham, the Thames Path, provision of and improvements to open space, reduction in parking and moving traffic, and improved pedestrian environment.
- 8.126 The scheme is deemed to meet the above policy aspirations, which is welcomed and recognised as a significant benefit of the scheme.
- 8.127 The layout is pedestrian focused with clear circulation routes through and around the site. Access to the gardens is inclusive, achieved either via ramped walkways (not exceeding 1:20/1:21) from Water Lane; stepped entrance on the east, south and west edges, or level entrance points from the service road.
- 8.128 Whilst the existing Diamond Jubilee Gardens is a positive feature, the existing riverside is disjointed, and the park isolated. Combining the existing public realm spaces and the new area into a single design creates an integrated scheme with a better connection between its own features and different user groups, as well as to the river and surrounding areas. The proposed public realm would provide spaces which respond to the immediate environment. For example, south of the café in Water Lane for alfresco dining; the graded lawn for relaxed and informal seating and play area with a low wall that links up with the OOLTI to the east of Water Lane; the gardens for formal and informal play and Petanque area, framed by trees; with natural surveillance from the surrounding openspace.
- 8.129 The most significant improvement would be along The Embankment. The removal of the car parking to provide an attractive pedestrian priority area, linking the gardens to the river. Trees would line the river embankment, forming a visual link to the south, improving, and protecting the river and landscape setting. The Embankment would remain as a working quay, with the scheme providing moorings, landing facilities, appropriate access (in addition to the boat store), and riparian lifesaving equipment, facilitating river related uses and the enjoyment of such; and providing interest and activity in the southwestern corner of the site.
- 8.130 The newly formed town square, with the adjacent open space, would provide opportunities for events (maximum 12 per year) dining, sun umbrellas with deck chairs, all of which is supported by utilities, which support vibrancy. A capacity study has been undertaken, which indicates the following maximum capacities for the square (standing 770; seating 115); Petanque area (standing 572) and lawn (seating 363).
- 8.131 The lighting report confirms the outdoor community amenity spaces all exceed the recommendations of 50% of the area benefitting from at least 2 hours of sunlight on the equinox, with all areas achieving either 99% or 100%. In the summer, the sunlight availability continued to be excellent.
- 8.132 The choice of hard surfacing materials is well considered, with granite setts along Water Lane, which will provide the desired linkage with Church Street. Along the pavements in Water and Wharf Lane, the western end of the service road and The Embankment, natural Yorkstone paving (of various sizes) is proposed, providing a high-quality environment and links with Twickenham. Resin bond gravel is within the gardens, providing a softer finish and relationship with the soft landscaping and play areas. The Tactile paving should follow the Public Space Design Guide (rather than standard brightly coloured concrete slabs).
- 8.133 New street furniture is proposed throughout the site, litter bins (same specification as existing) would be provided. The seating would be a custom design, with armrests

and backs. The material (Accoya wood) is appropriate, specially treated pine that makes it more durable and weathers well. With respect to quantum, the proposed seating exceeds that of existing, thereby enhancing the pedestrian environment and experience.

- 8.134 Whilst locations of lighting, balustrades, gates, bollards, cycle stands, and water fountains have been provided, no details of the final design have been provided. To ensure an appropriate design, finish, coordinated approach and resilience in a flood environment, and these are sustainable and affordable to maintain, a condition is secured. Further, given most of the public realm improvements are on highway, these will all require prior technical approval of the Council's engineer. As part of any highway works, it is important any signage, road markings, barriers and vehicle related measures are minimised, and an appropriate informative will be secured to ensure such. To avoid waste, a furniture and hard surfacing material re-use condition is recommended. The quantum of pole lighting proposed is deemed excessive, this would be addressed via condition.
- 8.135 There are currently a number of interesting and locally valued features within the site, including the diving board, WW1 Triptych, memorial bench, art work and lido pool edge tiles. The submission recognises these can be removed during construction and potentially relocated within the space or elsewhere. It is recommended this be secure via condition, and a condition be secured for a plaque or similar to identify the location and history of the listed boathouse on the western boundary.
- 8.136 There are some areas of the scheme where there are opportunities for further improvements:
- a. The highway in Wharf Lane not remaining in tarmac.
  - b. Pedestrian priority not proposed along Water and Wharf Lane.
  - c. The scheme maintaining some form of vehicular access along the Embankment.
  - d. The vehicular and pedestrian gate south of the turning area within the service road, represents an unnecessary barrier to the gardens, and which officers and the DRP raised an objection to on visual and highway grounds, replace with bollards if demarcation is necessary.
  - e. Need for additional planting and screening around the Eel Pie parking area.
  - f. Locating the storage container in the gardens within an adjacent building.
- 8.137 Officers sought amendments to the scheme (d, e, and f), which were declined by the applicant. Therefore, it is recommended that a condition be secured prohibiting the inclusion of the gate and the landscaping condition recommends reconsidering the landscaping around the parking area. Whilst the use of the Embankment for vehicle traffic is unfortunate, this is during restricted hours only, and not dissimilar to other riverside locations where access is necessary.
- 8.138 In summary on issue v, notwithstanding the criticism, when considered as a whole, the proposed public realm is supported, Officers have identified it as a significant benefit of the scheme, and consider it meets the overarching aspirations of the TAAP and policy.

#### **Issue vi - Design Scrutiny**

- 8.139 Policy D4 of the London Plan requires developments to be thoroughly scrutinised and make use of the design review process to assess and inform design options; and schemes should show how they have considered and addressed the design review recommendations, and for decisions to demonstrate how design review has been addressed.

- 8.140 The scheme has been through the Richmond Design Review Panels. The Panel recognised the site is very constrained with technical issues to overcome (namely flooding). It was concluded the scheme had made good process. The Panel welcomed the landscape design and clarity around the pedestrian desire lines, activation along the riverside, the fact there is more generous public realm arrangement based upon active vibrant space. The Panel supported the industrial river aesthetic into King Street, deem the architectural approach to the site was legitimate, and deem the refinement and formalising the boat storage space will provide a greater level of activity. The Panel deemed it essential to keep the quality of the scheme at the forefront of every decision.
- 8.141 The applicants took forward several recommendations. A few recommendations have not been taken forward, summarised in Table 8. The failure to do so would not result in the scheme being of 'poor design', rather it is deemed such recommendation would only enrich and improve the scheme, keeping quality to the fore. Conditions are also recommended on matters such as the river landscaping, gates and storage.

**Table 8: Outstanding recommendations / concerns from Design Review Panel**

Recommendations:

- Strengthening the river planting to the river frontage to frame the approaches
- Western edge of the site to be more animated to pull pedestrians around the corner
- Moving the disabled bay on service road to improve entrance and legibility to DJGs
- Enlarge the space at the top of Water Lane to celebrate the Oak tree
- More should be undertaken to increase the UGF to 0.4
- Wharf Lane building:
  - Moving the kitchen to basement to better activate the facade
  - Potential for a concession outlet along Wharf Lane to activate the frontage
  - Provide deeper balconies on the river elevation
  - Use of the roof space of the single storey pavilion to provide a mezzanine
  - Use of terracotta instead of concrete / brick
  - Inclusion of a mobile concession
  - Boat-store: More playful and interest in its appearance – explore colours, materiality, lighting, art.

Concerns:

- Retention of the pedestrian gates at the end of the service road
- The inclusion of the storage shed within the parkland setting
- Ambition of lifting and replanting mature trees
- Lack of legibility, with pedestrians cutting through to reach Wharf Lane

**Issue vii- Neighbour Amenity**

- 8.142 Policy D3 of the London Plan, and policies LP8 and LP39 of the Local Plan require all development to protect the amenity and living conditions of new, existing, adjoining and neighbouring properties. In doing so, schemes should ensure good standards of daylight and sunlight remain in existing properties (having regard to the Building Research Establishment (BRE) guidance); unacceptable overlooking should not be caused; proposals should not result in a visually intrusive or overbearing impact or sense of enclosure, and developments should not cause harm to the reasonable enjoyment of the use of house and gardens due to traffic, noise, light or other forms of pollution.

- 8.143 The minimum distance guideline of 20 metres between habitable rooms within residential development is for privacy reasons, a lesser distance may be acceptable in some circumstances – for example where there is an established pattern of development. These numerical guidelines should be assessed on a case-by-case basis since privacy is only one of many factors in site layout design. Where principal windows face a wall that contains no windows or those that are occluded (e.g. bathrooms), separation distances can be reduced to 13.5 metres.
- 8.144 The aims of this policy are similarly reflected in policy LP10 and policy D14 of the London Plan.
- 8.145 The policies recognise there will be some impact from any new development, the test is one of harm and a judgement needs to be made as to whether this would be unreasonable or not.
- 8.146 Water Lane: On the northeast side there are residential and mixed commercial and residential units that front onto the application site. No. 1-5 Water Lane currently face the 2-3 storey flank wall of 1 King Street, with No. 7-21 facing an open car park. The proposed Water Lane building has a greater footprint and height to the existing building and will no doubt alter the outlook and result in more common overlooking between the existing and future residents on the site. Notwithstanding such, in response to the scheme incorporating a widened public realm along Water Lane, there is an increased separation extending between 18-20.5m. The separation does fall short of the recommended 20m in places, this is guidance and not policy and a consideration of whether harm would result is required. This is a town centre location with a more intimate pattern of development (neighbouring roads having lesser separation distances). The balconies would be inset. For these reasons, the scheme is not deemed to cause an unreasonable sense of enclosure, overbearing impact or loss of privacy.
- 8.147 A sunlight / daylight assessment has been undertaken. This identifies the properties that do not adhere to the BRE guidelines:

5-7 Water Lane	Whilst there is a reduction in the No Sky Line daylight test, the scheme meets the VSC daylight and APSH sunlight test.
9 Water Lane	Will adhere to sunlight test; three windows see a reduction in the daylight VSC test (21-24% compared to the permissible 20%). One window will not comply with the No Skyline Assessment.
11 Water Lane	Will met the sunlight test. Two windows will see a reduction in daylight (23-26% reduction over the permissible 20%).
13 Water Lane	The property will meet sunlight test. One out of three windows will experience an alteration of daylight (26% reduction in VSC - against a target of 20%).
15 Water Lane	The property will meet sunlight test. One out of three windows will experience an alteration of daylight (26% reduction in VSC - against a target of 20%).
17 Water Lane	The property will meet sunlight targets. Two out of the 3 windows will adhere to the VSC daylight test, with one room seeing a 21% daylight reduction (against the 20% target).

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- 8.148 The above is identified as a harm, consideration must also be given the town centre location of the application site (where policies encourage the optimisation of such sites), the pattern of development, and recognition the BRE guidance only provides a numerical guidelines and natural lighting is only one of many factors in site layout design.
- 8.149 The Wharf Lane building is sufficient distance away to prevent any unacceptable impacts.
- 8.150 3-33 King Street: This parade is predominately commercial on the ground floor and residential above. There has been incremental development at the rear of these units, facing onto the service road. By reason of the separating distances, commercial use and built form at ground floor level, the Wharf Lane building would not appear unneighbourly.
- 8.151 The Water Lane building is sited immediately adjacent to the flank wall of 3 King Street, which has commercial at ground floor level (that extends to the rear service road), and residential above (which is understood to be a House of Multiple Occupation). The existing building extends significantly past the rear building line at first floor level, mostly on the boundary line, before extends across the rear of No. 3-7 King Street. By reason of the buildings siting on the boundary, increased height (compared to existing), length and siting of the rear wing, this will no doubt cause harm to No. 3a in terms of outlook and sense of enclosure, which will be weighed in the planning balance. In response to the separating distance between the rear wing and the rear façade of King Street, absences of flank habitable room windows, and the stepping in of the 'corridor' which incorporates openings, the building is however not deemed to cause unacceptable overlooking to those residing in King Street.
- 8.152 Eel Pie Island: The development will alter the outlook of the properties on the north bank. Due to the separating distance and orientation, the scheme is not deemed to represent an unneighbourly form of development to these residents.
- 8.153 Eyot Lodge: This is a three-storey flatted development, adjacent to the site's west boundary, which has windows overlooking the site on its east and north elevations. There is a high boundary wall with natural screening within the curtilage of Eyot Lodge. The Wharf Lane building is proposed to the north of Eyot Lodge, approx. 20m off the northeast corner. Whilst there will be a greater level of common overlooking between the proposed buildings, and alter the outlook from these units, in response to the resultant layout, orientation and separating distances the building on balance is not deemed to appear overly intrusive or cause unreasonable overlooking. The commercial land uses and public open space / river related uses may generate a greater degree of noise and activity, conditions are recommended to ensure hours of opening of the pub and any evening organised events are limited and reasonable for this location.
- 8.154 Cross Deep: Commercial and residential properties, and a car parking area with garages are sited to the west / northwest of the site. By reason of the separating distances the built form is not deemed to appear unneighbourly.
- 8.155 To conclude on this issue, harm does arise from the development in terms of impacts to amenity as set out above. This will be considered in the planning balance.

**Issue viii - Trees and Landscaping**

8.156 Trees make an important contribution to the character and quality of urban environments and can help mitigate and adapt to climate change (para. 131), the NPPF expects developments to be visually attractive because of ... effective landscaping (para. 130). Under the London Plan, policies G5 - G7 and D8 require development proposals to, wherever possible, retain existing trees of value, and if planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed, determined by, for example, i-tree or CAVAT or another appropriate valuation system. The planting of additional trees should generally be included in new developments – particularly large-canopied species which provide a wider range of benefits because of the larger surface area of their canopy. Further, major developments should contribute to the greening of London, through high quality landscaping. The above policies are reflected in LP16 of the Local Plan.

8.157 During the application the arboricultural reports have been revised, updated and resubmitted, with the most recent reports (Arboricultural Survey, Method Statement and Impact Assessment, and CAVAT Valuation) submitted in July 2022.

Survey:

8.158 The tree survey was originally undertaken in July 2020, and subsequently revisited in May 2021 and April and May 2022. The survey assesses the condition of existing significant trees (trees with a trunk diameter greater than 75mm at 1.5m above ground level) on and off site that might be affected by the development. The trees were assessed qualitatively, categorising their quality and value based on arboricultural, landscape and cultural features:

- Category U: Condition that cannot realistically be retained in the context of the current land use for longer than 10 years:
- Category A: Trees of high quality, with an estimated life expectancy of at least 40 year
- Category B: Trees of moderate quality with an estimated remaining life expectancy of at least 20 years
- Category C: Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm.

8.159 It is recognised the retention of Category C trees should not be at the expense of an efficient design; and category U trees are recommended for removal for sound arboricultural reasons.

8.160 The survey identified 68 significant individual trees and 4 groups of trees within or immediately adjacent to the site, as summarised in Tables 9 and 10 below. The categorisation of the trees is accepted by officers.

**Table 9: Trees identified in the survey**

<b>Tree Category</b>	<b>Number of trees</b>	<b>Tree Number</b>	<b>Number of Groups</b>	<b>Group Numbers</b>	<b>Total</b>
<b>A</b>	7	T36, T37, T40, T41, T45, T46, T66	----- -----	----- ---	7
<b>B</b>	18	T2, T23, T29, T30, T31, T32, T33, T34, T42, T43, T44,	3	G2, G3, G4	21

		T47, T48, T49, T50, T51, T52, T65			
<b>C</b>	26	T1, T3, T5, T6, T7, T10, T12, T13, T14, T15, T16, T17, T19, T20, T22, T24, T25, T26, T27, T39, T53, T54, T56, T57, T67, T68	1	G1	27
<b>U</b>	17	T4, T8, T9, T11, T18, T21, T28, T35, T38, T55, T58, T59, T60, T61, T62, T63, T64	----- -----	----- ---	17
<b>Total</b>	<b>68</b>		<b>4</b>		<b>72</b>

**Table 10: Location of trees within / outside the site**

<b>Tree Category</b>	<b>Tree Number within the site</b>	<b>Tree number outside the site</b>
<b>A</b>	T36, T37 – north of gardens  T66 – Oak on King Street	T40, T41, T45, T46 – outside eastern boundary
<b>B</b>	T2, T23, T65 – east of the gardens  T29, T30, T31 – southern corner of site  T32, T33, T34 – top of the Gardens  G2, G3, G4 – south of gardens	T42, T43, T44, T47, T48 – outside eastern boundary  T49, T50, T51, T52 – outside southwestern boundary
<b>C</b>	T1, T3, T5, T6, T7, T10, T12, T13, T14, T15, T16, T17, T19, T20, T22, T24, T25, T26, T27, T39 – east of the gardens.  T67, T68 – King Street  G1 – east of gardens	T53, T54, T56 – outside western boundary  T57 – outside southwestern boundary
<b>U</b>	T4, T8, T9, T11, T18, T21, T28 – east of gardens  T35, T38 north of gardens  T58, T59, T60, T61, T62, T63, T64 – Pin Oaks along The Embankment	T55 – outside western boundary
<b>Total</b>	<b>50 trees</b> <b>4 groups of trees</b>	<b>18</b>

### Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS)

8.161 The AIA evaluates the direct and indirect effects on trees and puts forward mitigation

recommendations; and the AMS sets out the tree protection measures.

- 8.162 Impact on existing trees: The scheme results in the loss of 66 trees (46 individual and 4 groups of trees that contains 20 trees), as summarised in Table 11 below:

**Table 11: Tree loss**

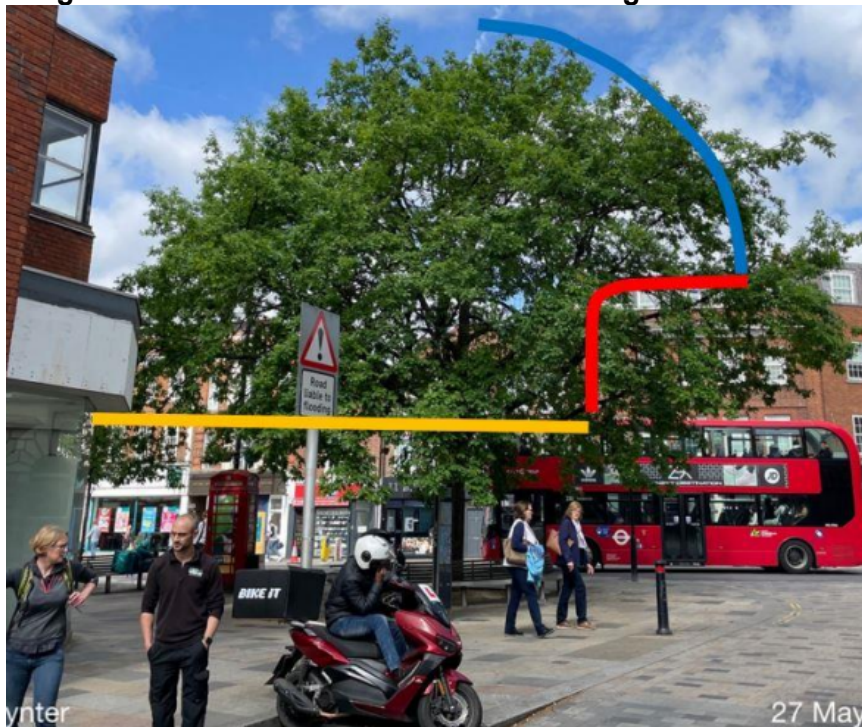
	Category A	Category B	Category C	Category U	Total
<b>Number of trees</b>	1  T36	9  T2, T23, T29, T30, T31, T32, T33, T34, T65,	20  T1, T3, T5, T6, T7, T10, T12, T13, T14, T15, T16, T17, T19, T20, T22, T24, T25, T26, T27, T39	16  T4, T8, T9, T11, T18, T21, T28, T35, T38, T58, T59, T60, T61, T62, T63, T64	46
<b>Number of groups</b>	0	3  G2, G3, G4	1  G1	0	4
<b>Total</b>	1	12	21	16	50

- 8.163 As summarised within Table 11, the scheme requires most trees within the site to be removed and the visual impact is significant, with the loss of medium and high quality trees all of such provide amenity and greening when viewed from within and outside the site.
- 8.164 Whilst not a category A tree, the most notable tree to be removed is the Black poplar (T34), which was planted to commemorate the Diamond Jubilee. This was originally proposed to be relocated within the site. In response to concerns over the potential success of this, further investigations into the feasibility of such was requested both for on and offsite relocation. It has been concluded that it is not logistically possible to transport by road or river for either storage purposes or relocating. Cuttings will be taken ahead of its removal and propagated at nurseries that will return them at a size that can be planted across the borough, which will be secured via condition (quantity, nurseries and replanting details). Officers agree with such conclusions as being reasonable.
- 8.164 The 4 individual trees being retained are T37 (Hornbeam, cat A), T66 (Oak, cat A), T67 and T68 (Pears, cat C), with tree of these trees are growing on King Street.
- 8.165 Another notable tree is the Oak on the corner of Water Lane and King Street. It is proposed to be retained; the kerb realignment will bring the road much nearer to the tree. The tree is currently surrounded by hard surfacing and Officers were concerned the proposals would result in the loss of the tree. Following trial digs in 2022, which were inspected by the Council's Arboricultural officer, it was found there are no significant roots within the existing subbase structure, and the area of the RPA impacts is 30% of the notable circular RPA. In addition, the scheme will necessitate the pruning to allow sufficient clearance for vehicles and pedestrians as indicated in the image below (yellow – crown lift to 3m of pavement; red – pruning to 5m over highway and blue – crown reduction between 1-1.5m). The scheme will therefore impact this tree



which provides amenity to King Street and the wider townscape which is urban with little relief from planting.

**Image 3: Works to Oak Tree Water Lane/King Street**



8.166 The report acknowledges the final route of underground services is not available, however, anticipates underground services to be routed to avoid existing trees, and new trees are setback from the highway so to reduce the likelihood of conflict. The document puts forward recommendations if installation is within any RPAs.

8.167 Tree Protection Measures: The submission outlines the following measures:

- Access pruning of canopies of retained trees will be completed prior to construction
- All drainage, service installations and ground modelling works are to be undertaken outside the CEZ.
- Prior to construction, a qualified and experienced arboriculturist will be appointed to oversee the key stages of construction, which will include pre-commencement meetings with the site manager and the Council's Arboricultural officer, monthly visits, submission of reports / photographic evidence to the Council
- A site induction will be held for all personnel in relation to retained and protected trees
- Tree protection fencing will be installed
- Works within RPAs by hand where possible
- Any changes to the nature and sequence of works have to be agreed with the consultant before their realisation

#### **CAVAT Valuation and tree planting**

8.168 Policy does acknowledge that planning applications do at times necessitate the removal of trees, and there should be adequate replacement based on their value. In line with such, A Capital Asset Valuation of Amenity Trees (CAVAT) valuation of the trees to be removed as part of the development has been provided. The CAVAT system has been designed to assess the public amenity value of trees in-situ, rather than simply calculating the replacement cost of buying the same size trees directly from a tree nursery.

- 8.169 The tree survey has identified 88 trees for removal (68 individual and 20 within groups), of which 18 are off site. Therefore, 70 trees have been subject to the CAVAT valuation. The cumulative valuation is £271,091.00, with the average tree value of £3,817.70, which is accepted.
- 8.170 The scheme proposes 49 new trees to be planted to compensate for the loss of individual and groups of trees being removed, with a range of native and non-native trees suitable to different settings. This includes:
- a new row of trees along The Embankment, providing a foraging line for bats along the river corridor and providing a visual green corridor adjacent to the river.
  - planting along Water and Wharf Lane, to improve the vistas towards the river and setting of the development adjacent to the new buildings.
  - structured planting within the Petanque area.
  - planting adjacent to the north service road, providing a green corridor and barrier between the open space and service road.
- 8.171 There remains outstanding concerns:
- Any planting design needs to be sustainable to ensure there is not post development pressure to fell. Whilst the ambition to have extensive tree cover along Water Lane is recognised, the projected canopy drawings indicate pruning to prevent nuisance will be required almost immediately, the costs associated will be passed to the Council as landowner rather than as part of the development, this would usually be met through maintenance contributions via a legal obligation. Liquidambar has potential for massive final canopy dimension achieving an avenue with dense and continuous canopy along the Embankment.
  - *Tilia mongolica* (Mongolian Lime) is sensitive to waterlogging, and whilst most are beyond the flood defence, alternative species should be considered. Further, the species selection along the Embankment should be suitable for flood conditions.
  - Insufficient soil volumes to support the proposed planting.
  - One *Tilia* is not sited within a tree pit on the submitted drawing.
  - The scheme still results in a net loss of 17 trees (removal of 66 trees and planting of 49).
- It is recommended these matters be addressed via condition, this should ensure future maintenance arrangements are detailed.
- 8.172 In summary there remains concerns over the insufficient planting, species suitability, rooting medium (soil volumes and pits) to support the proposed planting plans. This would result in the loss of amenity, unsustainable planting and will not mitigate the loss of trees from the site, contrary to policy LP16.
- 8.173 Local planning authorities should consider whether otherwise unacceptable development could be made acceptable using conditions. In this instance, on balance, it is deemed the harm can be mitigated via a condition seeking revisions to the soft landscaping scheme, showing sustainable soil volume via increased pit sizes and/or investigations into available soils on site which may identify where site native soil volume can supplement the soils available in pits; and a contribution of £64,900.90 (17 \* average tree value) for tree planting and maintenance within the Twickenham Riverside Ward.
- 8.173 Whilst it is recognised that any replacement planting on site and the contribution towards wider planting within the Twickenham Riverside Ward will take time to establish and provide a comparable visual and green contribution to site and area, it is deemed feasible and appropriate to the scheme.

- 8.174 The other landscaping layout throughout the site is deemed acceptable, providing opportunities to soften the gardens, parking areas and promenade. The scheme also proposes an irrigation system, with planting and lawns service by drip lines and trees a drip necklace, however, a management and maintains condition is recommended to ensure the success of the landscaping.
- 8.175 The scheme also provides an opportunity to explore and understand why the Pin Oaks along The Embankment have been struggling. Investigations will be undertaken to review the previous installation, with detailed inspections, with soil and water testing, to understand the factors that have contributed to their condition. Whilst the scheme has provided details of new tree planting along The Embankment, the investigation may influence the final species selection.
- 8.176 To conclude on issue viii, the loss of trees is significant and will impact upon the visual appearance of the site and surrounds. The proposed planting will also take significant time to establish and provide similar visual contribution. However, given the categories of trees required for removal, the mitigation planting both onsite and conditions for wider planting within the Twickenham Riverside ward, and the opportunity to replace the planting along The Embankment, and with conditions securing the Black Poplar cuttings and propagation and Pin Oak investigations, on balance, the mitigation is deemed acceptable, and there will not be residual harm. It meets the test of policy 'if planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed'. Further, conditions are recommended to make the development acceptable in planning terms.

#### **Issue ix - Ecology**

- 8.177 The NPPF sets the overall expectation for biodiversity (para. 179), which is reflected in G5, G6 and SI17 of the London Plan, including the requirement for developments to include green roofs; achieve an urban greening factor target of 0.4 for developments that are predominantly residential; manage the impacts on biodiversity with the aim to secure biodiversity net gain, and supports biodiversity improvements to the waterway. Policy D8 encourage vegetation and increased biodiversity in the public realm. Similarly, the Local Plan (LP15) seeks to protect and enhance the borough's biodiversity and sets the expectation for net gain to be achieved. Weighted priority in terms of their importance will be afforded to protected species and priority species and habitats. Further, policy LP17 is prescriptive with the requirement for roofs over 100m<sup>2</sup> to include >70% green / brown roof provision, unless it can be demonstrated this is not feasible. If significant harm to biodiversity cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- 8.178 An Ecological Impact Assessment has been submitted, which incorporates the results of the Ecological Appraisal undertaken in June 2020, a bat survey (September 2020), and an ecological desk study and extended Phase 1 habitat survey (undertaken July 2020). An Ecological Enhancement Statement has also been provided.
- 8.179 There is one internationally and nationally designated site within 2 km of the Site; Richmond Park, which is a Special Area of Conservation (SAC), National Nature Reserve (NNR) and Site of Special Scientific Interest (SSSI). There are two Local Nature Reserves (LNR): Ham Lands and Ham Common. There are ten Sites of Importance for Nature Conservation (SINCs) within 1 km of the Site boundary, which are classified into three tiers of sites: Sites of Metropolitan Importance, Sites of Borough Importance and Sites of Local Importance:

Site of Metropolitan Importance	<ul style="list-style-type: none"> <li>• River Thames</li> <li>• Ham Lands</li> </ul>
Site of Borough Importance	<ul style="list-style-type: none"> <li>• River Crane and St Margaret's</li> <li>• Petersham Lodge Wood and Ham House</li> <li>• Strawberry Hill Gold Course</li> <li>• The Corpse, Holly Hedge Filed</li> </ul>
Sites of Local Importance	<ul style="list-style-type: none"> <li>• Twickenham Junction Rough</li> <li>• Marble Hill Park and Orleans House Gardens</li> <li>• Moor Mead Recreation Ground</li> <li>• Teddington Cometary</li> </ul>

8.180 The Ecological Assessment provides a summary of the ecological value of the site, as outlined in Table 12 below:

**Table 12: Ecological Value of the site:**

<b>Hard standing</b>	<ul style="list-style-type: none"> <li>• Negligible ecological value</li> </ul>
<b>Buildings</b>	<ul style="list-style-type: none"> <li>• Do not meet the description of any Habitat of Principal Importance (HPI)</li> </ul>
<b>Broadleaved plantation woodland</b>	<ul style="list-style-type: none"> <li>• Poor example - Small and lacks connectivity to other areas of woodland</li> <li>• Not meet description of Lowland Mixed Deciduous Woodland HPI</li> </ul>
<b>Scattered trees (broadleaved)</b>	<ul style="list-style-type: none"> <li>• Habitat does not meet the description of any HPIs</li> <li>• Black poplar is a Priority Species in the Richmond Biodiversity Partnership, 2019.</li> </ul>
<b>Species – poor defunct hedgerow</b>	<ul style="list-style-type: none"> <li>• Whilst meets the description of Hedgerows HPI, it is an extremely poor example of this habitat</li> </ul>
<b>Introduced shrub</b>	<ul style="list-style-type: none"> <li>• Poor ecological value</li> <li>• Does not meet the description of any HPIs</li> </ul>
<b>Bare ground</b>	<ul style="list-style-type: none"> <li>• Negligible ecological value</li> <li>• Does not meet the description of any HPI</li> </ul>
<b>Running water</b>	<ul style="list-style-type: none"> <li>• Site of Metropolitan Importance</li> </ul>
<b>Bats</b>	<ul style="list-style-type: none"> <li>• External Building Inspection – Moderate suitability to support roosting bats in Building 1 – all other buildings have negligible suitability.</li> <li>• Bat emergence / re-entry / use of the site – No bats observed emerging from or re-entering Building 1. Bat activity was low, with no more than 7 bats recorded in either survey, which were common specific.</li> <li>• The site offers negligible opportunities for foraging and commuting bats</li> </ul>

	<ul style="list-style-type: none"> <li>The river boundary lacks vegetation which would support a greater diversity / abundance of invertebrate prey.</li> </ul>
<b>Birds</b>	<ul style="list-style-type: none"> <li>Contains suitably nesting habitats (trees and shrubs) for common and widespread bird specific</li> </ul>
<b>Great crested newt</b>	<ul style="list-style-type: none"> <li>No records – no further assessment</li> </ul>
<b>Hedgehog</b>	<ul style="list-style-type: none"> <li>Limited suitable habitat for the specifics – whilst possible, it is unlikely that hedgehogs are present on site.</li> </ul>
<b>Invertebrates</b>	<ul style="list-style-type: none"> <li>Limited habitat for invertebrates</li> <li>Site does contain insect hotels, which may offer breeding and overwintering opportunities</li> <li>Planting presents limited feeding resources</li> </ul>
<b>Otter</b>	<ul style="list-style-type: none"> <li>No records – no further assessment</li> </ul>
<b>Water vole</b>	<ul style="list-style-type: none"> <li>Absent from this stretch of river – no further assessment</li> </ul>
<b>Fish</b>	<ul style="list-style-type: none"> <li>Spawning events</li> <li>Other species listed in habitat Directive present in this reach</li> </ul>
<b>Other species</b>	<ul style="list-style-type: none"> <li>The site offers no suitable habitat / deemed likely to be absent from the site – Badger, Road, Dormouse, Hare, Harvest Mouse.</li> </ul>

8.181 Officers have assessed the submission and consider the following:

- The existing trees are the single most important contribution to wildlife on the existing site, providing connecting corridors, shelter, nesting and food resources. The Black Poplar is an important and historical tree and a Biodiversity Action Plan priority species for Richmond and the UK's rarest native hardwood tree.
- Most of the existing plants have been chosen for their wildlife features and provide food and shelter for pollinating insects and combined with the insect hotels have local value. However, it is recognised the planting beds are not protected from trampling and lack of soil volume bed means the plants are not thriving.
- The hedgerows are a Richmond BAP Habitat.
- Bats: There results of the surveys were accepted when originally submitted. The survey data for bats is now two seasons old; the applicant advises the habitats on site and their management have not changed, it is unlikely that the local distribution of bats will have changed, and there is only a small possibility that bats could now roost within buildings on the site. As such, it is recommended such concern is addressed via condition securing an updated bat survey. In the very unlikely case that a bat roost were located there is a high degree of confidence that a licence from Natural England would be obtained either under conventional licencing or low impact licencing to enable the development to proceed with the roost being compensated for by bat boxes; four integrated bat boxes are already committed to in Enhancement Strategy which may be suitable or additional boxes could be added.

Impacts upon statutory and non-statutory sites:

8.182 The scheme is not anticipated to result in direct or indirect impacts on statutory

designated sites. The pontoon and possibly the floating ecosystem will directly impact the River Thames, through sediment deposition, increased suspended sediment, shading on the river from pontoon. To mitigate such impact, avoidance measures are recommended (refer to Table 13).

Impacts upon habitats:

- 8.183 The scheme will result in the loss of habitats, including the Broadleaved plantation woodland, species poor hedgerows (87m); introduced shrub, scattered trees, loss of bare ground, buildings and hardstanding habitats. This will have a negative impact, with appropriate mitigation and compensation (summarised in Table 13), the impact is not unacceptable.

Impact upon protected and notable species:

- 8.184 The scheme is not deemed to cause significant loss of habitats for bats, subject to landscaping to increase the resource for bats within the site and a sensitive lighting scheme, secured via condition. Whilst the scheme will result in the loss of habitat to birds, the impact on such populations is not expected, however, a condition is recommended for tree removal to take place outside bird breeding season. The development is not anticipated to cause significant impact for hedgehogs and has potential to have a positive impact on invertebrates and fish.

Black poplar:

- 8.185 It has been established that the retention of the Black Poplar is not feasible on site, nor to be relocated elsewhere. To mitigate such loss to the biodiversity value of the site, conditions for tree planting, cuttings, propagation, and replanting have been secured which is deemed acceptable by the Council's Ecology Officer.
- 8.186 With the mitigation and enhancement measures outlined in Table 13, and with an Environmental Construction Management Plan (that includes the recommendation outlined in Section 6 of the Ecological Assessment); a Landscape and ecology management plan; and with a contribution for hedge planting, the mitigation and the impact upon existing sites and habitats is deemed acceptable. Further, the scheme has been amended to provide a further tree along the river frontage to provide ecological and arboricultural mitigation and to maintain a continuous tree line for foraging and commuting bats.

**Table 13: Mitigation and enhancement measures**

<b>Measures to minimise impacts and opportunities for enhancement</b>	<ul style="list-style-type: none"> <li>• Incorporation of damper planting areas of native and non-native species of high value to pollinators as rain gardens.</li> <li>• Incorporation of climbing plants supported by wires to create green walls</li> <li>• Existing insect hotels present will be retained but relocated</li> <li>• Eight bird and four bat boxes integrated within buildings</li> <li>• Three bird and three bat boxes on retained trees</li> <li>• Inclusion of green roofs on new buildings within the Site.</li> </ul>
<b>Necessary mitigation measures</b>	<ul style="list-style-type: none"> <li>• A contribution to enable planting of 87m of new species-rich native hedgerow.</li> <li>• Detailed lighting proposals to minimise the impact of artificial lighting on bats and other wildlife.</li> <li>• Sensors (PIRs) to be used in the residential common areas (stairs, corridors and entrance lobbies) and the office to minimise light spill.</li> </ul>

	<ul style="list-style-type: none"> <li>• Specific and detailed method statements for installation of the pontoon, to avoid impacts on the River Thames <ul style="list-style-type: none"> <li>○ Chemical / liquid stores upright and sealed</li> <li>○ Spill kits</li> <li>○ Avoid spawning periods</li> <li>○ Measures to reduce noise during pontoon construction</li> </ul> </li> <li>• Removal of nesting bird habitat outside of the nesting bird season (March to August inclusive).</li> <li>• Retained trees should be protected according to a Tree Protection Plan.</li> <li>• Cuttings of the Black Poplar</li> </ul>
<b>Measures to ensure diversity gain</b>	<ul style="list-style-type: none"> <li>• Submission and implementation of a Landscape and ecology management plan (LEMP)</li> <li>• Provision of the floating ecosystem with a suitable planting scheme or through a contribution to fund woodland planting elsewhere in the Borough to mitigate the loss of the self seeded woodland (a habitat of moderate distinctiveness in calculator terms, though not a priority habitat).</li> </ul>
<b>Ecological enhancement measures</b>	<ul style="list-style-type: none"> <li>• Detailed designs for the extensive green roofs</li> <li>• Incorporation of native and non-native species of high value to pollinators in herbaceous planting, including terrace, woodland style (upper gardens) and river garden areas.</li> <li>• Use of tree species of value to wildlife.</li> <li>• The slipway / pontoon to create opportunities for intertidal and aquatic wildlife including fish.</li> <li>• Tenants or building owners will be supplied with information on Ecology and Biodiversity</li> <li>• Monitoring and reporting of the ecological outcomes for the Site at the construction stage.</li> </ul>

#### Biodiversity Net Gain Assessment

8.187 A Biodiversity Net Gain Assessment has been prepared, and concludes an overall net gain of 19%, which significantly exceeds the 10% benchmark, which is welcomed. However, there is a 'trading down' of moderate distinctiveness habitats (self-seeded woodland) and loss of hedgerow. As illustrated in Plan 6 and listed below, the net gain strategy includes:

- Rain garden (west of Wharf Lane building)
- Woodland planting (north of play area and east of Wharf Lane building)
- Lawn
- Hedge (adjacent to service road)
- Herbaceous planting (along the Embankment)
- Climbing plants adjacent to retaining walls on Water and Wharf Lane)
- Floating ecosystem
- Bat boxes
- Bird boxes
- Insect hotels



**Plan 6: Biodiversity net gain****Green roof:**

- 8.188 The scheme incorporates green roofs (over the single storey elements to the west of the Water Lane building and eastern entrance to the Wharf Lane building), a biodiverse roof over the bin store, and within the public realm. Their size is limited, in response to the form of the buildings proposed, the provision will still contribute to the ecological value of the site.

**Floating Ecosystem**

- 8.189 The floating ecosystem is welcomed, and during the application, further details have been provided to demonstrate this is fit for purpose and of value, namely:
- Suggested maintenance programme – bi-annual visits during the first two years, with annual visits thereafter, and to include, plant care, visual inspection of structure and anchoring; litter removal.
  - Confirmation the floating structure has been designed to withstand velocities of up to 3.5m/s (6.8 knots) – and confirmation there are other systems operating in challenging conditions (with tidal fluctuations, high wind, current, waves and debris).
  - The structure is constructed with durable materials which do not degrade in water / sunlight, with a design life of 20 years.
  - The structure will be secure via a 'tide rail' system (that extends above the wall to ensure it remains in place and above water even during extreme flood events).



- At extreme low tide / water levels the system can rest on the river bed.
- Recommended plant list.

8.190 The above is acceptable and satisfactorily addresses previously identified concerns on the appropriateness of the ecosystem in this location. To ensure implementation, and appropriateness of plant species and maintenance of the floating ecosystem, conditions are recommended.

8.191 The information provided appears consistent with the guidance from the Estuary Edges Initiative. The applicant will need River Works Licenses, for which further detail will be required (such as method / risk assessment) by the Port of London Authority (see comments in consultation section above). A condition and an associated informative is recommended to secure such. Conditions for provision and management of the floating ecosystem are also recommended.

Urban Greening Factor:

8.192 The submission provides two UGF calculations, achieved with wetlands, green roofs, flower rich perennial planting, rain garden, hedge rows, climbers, grassland and permeable paving:

- A calculation encompassing the whole site boundary, resulting in an UGF of 0.32,
- A calculation excluding existing carriageways, which increases the UGF to 0.38.

The London Plan advises that for predominantly residential schemes, such as this, a target score of 0.4 is recommended. The LPA does not agree with the exclusion of the existing carriageways as this is part of the site, however, regardless, both calculations fall short of the target, and therefore will be identified as a harm in the planning balance.

Lighting:

8.193 Existing external lighting plans have been provided showing light spread onto the river, to ascertain a baseline, and then similar for proposed levels at surface level and 1m below Embankment level. The external lighting lux level comparison on the riverside is noted and welcomed, however, conditions are recommended requiring detailed design as the scheme progresses, and for these to confirm compliance with such drawings.

8.194 In summary on issue ix, whilst the loss of the existing trees, particularly Richmond BAP Habitats are unwelcome, as is the failure to meet UGF, officers recommend the following conditions:

- Ecological enhancement/Net Gain from the BSG Ecological Appraisal report
- Implementation of all recommendations and ecological enhancements in the BSG Ecological Enhancement Statement dated July 2021 (except for transplanting the trees)
- Contribution towards woodland and hedgehog planting elsewhere in the Borough
- Watering system for all landscaped areas, including, lawn terrace and sculpted lawn terraces
- Planting scheme with species, soil volumes for tree planting
- Details of rain garden for use of watering
- Protection of planting beds
- Details of green wall and roofs - sedum roofs will not be acceptable. (details of plans, specifications)
- External lighting: The lighting levels should be less/better than existing to enhance the environment for bats, with no upward lighting levels; controls on internal lighting; details of proposed lamps, locations, heights, specifications and horizontal and vertical lux contours down to 0.0 lux to be able to evaluate the impacts

**Issue x – Pollution**Light pollution

- 8.195 Policy LP20 seeks to protect existing and future residential amenity levels from undue light pollution. Where necessary, an assessment of new lighting and its impact upon receptors may be required, and potentially mitigation measures. This is reflected in para. 185 of the NPPF. Principle 5 of the TAAP requires street columns to be designed to complement the character of the area, and energy efficient and smart lighting technologies, which minimise glare, create a better spread and focus and have less impact on the environment and biodiversity is encouraged. Whilst a lighting scheme has been proposed, there are concerns regarding the extent and design of elements, and thereby it is recommended this matter be addressed via condition.

Noise pollution

- 8.196 The NPPF requires development to be appropriate for its location considering the likely effects, and in doing so should minimise the potential adverse impacts arising from noise, (para. 185). London Plan policy D13 places the responsibility for mitigating the impacts from existing noise and other nuisance generating activities or used on the proposed new noise sensitive development (under the Agent of Change principle). Policies D13 and 14 of the London Plan and LP10 of the Local Plan encourage good acoustic design and will require noise assessments to assess the impact and details of mitigation (where necessary). Policy LP8 seeks to ensure development do not harm the reasonable enjoyment of the use of buildings and gardens due to noise.
- 8.197 A Noise Assessment (Tetra Tech 784-B023999 Rev 4) and Noise Technical Note (874-B023999) have been submitted and has been reviewed by the Council's Environmental Health (Noise) Officer. It has been identified there is potential for loss of amenity to new occupiers of the proposed development and existing residents due to the following pollution issues. However, with appropriately worded conditions, the scheme is not deemed to result in unacceptable noise pollution, as sought by policy:
1. Noise impact from external transportation noise sources on the proposed residential development. The Noise Assessment takes account of Professional Guidance on Planning for new residential development (ProPG), which is specifically for new residential development that would be exposed to noise from existing transportation sources and therefore applicable to the residential element. The site falls within the 'Medium' to 'High' Noise Risk Categories for both daytime and night-time periods in terms of ProPG, and the glazing strategy provided for those parts of the residential development for which a standard double glazing specification (i.e. Rw+Ctr 30dB – 6mm/16mm/6mm) would not afford sufficient level of protection. As such a condition for a noise protection scheme is recommended to ensure any harm can be mitigated. (It is noted in the energy strategy that MVHR units are proposed in each apartment to provide continuous mechanical ventilation for when windows are closed).
  2. Noise transmission from the proposed commercial units to the residential units which are structurally adjoining. The Tetra Tech Report design advice has been given in respect of internal noise transmission between the commercial units and the residential units. However, whilst the advice is pertinent, the final occupiers of the commercial units, particularly, the pub/restaurant in the Wharf Building has yet to be established. As such a condition is recommended to ensure appropriate sound insulation.

3. Noise from mechanical services plant including air source heat pumps and proposed kitchen extraction system serving the proposed commercial development affecting existing and future residential properties. The Report provides an assessment to establish indicative maximum external sound levels from the proposed building services plant room to be located at the top of each building and the maximum noise level for the building service plant. As such, conditions are recommended to ensure such levels are not breached and for further details of any kitchen extraction.
  4. Music and patron noise breakouts from the proposed commercial development affecting existing residents in the local vicinity. Assessment predictions have been undertaken utilising measurements taken for an outdoor area at a similar establishment and used in the assessment for both commercial properties. As such the approach is considered acceptable with the final proposed use as a gastro pub/restaurant the approach presents a worst case scenario within the predictions. In respect of amplified music, it is note potential noise breakout associated with the façade of the proposed commercial development has been included within the acoustic model used to undertake predictions. The contribution of the proposed commercial units has been reported in terms of overall impact on the existing ambient noise levels for noise sensitive receptors for both daytime and night time periods and in terms of impact, albeit considering the worst case scenario as highlighted above, with the contribution due to the proposed seating area falling below the LOAEL. As such conditions are recommended.
  5. Noise impact from construction activities. Whilst the framework plan submitted is generally acceptable from a noise perspective, a condition is recommended.
  6. Noise from deliveries serving the commercial element of the development. No details have been provided in respect of the impact of deliveries to the commercial units within the development, and therefore a condition is recommended.
- 8.198 It is envisaged the site (upper gardens and lower Embankment space) will be used for events, for example, cinema screening, concerts, markets, fairs, ice skating etc. Whilst the number of concerts / cinema screenings will not exceed 12, the applicants request more flexibility for other events. The noise assessment considers such:
7. Noise associated to concerts / outdoor cinemas: The assessment identifies a noise limit for 1-3 (high noise level) concerts per year (106.3dBA) and 4-12 (high noise level) concerts per year (85.3dBA), based upon NCCPENCC criteria. Noise levels at existing and proposed receptor locations are predicted to meet such requirements.
  8. Noise associated from outdoor activities:
    - Noise from chillers and crowd noise associated to an ice rink and farmers market and crowd noise; are marginally above background noise levels, however, falls within the Lowest Observed Adverse Effect level, and therefore not deemed to be significant.
    - Noise associated from a funfair (food and drink vans, crowd noise and amplified music's and people shouting), are above existing background noise levels, and likely to be distinguishable, however, the assessment concludes the overall change is not considered to be significant.
  9. Noise impact on ecological receptors: The assessment considers the impact on ecological noise receptors. The noise limit for 1-3 concerts per year, is predicted to have a moderate-high noise level effect at transient receptor locations on the

River Thames. However, subject to specific management controls (micro siting of noise sources), localised screening to stages and speakers, overall noise levels can be reduced. Noise levels associated to concert / cinema events that occur 4-12 times a year, are predicted to result in low noise level effects. Also, consideration should be given to the existing commercial and recreational uses of the river at this location.

10. Noise from the playground: Whilst noise associated from the playground is expected to increase at some receptor locations, the overall contribution is expected to be at least 10dB below existing ambient noise levels.

#### Air pollution

- 8.199 The NPPF requires developments to sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas. Further, opportunities to improve air quality or mitigate impacts should be identified, such as traffic and travel management and green infrastructure provision and enhancement. (para. 186). This is reflected in both the London Plan (GG3 and SI1) and Local Plan (LP10), which also require
- An Air Quality Assessment
  - Schemes to demonstrate they will not lead to future deterioration, create new areas that exceed limits or create unacceptable risk of high levels.
  - Developments to be at least Air Quality Neutral and include appropriate mitigation where necessary
  - Where it can be demonstrated that emissions cannot be further reduced by on-site measures, off-site measures to improve local air quality may be acceptable, provided that equivalent air quality benefits can be demonstrated within the area affected by the development.
  - Measures to protect the occupiers of the new development from existing sources
  - Development to comply with the Non-Road Mobile Machinery Low Emission Zone and reduce emissions from the demolition and construction of buildings following best practice guidance.
- 8.200 The whole Borough is an Air Quality Management Area (AQMA). King Street and the northern façade of the Water Lane building falls within King Street Air Quality Focus Area, designated by the Mayor as an area where existing levels of pollutants are at or above UK/EU limit values of 40 µg/m<sup>3</sup> for nitrogen dioxide. The AQFA has been designated because the area of exceedance is where many people are exposed where they live, work and shop, so one where the Council has a responsibility to improve air quality as soon as possible. An Air Quality Assessment has been undertaken, which considers the impact on both construction and operational impacts, as summarised in Table 14 below:.

**Table 14: Air Quality Impact**

Cause of impact	Prior to mitigation	With mitigation
Construction Traffic	Negligible impact due to less than 25 HGV movements per day	----- -----
Construction dust	Impact magnitude – small to medium impact Human health risk – negligible to low impact Dust soiling risk – medium impact	Negligible impact
Operational: Traffic	Does not exceed the objective	Negligible impact

NO2 concentrations		
Operational: Traffic                      PM10 concentrations	Negligible impact	Negligible impact

8.201 The Air Quality Assessment acknowledges the scheme will result in an overall medium risk of impacts during the construction phase of the development and therefore recommends both 'highly recommended' and 'recommended' mitigation, including:

- take appropriate measures to reduce emissions in a timely manner and record the measures taken.
- record any exceptional incidents that cause dust and/or air emissions.
- carry out regular site inspections to monitor compliance.
- plan site layout so that machinery and dust causing activities are located away from receptors, as far as is possible.
- erect solid screens or barriers.
- keep site fencing, barriers and scaffolding clean using wet methods.
- remove materials that have a potential to produce dust from site as soon as possible, unless being re-used on site.
- soft strip inside buildings before demolition.
- avoid site runoff of water or mud.
- cover, seed or fence stockpiles to prevent wind whipping.
- use water-assisted dust sweepers on the access and local roads.
- ensure all vehicles switch off engines when stationary - no idling vehicles.
- ensure effective water suppression is used during demolition operations.
- ensure an adequate water supply on site for effective dust/particulate matter suppression/mitigation, using non-potable water where possible and appropriate.
- bonfires and burning of waste materials will not be permitted at the Site.
- ensure there is an adequate area of hard surfaced road between the wheel wash facility and the site exit.
- the river will be used for deliveries to avoid peak hour delivery periods on the adjacent roads.

8.202 The above mitigation will be secured via condition, as a result the construction phase of the development will result in negligible impact. The Air Quality Assessment confirms the development will be Air Quality Neutral. In response to the air quality on King Street, the consultee has recommended a condition for there to be no open balconies/openable windows on King Street. This will be regrettable given the design of the scheme and delivery of outdoor space to this elevation for residential units within it. Whilst the reasons for seeking that a condition be imposed are understood, officers deem that it would also be harmful for future residents to be unable to access private amenity space also required and considered to be beneficial. Taking account of the competing factors Officer recommend that a condition not be imposed in this respect on this occasion, and an informative added to draw the applicant's attention to the issue which may potentially be suitability mitigated, an option for such has been outlined in Section 13 as an informative.

#### Odours and fumes:

8.203 Policy LP10 requires any potential impacts relating to odour and fumes from commercial activities to be adequately mitigated through, assessments, filtration, heights and positioning of outlets, and use of new abatement technologies. A Kitchen Extract Odour Assessment (Skelly and Couch dated 11<sup>th</sup> June 2021 Reference 1486 Revision 2) has been undertaken to consider the potential of odour generation arising from the potential future use of unit designated as restaurant/pub and unit designated as food and beverage with the intended use as a café. With reference made to various

guidance documents including the EMAQ guidance 'Control of odour and noise from commercial kitchen exhaust systems'. In respect of the restaurant/pub a generic risk assessment has been undertaken, using the worst case scenario, with 'High level odour control identified' which may include

1. Fine filtration or ESP followed by carbon filtration (carbon filters rated with 0.2-0.4 second residence time).
2. Fine filtration followed by UV ozone system to achieve the same level of odour control as 1.

Whilst the outcome of the risk assessment is not disputed, in the absence of final detail, a condition is recommended to ensure no undue pollution.

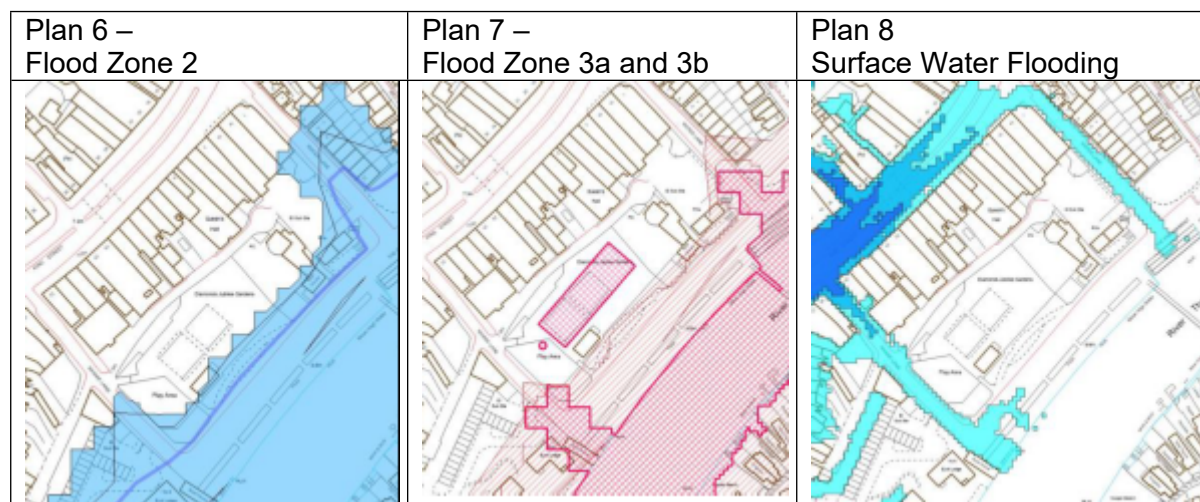
- 8.204 With respect to the cafe, whilst officers concur with the findings of the odour assessment which proposes grease separation only at the canopy and secondary filtration within the ductwork', which reflect the nature of the cooking to be undertaken, a condition is recommended for the type/nature of cooking within the café to be controlled by condition.

#### Contaminated land

- 8.205 The NPPF seeks to ensure that sites are suitable for their proposed use taking account of ground conditions and any risks arising from contamination (para. 183), which is reflected in policy LP10, with potential contamination risks needing to be properly considered and adequately mitigated with remediation before development proceeds.
- 8.206 A Geosphere Environmental Report has been submitted and reviewed by the Council's Environmental Health Contamination Officer has raised no objection and recommended conditions associated to site investigation strategies, findings of such strategies, risk assessments, remediation works (where necessary) and verification reports. With such, the scheme is not deemed to compromise the aims of the above policy.

#### **Issue xi - Flood Risk**

- 8.207 As identified in Plans 6 and 7 below, the site is located within Flood Zone 2 (light blue) and Flood Zone 3a (light pink) and Flood Zone 3b (dark pink). There is a flood defence running through the site (dark blue line). The site is at risk of surface water flooding (Plan 8), with the higher risk at the northern ends of Water and Wharf Lane (1 in 30 years dark blue; 1 in 100 years medium blue; 1 in 1000 years light blue). The whole site is also susceptible to ground water flooding (less than 25%) and is within a Throughflow Catchment Area.



- 8.208 The PPG describes the decision making process when assessing flood risk, which includes:
- Assess – for example, from the SFRA and FRA
  - Avoid – sequential test, change site layout to locate most vulnerable in areas of lowest risk; raise floor / ground levels.
  - Control – incorporate measures to control risk of flooding
  - Mitigate – flood resistant / resilience; passive measures prioritised over active measures
  - Manage residual risk – flood warning / emergency plans etc.
- 8.209 As outlined in the Framework, inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (para. 159). This is reflected in policy LP21 of the Local Plan that requires all developments to avoid, minimise or contribute to all sources of flooding, taking account of climate change and without increasing flood risk elsewhere. As outlined in the NPPF, developments will be guided to areas with the lowest risk of flooding from any source, by applying the Sequential Test, and where necessary the Exception Test.
- 8.210 As part of the ‘avoiding’ consideration, the Local Plan and NPPF requires a sequential test to be carried out for all major developments in areas at risk of flooding. The Framework, PPG and policy LP21 do recognise that where planning applications come forward on sites allocated in the development plan, applicants need not apply the sequential test again. However, the exception test may need to be reapplied if the development is not consistent with the site allocation use, or if there have been significant changes to the known flood risk level.
- 8.211 In 2013, the Council adopted the Twickenham Area Action Plan, which identified the application site for redevelopment (TW7), and this was sequentially tested. However, the proposed application site is larger than Site TW7, and there is built form (including more vulnerable land uses) outside the site allocation boundary and the land use layout differs to that identified to Map 7.14 of the TAAP. As such, it is not considered the allocation in the development plan provides an exception to conducting the Sequential Test in this case, this is explored further below with reference to a disaggregation of the uses proposed and the flood zones/land uses.
- 8.212 The Sequential Test is passed where it is concluded that it is not possible for the development to be in areas with a lower risk of flooding (considering the wider sustainable development objectives). In such instances, the Exception Test may have to be applied, depending on the potential vulnerability of the site and the development proposed:
- Essential infrastructure (i.e., transport infrastructure) in flood zones 3a or 3b or more vulnerable uses (i.e., residential & drinking establishments) in flood zone 3a, must pass the exception test.
  - Water compatible uses within floodzone 2, 3a and 3b do not need to go through the exception test and neither do less vulnerable uses in flood zones 2 and 3a.
  - more and less vulnerable uses should not be permitted within Flood Zone 3b.
- 8.213 The Exception Test is only passed when it is demonstrated:
1. the development would provide wider sustainability benefits to the community that outweigh the flood risk.
- AND

2. The development will be safe for its lifetime (beyond 100 years for residential) considering the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 8.214 In addition to passing the Sequential and Exception Test, development should only be allowed in areas at risk of flooding where, in the light of a flood risk assessment (and the Sequential and Exception tests, as applicable) it can be demonstrated that:
- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location.
  - b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment.
    - Resilience –building design to reduce floor damage and speed re-occupation.
    - Resistant - dry proofing, flood doors.
  - c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate.
  - d) any residual risk can be safely managed (for example, from breach of raised flood defence, flood event exceeding expectations, failure of flood warning); and
  - e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan. (para. 167)
- 8.215 Further, policy D11 of the London Plan requires development to maximise building resilience and minimise potential physical risks, including those arising as a result of extreme weather. Schemes should ensure flood risk is minimised and mitigated and that residual risk is addressed (S112)
- 8.216 The Development Plan (in conjunction with the Strategic Flood Risk assessment) outlines the necessary documents required on a major development such as this, to include:
- a. Flood Risk Assessment - which must demonstrate:
    - Infrastructure will remain safe and operational during flood periods.
    - The development will not impede flowing water.
    - There will be no net loss of floodplain storage
    - Flood mitigation measures will reduce the overall flood risk of the site.
  - b. Flood Emergency Plan – which details:
    - Details of all the flood risk sources
    - flood warning procedures and flood altern notices
    - mitigation measures following an assessment of the risks, including appropriate flood
    - resistance or resilience measures to address predicted flood depths.
    - Information regarding safe access and egress points across the site, ensuring that they remain so during flooding.
    - Onsite and / or temporary refuge
    - Suitable evacuation plans that consider the impact of climate change (routes and refuge).
    - Actions post evacuation
    - Business continuity plans
  - c. Sequential Test and potentially Exception Test
- 8.217 The Environment Agency Product 4 data shows the closest node to the site is 2.3. The present-day water level at this node is 5.8m AOD and future water level, in 2100, is 6.43m AOD. New development should either include future defence raising or demonstrate that future raising will be feasible to a level of 6.90m AOD. Fluvial flood information, provided by the EA, identifies the maximum flood level for the site in a 1



in 100 year event + 35% allowance for climate change is 6.94m AOD.

Flood risk:

- 8.218 In accordance with policy, a site specific FRA has been submitted, which considers existing flood risk, recognising flooding from the River Thames is high. Whilst the SFRA identifies the site as being susceptible to ground water flooding, the FRA has used data on a smaller assessment grid and concludes the risk of flooding from groundwater is low. Flooding from sewers is identified as low, and from reservoirs negligible. There is low risk of surface water flooding on Water Lane and the majority of Wharf Lane, with an area of medium to high risk at the northern end of Wharf Lane. This is accepted.

Land use and flood zone suitability

- 8.219 Plan 9 identifies the area of land (hatched) within the site that forms part of the site allocation in TAAP. Given the proposed land uses within this are broadly in line with the site allocation aspirations, in accordance with policy and the NPPF a sequential test is not required on the development within this area. Plan 9 identifies the southern part of the Wharf Lane building falls outside the site allocation, as does the boat-store, new flood wall, and proposed hard and soft landscaping along The Embankment, all of which are within the existing flood zone 3 (a and b). Officers consider the sequential test only needs to be applied for the additional works that fall outside the site allocation, including:
- Residential within the Wharf Lane building – more vulnerable land use
  - Office within the Wharf Lane building – less vulnerable land use
  - Pub / restaurant at ground and basement level of Wharf Lane building – more vulnerable land use
  - Boat store to the south of the Wharf Lane building – water compatible
  - New flood defence wall – water compatible
  - Hard and soft landscaping works, including highway and public realm
- (The submission states the plant room within the basement is deemed a highly vulnerable land use. Officers consider it is intrinsically linked to the commercial and residential units – which with worst case scenario are more vulnerable).

**Plan 9: Site allocation boundary****Sequential and Exception Test**

- 8.220 To pass the Sequential Test it is necessary to demonstrate there are no alternative reasonably available sites within the search area, that could accommodate the development, and are at the lowest risk of flooding, taking all sources of flood risk and climate change into account; then within medium risk areas; and then, within high-risk areas. Reasonably available sites are those that are in a suitable location for the proposed development, with a reasonable prospect of being available (whether in the applicant's ownership or not) and can include a series of smaller sites or a larger site.
- 8.221 The boathouse storage and the new flood defence wall have not been included within the sequential assessment as there are no other sites in the borough (based upon the applicants' source of sites) that are appropriately located next to the River Thames with a pontoon in which users can access the river from the site. Whilst this may be the case, the LPA accept the purpose of the public realm and flood wall works are to improve this specific area next to the river (as set out in the TAAP), and therefore it would not be reasonable or appropriate to locate the boat store, flood wall or the hard and soft landscaping in alternative locations given the specific and special benefits that would accrue from the proposed location.
- 8.222 Following negotiations with the applicants, a Sequential Test Analysis (September 2022) has been submitted. This includes:
- Disaggregating the uses (residential, offices and pub/restaurant)
  - Whole borough search area
  - Sources to identify sites – the Adopted Local Plan (2018); Open market sites provided by Savills Agency Team; Twickenham Area Action Plan (2013); Annual Monitoring Report (2020/21)
- 8.223 The sequential test found:
- Sites capable of accommodating the pub/restaurant use = 3

- Sites capable of accommodating the office use = 3
- Sites capable of accommodating the residential use = 4
- Sites capable of accommodating all Wharf Lane uses = 0

8.224 Whilst the above is accepted, the LPA consider there be two further sites that potentially could accommodate the residential element of the Wharf Lane building. Notwithstanding such, the applicants have confirmed all privately owned sites are not on the open market, and, there are no sites reasonably available that could accommodate the whole development, either as a whole or disaggregated. Therefore, it is concluded there are no alternative reasonably available sites within the search area, that could accommodate the development, at a lower risk of flooding. The Sequential Test is passed.

8.225 Whilst the scheme passes the sequential test, the LPA does also recognise that locating the development elsewhere would fail to deliver on the TW7 regeneration objectives and would miss the opportunity to bring this partially derelict town centre riverside site back into active use, with a scheme that meets the aspirations of the TAAP.

8.226 In line with policy, the applicants have applied the Exception Test, as summarised in Table 15, with which officers agree.

**Table 15: Exception Test**

	<b>Policy requirement</b>	<b>How the scheme meets policy</b>
A	<p>The development would provide wider sustainability benefits to the community that outweigh the flood risk</p> <ul style="list-style-type: none"> <li>• The re-use of suitable brownfield land as part of a local regeneration scheme.</li> <li>• An overall reduction in flood risk to the wider community through the provision of, or financial contribution to, flood risk management infrastructure.</li> <li>• The provision of multifunctional Sustainable Drainage Systems that integrate with green infrastructure, significantly exceeding the Framework policy requirements for SUDs.</li> </ul>	<p>Site allocation TW7 forms part of the TAAP, which was subject to a strategic sustainability appraisal, which the development remains broadly compliant with.</p> <p>The development partially utilises a brownfield site, and meets 8 of the 9 objectives sought by the site allocation TW7 within the TAAP for this local regeneration scheme, including:</p> <ul style="list-style-type: none"> <li>• Maintaining and enhancing retail, leisure and community uses</li> <li>• Provision and enhancement of public open space and public realm</li> <li>• Preserving and provision of additional river related activities.</li> <li>• Improvement of the environment along the Embankment through the removal of parking.</li> <li>• Enhanced links between King Street and the river.</li> <li>• Acceptable standard of built design</li> <li>• Preservation (and enhancement in areas) of heritage assets within and adjacent to the site.</li> </ul>

	<ul style="list-style-type: none"> <li>• A design led scheme that responds to the river setting.</li> </ul> <p>Economic benefits:</p> <ul style="list-style-type: none"> <li>• Delivery of commercial floorspace in an appropriate town centre location.</li> <li>• Local Employment Agreement securing a proportion of construction and end-user jobs for local residents</li> <li>• The regeneration of a prime town-centre, riverside site that will contribute to Twickenham's destination status</li> <li>• The increase in visitors and in turn their spend within Twickenham</li> </ul> <p>Social benefits:</p> <ul style="list-style-type: none"> <li>• Delivery of 45 new homes, including 21 affordable and 10% accessible homes</li> <li>• Enhancement to publicly accessible space</li> <li>• Reprovision and enhancement to the public realm, public open space and event space</li> <li>• Provision of community uses - boathouse storage</li> <li>• The provision of new free public toilets.</li> <li>• legible and accessible routes along desire-lines between King Street and the River Thames.</li> </ul> <p>Environmental Benefits</p> <ul style="list-style-type: none"> <li>• buildings that address their respective townscape contexts.</li> <li>• landscape and public realm that revitalises a town centre site and provides a variety of spaces for different uses and activities</li> <li>• DJGs to become the focal in a visual axis towards the River Thames.</li> <li>• contribution the Site will makes to the character of this area</li> <li>• Car lite scheme that encourages the use of sustainable and active travel modes.</li> <li>• biodiversity net gain of 19%, exceeding the 10% policy benchmark.</li> </ul>
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		<ul style="list-style-type: none"> <li>non-residential uses will achieve BREEAM 'Excellent' and the residential element achieves on-site reduction in carbon emissions of 64%.</li> </ul>
B	<p>Taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. development will be safe for its lifetime</p> <ul style="list-style-type: none"> <li>Incorporating green infrastructure</li> <li>make additional space for the flow and storage of flood water.</li> <li>Providing SUDs that manage flood risk beyond the proposed site and above the usual standard.</li> <li>Providing or making contributions to flood risk management infrastructure that will provide additional benefits to existing communities and/or by safeguarding the land that would be needed to deliver it.</li> </ul>	<ul style="list-style-type: none"> <li>The new flood defence wall exceeds minimum requirements, and at 7.4m will provide flood protection equal to or greater than the TE2100 defence level of 6.9m.</li> <li>The development allows for the reclassification of flood zones – in some areas from zone 3 to 1 removing properties from Flood Zone 3.</li> <li>The scheme positively increases the available storage volume for the site when compared to the existing.</li> <li>Adoption of flood evacuation measures and signing up to the EA's flood warning service.</li> <li>Drainage: The runoff rate is reduced by more than 50% in line with local planning policy.</li> <li>Finished floor levels – 7.4m AOD. This provides up to 0.5m freeboard exceeding policy requirements.</li> </ul>

Paragraph 167 of the NPPF:

- 8.227 In allowing the development within an area at risk of flooding, it must be demonstrated the scheme meets the requirements of paragraph 167 of the NPPF, which relate to sequentially locating the most vulnerable land uses in the lowest risk of flooding, featuring flood resistant and resilience measures, incorporating SUDS, and managing any residual risk. This has been satisfactorily demonstrated, as summarised within Table 16.

**Table 16: Compliance with paragraph 167 of the NPPF**

<b>Requirements of Paragraph 167 of the NPPF</b>	<b>How the scheme meets paragraph 167 requirements</b>
Most vulnerable development located in areas of lowest flood risk	<p>The scheme incorporates a new flood defence wall, which the applicants advise reclassifies the area behind to flood zone 1. Conditions are recommended requiring completion of the defence prior to first occupation of any unit.</p> <p>The highly vulnerable, more vulnerable, and less vulnerable development all are sited behind the flood defence structure.</p>

The development is appropriately flood resistance and resilient and remain safe and operational for users during flood periods	<ul style="list-style-type: none"> <li>• Ground floor levels are above fluvial level for the 1 in 100-year event plus 35% climate change – this is greater than the minimum freeboard of 300m.</li> <li>• Ground floor level (7.4m AOD) is 0.5m above TE2100 flood defence level and 0.46m above fluvial flood level for the 1 in 100-year event + 35% climate change</li> <li>• Services located above fluvial flood level (or best practice followed to ensure cabling and fittings are water resistant / can be reinstated).</li> <li>• Fuse boards and essential utility infrastructure behind new flood defence wall and above the fluvial flood level for the 1 in 100 year event +35% climate change</li> <li>• Drainage in basement area pumped</li> <li>• The boat-store and lower landscaped areas are constructed using materials that area not affected by water and can be brought back into use without significant refurbishment.</li> <li>• Building design to be constructed using resistance materials.</li> </ul>
The scheme incorporates sustainable drainage systems	<ul style="list-style-type: none"> <li>• The scheme follows the drainage hierarchy, provides SUDS and has an acceptable run off rate</li> </ul>
How residual risk will be safely managed	<ul style="list-style-type: none"> <li>• Vulnerable buildings and surrounding are above fluvial flood level</li> <li>• No loss of flood storage – there is an overall reduction in flood risk achieved through increasing the volume of storage within Flood Zone 3b</li> <li>• Flood Emergency Plan has been provided, detailing, flood warnings, safe escape routes from the site to high ground</li> <li>• The scheme has provided a flood evacuation plan</li> <li>• Water compatible development is sited at lower levels</li> </ul>
Safe access and escape routes	<p>The Flood Evacuation Plan identifies:</p> <ul style="list-style-type: none"> <li>• Safe zone,</li> <li>• Access to safe zone from flood risk areas</li> <li>• Safe egress routes</li> <li>• Emergency service access routes</li> </ul>

#### Development in Flood Zone 3b (functional floodplain)

- 8.228 The PPG identifies more vulnerable and less vulnerable uses (residential and commercial) as an incompatible land use within flood zones 3b, an Exception Test is not required as such developments should not be approved. Whilst it is recognised the southern element of Wharf Lane (and its associated more vulnerable land uses) would be within the 'existing flood zone 3b', Officers have given material consideration to the new flood defence wall proposed as part of this scheme, and the re-classification of the flood zones that would result. Further, in requiring the delivery of the flood defence wall as part of the earlier phases of development this would be prior to the

occupation of the Wharf Lane building (secured via condition), therefore it is not deemed such 'incompatibility' between land uses and flood zones will occur.

### Flood defence

- 8.229 The protection of people, properties and infrastructure from the risk of flooding is essential in this borough. The integrity of the flood defence infrastructure must therefore be maintained. Flood defence infrastructure can include formal and informal flood defences, and such defences may not always be recognisable and can include mounds, buildings and walls. In this instance of this site, the wall around the DJG and the change in ground levels forms the flood defence (refer to black line in Plan 10).

### **Plan 10: Existing flood defence wall**



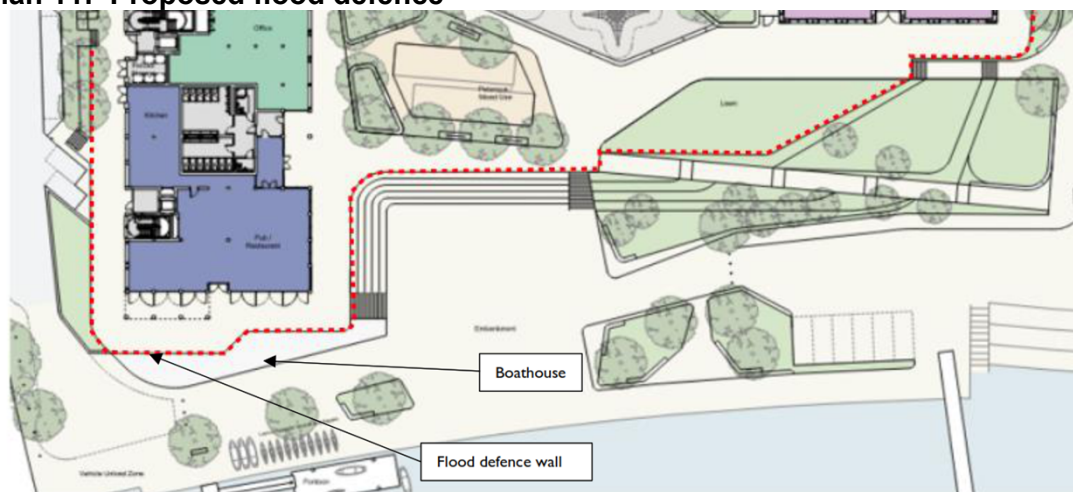
- 8.230 The London Plan (SI12) requires developments to protect the integrity of flood defences and allow access for future maintenance and upgrading. Unless exceptional circumstances are demonstrated, development proposals should be set back from flood defences to allow for any foreseeable future maintenance and upgrades in a sustainable and cost-effective way. This is reflected and expanded upon in policy LP21(D) of the Local Plan, which requires all developments to:
- Retain the effectiveness, stability and integrity of flood defences, river banks and other formal and informal flood defence infrastructure.
  - Ensure the proposal does not prevent essential maintenance and upgrading to be carried out in the future.
  - Set back developments from river banks and existing flood defence infrastructure where possible (16 metres for the tidal Thames and 8 metres for other rivers).
  - Take into account the requirements of the Thames Estuary 2100 Plan and the River Thames Scheme, and demonstrate how the current and future requirements for flood defences have been incorporated into the development.
  - The removal of formal or informal flood defences is not acceptable unless this is part of an agreed flood risk management strategy by the Environment Agency
- 8.231 The FRA copies an extract from the EA Product 4 Data, which describes the condition of the existing flood defence:

*“The design standard of protection of the flood defences in this area of the Thames is 0.1% AEP; they are designed to defend London up to a 1*

*in 1000 year tidal flood event. The defences are all raised, man-made and privately owned. It is the riparian owners' responsibility to ensure that they are maintained to a crest level of 6.02m AOD (the Statutory Flood Defence Level in this reach of the Thames). We inspect them twice a year to ensure that they remain fit for purpose. The current condition grade for defences in the area is 2 (good), on a scale of 1 (very good) to 5 (very poor). There are no planned improvements in this area."*

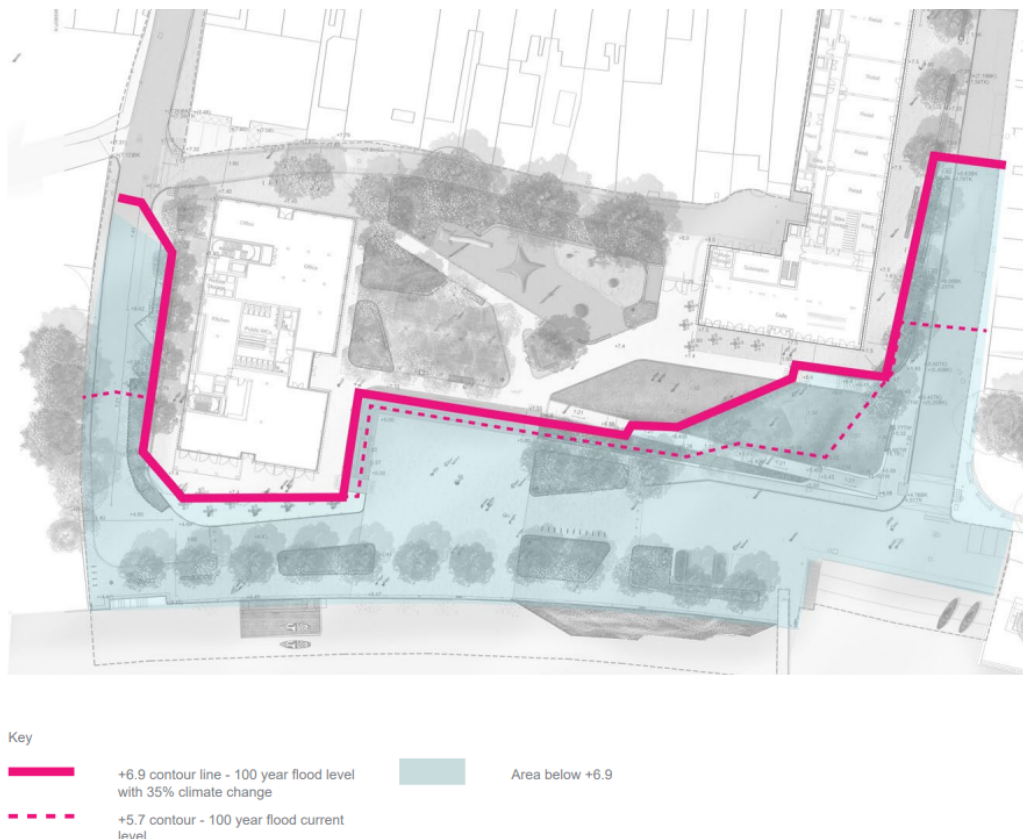
- 8.232 The scheme proposes the removal of all buildings on site, to allow for a comprehensive redevelopment, including the removal of the flood defence wall. As part of the proposed scheme, the newly formed hard and soft landscaping and wall to the raised ground, will form a new flood defence structure, as identified Plan 11 below (red hatched line):

**Plan 11: Proposed flood defence**



- 8.233 It is unusual for a scheme to remove a flood defence structure. The applicant has engaged with the Environment Agency to ensure the scheme is consistent with policy, and ultimately does not increase the risk of flooding. The proposed flood defence structure has been set to the proposed design of 7.40m AOD, greater than the minimum requirement of 6.9m (TE2100 defence level). Further a level-to-level flood storage volume assessment has been undertaken to ensure there is no loss of flood storage capacity (and consequently no increased flood risk for the area).





- 8.234 Whilst the boat-store is sited in front of the flood defence wall, the wall and top of the defence remains visible for inspection, the boat-store is water permeable and floodable, and can be removed / demounted if repair work is necessary. The FRA also advises the boathouse should be inspected after flood events and any debris or silt removed. As such, the scheme will not prevent essential maintenance and upgrading to be carried out in accordance with policy LP21D.
- 8.235 The Wharf and Water Lane building comes within 4.4m of the new flood defence line and Wharf Lane 20.4m from the riverbank. Whilst this setback from the flood defence falls short of the distances prescribed in policy, the Environment Agency has confirmed it is satisfied and the scheme reflects the requirement for setback of buildings. As the Environment Agency is a statutory consultee in such matters Officers are satisfied that the lack of objection from the Agency is a material consideration which can be afforded some weight.
- 8.236 The Environment Agency has confirmed the scheme will help deliver an improved flood defence in line with local, regional, national planning policies and the requirements of the Thames Estuary 2100 Plan. Conditions are recommended to ensure the delivery and continued working with the applicant at the detailed design stages.

#### Flood Emergency Plan

- 8.237 A Flood Emergency Evacuation Plan has been submitted, which is in line with policy details and with which the development will be expected to accord, a condition will ensure ongoing updating of the plan:

Sources  
flooding

of

- River Thames being the main potential source

Flood Warning and Alert Notices	<ul style="list-style-type: none"> <li>• Recommendation for all occupiers to sign up to Environmental Agencies flood warning service</li> <li>• Display of Flood Alert Notices</li> </ul>
Mitigation measures	<ul style="list-style-type: none"> <li>• Boathouse incorporates caged interior to prevent items from being washed away</li> <li>• Public realm items being fixed to the ground</li> <li>• Services within the flood zone to be water resistant</li> <li>• Main fuse boards, located about flood level</li> <li>• Basements to incorporate pumps and fitted within on-return valves</li> <li>• Floor levels raised 0.46m above the fluvial flood level for 1 in 100 year event, plus 35% for climate change.</li> </ul>
Evacuation plans and safe routes	<ul style="list-style-type: none"> <li>• Flood evacuation procedures</li> <li>• Access and egress routes, to be signposted</li> <li>• Safe zone and assembly point, above the flood defence wall.</li> <li>• Safe egress routes</li> <li>• Flood Manager during construction.</li> </ul>
Temporary refuge	<ul style="list-style-type: none"> <li>• Safe zones – either above the flood defence or on upper floors</li> <li>• Provision of Flood Kits at the on-site refuge</li> </ul>
Dangers of flood water	<ul style="list-style-type: none"> <li>• Display of appropriate signage</li> </ul>
Post flooding	<ul style="list-style-type: none"> <li>• Post Flooding Clean Up Plan</li> </ul>
Key contacts & information	<ul style="list-style-type: none"> <li>• Council, Building Contractor</li> <li>• Environment Agency Flood line</li> </ul>

### Drainage

8.238 With respect to drainage, the NPPF requires major development to incorporate SUDs. This is reflected in both the London Plan (SI13) and Local Plan (LP21), the latter of which also requires the application to demonstrate a reduction in surface water discharge to greenfield run-off rates where feasible (or at least 50% attenuation of the sites surface water runoff at peak times based on levels existing prior to the development) and follow the London Plan drainage hierarchy. Further, Sustainable Urban Drainage should:

- take account of advice from the lead local flood authority.
- have appropriate proposed minimum operational standards.
- have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- where possible, provide multifunctional benefits.

8.239 The Flood Risk Assessment incorporates a Surface Water Drainage Strategy and Proforma, which follows the SUDs hierarchy (see below) details the SUDs that are designed to accommodate increased in peak rainfall intensity.

- |                                  |   |
|----------------------------------|---|
| 1. Store rainwater for later use | Water reuse is not proposed, in response to viability, additional space and materials required. |
| 2. Use infiltration technics     | <ul style="list-style-type: none"> <li>• Infiltration shall be used across the site.</li> </ul> |

	<ul style="list-style-type: none"> <li>• The scheme results in a reduction of impervious area (-205m<sup>2</sup>)</li> <li>• Soft landscaping has been increased from the existing condition (547m<sup>2</sup>)</li> <li>• Paved areas are assumed to be 50% impervious, with the other 50% of water lost to evaporation / infiltration.</li> </ul>
3. Attenuate rainwater to ponds / open water for gradual release	37m <sup>2</sup> of green roof is proposed. Further natural attenuation is not feasible in response to flood storage requirements
4. Attenuation rainwater by storage in tanks for gradual release	A 114m <sup>3</sup> cellular attenuation tank is proposed (located where the historic lido was located), which shall flow to 10 l/s prior to discharge into the Thames Water Sewer – the catchment shall be the floor and landscaped areas
5. Discharge rainwater direct to water course	Runoff shall drain via gravity to the river edge, consistent with the existing condition.
6. Discharge rainwater to surface water sewer / drain	Attenuated rainwater shall be discharged into an existing surface water sewer
7. Discharge rainwater to combined sewer	There is no proposed discharge of surface water into a combined sewer

8.240 No flow control devices or existing attenuation infrastructure have been found on the site.

8.241 The scheme allows for a reduction in runoff rates by 63-84% compared to existing. The Strategy acknowledges the proposed design does not reduce the runoff rates to greenfield rates, however, is reduced by more than 50% and the calculations do not allow for runoff from landscaped areas. The following reasoning has been given for the failure to meet greenfield rates:

- Landscaping (tree pits and garden beds).
- Obstructions in the ground from the previous site use (swimming pool / associated infrastructure).
- Flood defence wall no drainage or attenuation may be within 4m of the back of the wall
- Distances from the existing Thames Water connections.
- Needs to find a balance between feasibility, landscaping and planting, and providing a significant betterment to the exiting runoff rate.

8.242 The Lead Local Flood Authority has been consulted and confirmed the scheme passes the drainage hierarchy requirements and has satisfactorily justified that the proposed infiltration feature will not increase groundwater contamination levels. Further, the runoff rates are acceptable and an appropriate climate change consideration has been applied.

8.243 The LLFA has raised concerns over the location of the pipes for the attenuation and maintenance responsibilities:

- The attenuation volume proposed (114 m<sup>3</sup>) is greater than the attenuation volume required and it has been demonstrated that the site will not flood as a result of the 1 in 30 year rainfall event, that there will be no flooding of buildings as a result of events up to and including the 1 in 100 year rainfall event, and on-site flow as a result of the 1 in 100 year event with a climate change consideration will be suitably managed via overland flow and discharge to the River Thames. However, further information on the pipes identified to flood in this event particularly where these are located on site and levels.
- Whilst the drainage strategy includes the maintenance tasks and frequencies for each drainage component proposed, more information is required as to who will own the maintenance tasks as required.

8.244 The applicants have confirmed the pipes will not flood for the 1:100 year plus 40% climate change rainfall event, provided a maintenance schedule (actions / frequencies) and the management of the maintenance tasks will fall under the responsibility of the freeholder or management company. At the time of writing the report, comments from the LLFA have not been received, and therefore it is recommended a condition be secured to demonstrate acceptability.

#### Basement

8.245 As set out in the Strategic Flood Risk Assessment (SFRA), the site is in an area with less than 25% susceptibility to groundwater flooding, however, is within a throughflow catchment area. Given a basement is proposed below the Wharf Lane building a Basement Screening Assessment has been undertaken. This identified potential issues requiring further detailed investigation, a Basement Impact Assessment has been completed (by a chartered Member of the Institution of Civil Engineers) which includes a Ground Movement Assessment, Hydrogeological Assessment and site-specific ground investigations (including boreholes). The screening assessment identified four potential issues:

1. The site is located directly above an aquifer
2. Some trees will be felled as part of the development on site
3. The site is within 5m of a highway or pedestrian right of way
4. The site is within an area that has a high risk of river or sea flooding.

8.246 In response, a scoping assessment identifying special hazards, potential impacts and mitigation arising from the four potential issues raised in the screening assessment. It was concluded:

- In order of succession found, the site is made up of made ground, Kempton Park Gravels and London Clay Formation.
- Whilst the basement is above a water aquifer, the ground water has been recorded at depths of between 4.1-4.9m below ground level, and the formation level of the basement is about 4m below ground level (above the water table and likely to be within the medium dense gravelly sand of Kempton Park Gravel), thereby avoiding water inflow to the basement and water table drawdown, and meaning ground water will not be encountered provided the formation is kept shallower than the measured water table, which is the design intent.
- Groundwater will be permitted to flow around and under the basement, there is a low risk of groundwater flooding.
- Deposits underlying the development are largely natural and stable, impact is limited given levels of the development. Thereby there will be very low risk to the development and/or neighbouring properties associated with the risk of land and slope instability.

- Near surface deposits are not expected to heave or settle significantly due to tree removal. Potential changes to surface water run-off volume are anticipated to be captured by the proposed drainage scheme.
- New flood defence wall is proposed, the scheme does not result in a loss of flood storage and a Flood Emergency Plan has been provided.

Summary:

- 8.247 Whilst recognising the existing flood risk of the site, it has been concluded it is not possible for the development to be located within an area at lower risk of flooding, and the development passes both the Sequential and Exception Test, with the development being safe for its lifetime, not increasing flood risk elsewhere and delivering wider sustainability benefits to the community that outweigh any flood risk, as sought by policy. The new flood defence would deliver improved flood defence. Whilst the strategy does not reduce the runoff rates to greenfield rates, it is reduced by more than 50%. As such, the scheme is not deemed to compromise the aims of policy.

**Issue xii - Transport**

- 8.248 The NPPF requires safe and suitable access to sites to be achieved for all users, to create places which minimise the scope for conflicts between pedestrian, cyclists and vehicles, for any significant impacts on the highway network or safety to be mitigated to an acceptable degree (para. 110 and 112) and for development only to be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para. 111). This is reflected in Policy LP44.

- 8.249 The London Plan expects proposals to reflect and be integrated with transport access, capacity and connectivity, be aligned with peoples' movement patterns and desire lines; and for the Healthy Streets Approach to be applied. Transport assessments must be submitted to ensure the impacts are fully assessed, and where appropriate, mitigation should be secured to address adverse impacts. Ultimately, schemes must not increase road danger. (Policies GG2, T1, T3, T4, T9 and D3). This is reflected in Policy LP44.

Connectivity

- 8.250 Trip generating uses are encouraged to be sited in locations that have good connectivity to minimise the reliance on the private car and encourage sustainable travel. The scheme is wholly in line with such aspirations, benefiting from a PTAL 5-6a, with Twickenham Train Station within 10 minutes walking distance, and 9 bus routes in proximity.

Layout and Access

- 8.251 A clear aspiration of the TAAP is to reduce parking along Twickenham Embankment to allow for environmental improvements, achieved by a new traffic management arrangement to reduce the impact of vehicular movements on the pedestrian environment, including, a link from the Wharf Lane service access (that runs to rear of King Street) to Water Lane and one way traffic management and rearrangement.
- 8.252 The scheme does not include a link from the service road to Water Lane. It does include fundamental changes to the road layout and traffic management, including, the removal of the one-way system for vehicle traffic on Water and Wharf Lane and nearly all parking along The Embankment, with only restricted vehicular access between 7-10am daily. This is facilitated by Water and Wharf Lane both becoming two-way. Wharf Lane will be a left turn exit and entry (at the junction with King Street). Water

Lane will be a left turn only for egress traffic movements. The Council (Facilities Management Team) will be responsible for operating the manually operated barriers, which will be installed at each end of the restricted zone (like the existing arrangements at the west end of Church Street). (Emergency vehicles will have access via lock pad). The existing Sustains Cycle Network route along Wharf Lane and The Embankment will remain and be signed as a cycle route, as existing. All such arrangements will require a new Traffic Management Order; this is separate to the planning application process. The TMO should be secured before planning permission is implemented.

- 8.253 Tracking plans of junction and turning areas have been submitted to demonstrate the layout allows for safe movement of both vehicles, pedestrians and cyclists and their interaction. Further, a Road Safety Audit Stage 1 (February 2022) and Stage 1 Road Safety Audit Response Report (March 2022) have been submitted, which were commissioned to review and address the masterplan as a whole, including the northern junctions of Wharf and Water Lane, the southern sections of Water Lane and Wharf Lane, the service road and The Embankment. Whilst the Audit found no identified problems in the local alignment, traffic signs, carriage markings and lighting, it did identify areas of concern and put forward recommendations, as summarised in Table 16. The applicants have provided a response, outlining justification and / or mitigation, to each:

**Table 16: Road Safety Audit**

Safety concerns	Recommendation of safety audit	Justification / Mitigation factors
Wharf Lane and King Street Junction – risk of side swipe collisions for vehicles moving into the offside lane to continue straight ahead	Adjust the alignment of the Wharf Lane junction to minimise the risk of side-swipe collisions.	<ul style="list-style-type: none"> <li>This is an issue inherent with the existing layout, which accommodates more traffic exiting onto King Street than is forecast, and already requires vehicles to pull out of Wharf Lane and cut across the nearside lane on King Street to reach the offside (ahead) lane.</li> <li>There is no evidence of near misses or collisions in this location, suggesting the current arrangements have not led to any safety issues.</li> <li>Proposed traffic flows will be less than existing.</li> <li>The slow speeds that vehicles would be travelling at due to give way line, restricted visibility and raised table.</li> <li>The signalised junction on King Street will create regular gaps in the traffic flow in which traffic exiting from Wharf Lane will have the opportunity to pull out safely (as per the current situation).</li> </ul>
Junction of Water Lane and King Street – Restricted visibility (tree and building line) may increase the risk of collisions between	Realign the junction mouth and move the give-way line forward to improve the visibility at this junction.	<ul style="list-style-type: none"> <li>Actual vehicle speeds are significantly lower due to the proximity of the signal-controlled junction between King Street and London Road; and because of the road geometry and limited visibility</li> </ul>

road users pulling out of Water Lane and those on King Street  (meets the 2.4m x 27.5m visibility splay, however, not meet 2.4 x 43m)		<p>for drivers travelling westbound on King Street.</p> <ul style="list-style-type: none"> <li>The proximity of the signal-controlled junction of King Street with London Road creates gaps in the westbound traffic movements, allowing vehicles to safely egress from Water Lane.</li> <li>Traffic volumes using Water Lane will be low when compared with existing levels.</li> </ul>
Potential for pedestrians with sight impairments entering the road at the junction mouths of Wharf and Water Lane without realising.	Provide high contrast tactile paving on the footway at the pedestrian crossing points.	<ul style="list-style-type: none"> <li>The scheme will provide suitable high contrast tactile paving on the footway.</li> </ul>

8.254 Whilst not specifically raised within the Safety Audit, officers identified other potential safety concerns arising from the layout, as summarised in Table 17, and which the applicant has sought to address:

**Table 17: Summary and response to highway concerns**

	<b>Safety concern</b>	<b>Justification / Mitigating factors</b>
<b>Water Lane</b>	Potential conflict at Water Lane / King Street junction	<p>Swept-path analysis tracking demonstrates 2 cars, large vans or 7.5 tonne box vans can pass. Further, a refuse truck, and 12m rigid van can make the manoeuvre.</p> <p>If 2 large trucks or a large truck and a 7.5t box van need to pass, one vehicle would be required to give way, which is deemed acceptable based on the low likelihood of this happening regularly, the adequate visibility, low vehicle flows, passing places, and the desire to minimise the size of the bellmouth for the benefit of pedestrians and other road users.</p>
	Suitability of Water Lane for two-way traffic with loading bay, and potential for conflict.	The scheme will allow for a 2.9m carriage way in Water Lane, with 2.5m wide loading bay.
	Appropriateness of disabled parking bays, given the gradient of Water Lane.	Locations are constrained by site layout, flood zone, insufficient width of the service road, and loading bay requirements.
	Potential conflict of fire alliance / refuse trucks, with other traffic	<ul style="list-style-type: none"> <li>Traffic flows will be significantly reduced when compared with existing.</li> </ul>

	movements at the southern end of Water Lane	<ul style="list-style-type: none"> <li>• There is sufficient space for vehicle travelling in opposite directions to pass one another using passing places</li> <li>• Service and other vehicles can manoeuvre between Water Lane and the Embankment, even when refuse vehicles are occasionally parked at the top of the slip way.</li> <li>• HGVs can service the Embankment and turn around whilst the Eel Pie Island servicing area is in operation or when refuse collection vehicles are parked at the top of the slipway.</li> </ul>
<b>The Embankment</b>	The Embankment at its pinchpoint falls short of the 6m wide shared space requirements as set out in the National Design Guidance.	The Embankment will be 4.6m at its narrowest point, however, given this is one way only (east to west), and the maximum width of any HGV being 2.55m, this is deemed acceptable.
<b>Wharf Lane</b>	Cycle safety at the junction of Wharf Lane and the Embankment	<ul style="list-style-type: none"> <li>• Low vehicle movements and use of the turning head.</li> <li>• Traffic speeds low.</li> <li>• Design is to give priority to pedestrians and cyclists.</li> </ul>
	Suitability of Wharf Lane of 2way traffic	<ul style="list-style-type: none"> <li>• Swept paths allow a 7.5t box van travelling southbound along Wharf Lane whilst an articulated lorry is parked.</li> <li>• Will not reduce accessibility between Wharf Lane and the private road off Wharf Lane, with small vans being able to access and egress.</li> </ul>
	Wharf Lane junction with King Street – whether vehicles turning left can access the near side lane whilst there is traffic in the offside lane.	<ul style="list-style-type: none"> <li>• Vehicle tracking shows most vehicles (cars, vans and small 7.5t trucks) can make this movement. Some vehicles larger than a 7.5t box van, including a refuse collection vehicle and 10m rigid HGV, would need to encroach into the offside cycle lane (but not traffic lane) for this movement to be made.</li> <li>• Only larger articulated lorries (16.5m) would need to encroach into the offside traffic lane. However, this movement is anticipated to be infrequent (c.1 movement per day associated with the Iceland store), and would require drivers to wait for oncoming traffic to give way before proceeding to make the turn. This is no different to the existing situation, and future traffic flows will be lower.</li> </ul>



	Vehicles turning left will block entry to Wharf Lane	<ul style="list-style-type: none"> <li>A 7.5t box van turning left into Wharf Lane would have to give way to a car egressing onto King Street. However, vehicle speeds would be low in response to traffic calming measures (including raised table) and restricted visibility); low traffic flows are predicted, there is good visibility once a vehicle has reached the stop line on egress from Wharf Lane.</li> </ul>
<b>Service Road</b>	Service vehicle turning head is reliant on the gates being open / removed and vehicles will still overhang the northern pavement	<ul style="list-style-type: none"> <li>Most vehicles utilising the turning circle are 7.5t box vans and can make the movement within the gates open</li> <li>Whilst vans may overhang the pavement, visibility is good and banksman are recommended.</li> <li>Low pedestrian movement along the service road</li> </ul>

8.255 There is also concern over refuse vehicles turning out of the service road, that will rely on using the wrong side of the carriageway when travelling northwards towards King Street.

8.256 It is recognised there are pinchpoints within the layout and it may not fully comply with the National Design Guidelines, with the site constrained by existing built form and the river. Whilst developments should provide safe and suitable access for all users, the test in the NPPF is for developments to *"only be prevent or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residue cumulative impacts on the road network would be severe"*. In this instance, in response to the site circumstances, namely, slow vehicle speeds, reduced vehicular numbers, existing site arrangements, and mitigation securing

- Traffic Management Order and Section 278 agreement securing no U-turn signs on King Street (to stop vehicles trying to make a short cut to Wharf Lane) and double yellow lines east of the barriers along the Embankment.
- tactile paving.
- removal of the vehicular and pedestrian gates in the turning head in the service road.
- use of banksmen in the service management plan.
- 7.5t weight restriction in Wharf Lane (travelling south).
- Servicing and delivery management plan for the proposed use (to take place outside peak hours were possible).
- The final design to be submitted to TfL for review and comment.
- a Stage 2 Safety Audit.

it is deemed the residue cumulative impacts on the road network would not be severe. Further it is recognised the whole aspiration of the scheme is to improve the pedestrian and cyclist environment, primarily achieved through the removal of parking along the Embankment and associated public realm improvements. It should be noted the applicants propose only single yellow lines on the Embankment, east of the barriers, to have flexibility during event and markets / occasional servicing and maintenance. This is not accepted to ensure access for other road users and turning space for the Eel Pie bays is not impeded. A Condition is also recommended showing the location of the street traders parking bay to ensure this does not interfere with turning circles.

Trip generation

- 8.257 The existing use generates a travel demand of 36 total trips in the AM peak (15 by vehicle), and 19 in the PM peak (8 by vehicle). Most of the trade associated to the retail uses can be attributed to trips already on the network as part of Twickenham Town Centre activity and therefore the existing trip generation rates relate only to the existing office and associated private parking provision. Applying TRICs and census data, the proposed trip rates are summarised in Table 18.

**Table 18: Proposed trip rates:**

	<b>AM peak – multi modal trips</b>	<b>PM Peak – multi modal trips</b>	<b>AM peak – car travel</b>	<b>PM peak – car travel</b>
Residential	26	18	1	1
Office	22	22	0	0
Restaurant / café retail	26	82	0	0
Pub	0	140	0	4
<b>Total</b>	<b>74</b>	<b>262</b>	<b>1</b>	<b>5</b>

- 8.258 The proposed level of movement is not deemed to adversely impact the highway network or public transport services. It is also acknowledged several proposed trips will be via pass-by or diverted trips, and thereby already on the network, again, reducing the impact. The reduction of the car travel, attributed to by the loss of the parking on site, is a welcomed improvement, and benefit both to the highway network, pedestrian and cyclist environment and air quality.

Impact on key junctions – existing and proposed trip generation

- 8.259 In response to the closure of The Embankment, the TA has considered the impact of the development on Water and Wharf Lane junctions, as key access junctions, arising from the development, and servicing of King Street properties (along the service road). As summarised in Table 19 below, the development would result in a reduction at both junctions. (It is noted that this does not include the traffic generation from the parking area to the west of Wharf Lane, however, this is not deemed significant).

**Table 19 Impact on junctions**

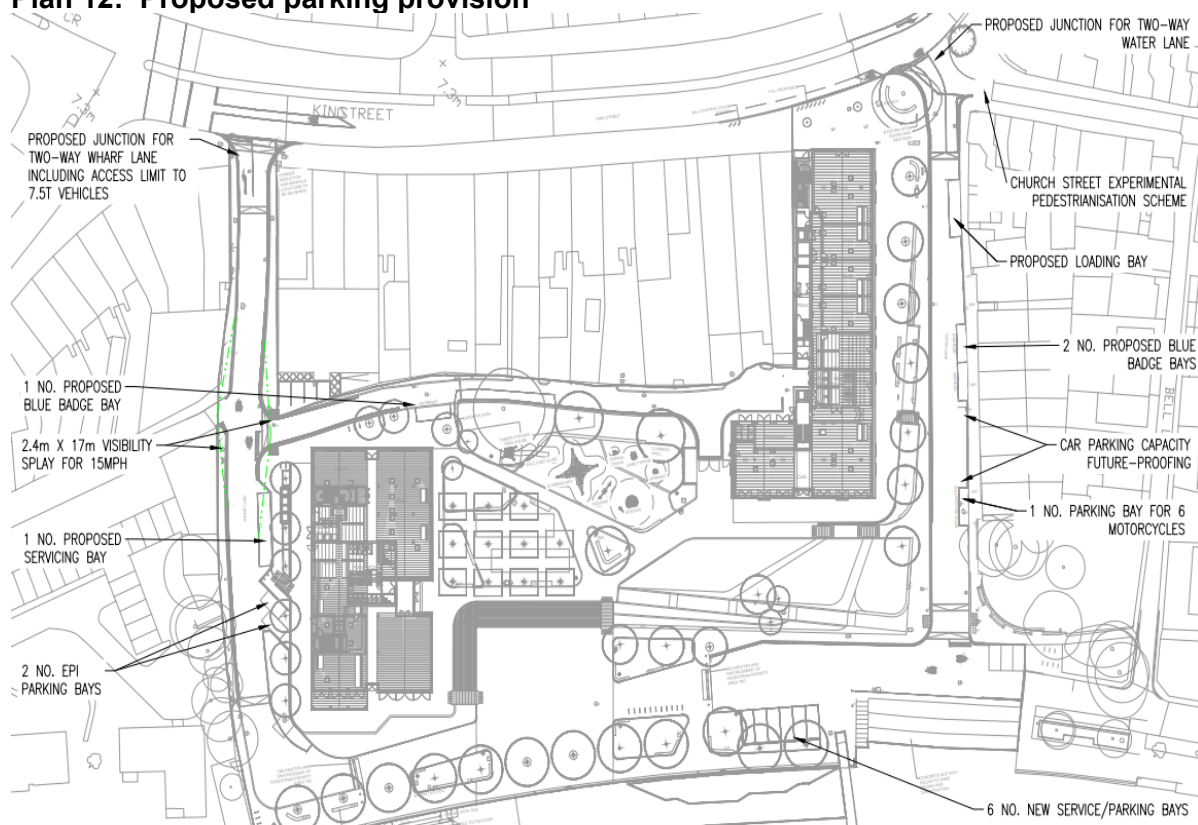
	<b>Weekday AM peak</b>	<b>Weekday PM peak</b>	<b>Weekend AM peak</b>	<b>Weekend PM peak</b>
<b>Wharf Lane</b>	9 vehicles -67%	10 vehicles -82%	13 vehicles -67%	10 vehicles -84%
<b>Water Lane</b>	13 vehicles -68%	22 vehicles -67%	10 vehicles -83%	24 vehicles -62%

Parking

- 8.260 As set out in the London Plan, within areas benefitting from PTAL 5-6, residential and retail elements of developments should be car free, except for disabled persons parking, and office uses can provide up to 1 space per 100m<sup>2</sup>. With respect to disabled person parking, offices should provide 5% disabled persons bays and 5% enlarged bays, and 3% of dwellings have one designated disabled persons parking bay from the outset, with space for an additional 7% of dwellings have access to a bay subject to demand throughout the lifespan of the residential development.
- 8.261 The Transport Assessment has detailed the existing and proposed parking provision

on site. There appear several inconsistencies in relation to the proposed parking provision and the proposed loss of parking resulting from the scheme. Whilst the TA states the scheme will result in the loss of 81 onsite spaces and 82 bays within the CPZ, officers are of the view the scheme results in the loss of 73 on street parking bays, when referring to the data and proposed site layout (Plan 12 and Table 20). However, for the purpose of this assessment, the worst-case scenario figure (82) is adopted.

**Plan 12: Proposed parking provision**



**Table 20: Existing and proposed parking provision**

	Existing parking provision on site	Proposed parking provision	Change
<b>Total</b>	<b>116</b>	<b>17</b>	<b>-99</b>
On street spaces	90	17	-73
Off street spaces	26 spaces – car park to the rear of 1-1c King Street	0	-26
Shared – residents and pay & display	50	0	-50
Shared – residents and business	17		-17
Pay and display	11	2 – East of Water Lane	-9
Street trader	1 space	1 space	----
Business permits	7	0	-7
Loading /serving bays	3	<ul style="list-style-type: none"> <li>➤ 6 spaces - The Embankment for Eel Pie Island servicing</li> <li>➤ 1 – Water Lane</li> </ul>	

		➤ 1 – Wharf Lane	
Eel Pie Island parking bays		2 spaces within Wharf Lane for Eel Pie Island residents / visitors	
Parking bay for motorcycles (6)	1 space for motorcycle	1 -Water Lane	----
Blue badge bays	0	➤ 2 – Water Lane ➤ 1 – Service Road	+3

8.262 All proposed parking is on-street and not allocated to the development, and therefore ultimately car free, in line with the London Plan. However, the scheme does result in the loss of significant on-street parking. To address the displacement of parking, resulting from the removal of parking within the application site, in June 2021, a report (Twickenham Riverside Development – Parking and Servicing proposals) was heard by the Council's Transport and Air Quality Committee, where it was agreed:

- To support the following parking proposals along with the access and servicing proposals
  - the creation of 28 new parking spaces within Central Twickenham CPZ
  - change in designation of 80 parking spaces within Central Twickenham CPZ.
  - Review of the town centre car parks with the view to improving their accessibility, safety, accessibility to and from and overall operation. (Changes focused on repainting, improvements to lighting, CCTV, wayfinding, relining, pedestrian walkways, dropped kerbs, advance Directional Signage)
- For the implemented proposals to be monitored during the first 6 months of their operation and then reviewed to see if further changes are warranted.
- For further reviews of the implemented proposal be considered as necessary in future years.

8.263 It is less than ideal that the TA recognises the true impact of the removal of the spaces is not known, and the proposals will be implemented by way of an Experimental Traffic Management Order with an option to make early modifications if reviewed, and where necessary, further changes over time, as the CPZ and car parks adapt to the removal of the spaces. However, officers need to consider whether the proposed CPZ review, which would be secured via condition, could mitigate the impact arising from the removal of parking. This assessment is set out below.

8.264 Across the CPZ D (which operates 08:30-18:30 Monday – Saturday), and as summarised in Table 21, there are currently 553 more resident permits issued than spaces provided, and 69 fewer business permits issued than spaces. Reviewing overnight surveys, the zone overall has a parking stress of 76% and the subzone has a parking stress of 57%, both remaining below the 85% threshold. However, the use of the resident only bays is 91%.

**Table 21: Controlled Parking Zone D**

	Bays	Permits issued	Overnight parking street (1-5am)
Within Controlled Parking Zone	<b>1748 spaces:</b> <ul style="list-style-type: none"> <li>• 1115 Resident Permit spaces</li> </ul>	<ul style="list-style-type: none"> <li>• 1951 parking permits on issue</li> </ul>	76%  (91%)

D	<ul style="list-style-type: none"> <li>• 285 Shared-use Resident and Visitor (Pay and Display and/or Pay by Phone) spaces;</li> <li>• 190 Shared-use Resident/Business Permit Holder and Visitor (Pay and Display and/or Pay by Phone) spaces;</li> <li>• 79 Visitor (Pay and Display and/or Pay by Phone) spaces;</li> <li>• 44 Shared-use Resident and Business Permit Holder spaces; and</li> <li>• 35 Business Permit Holder spaces</li> </ul> <p>And</p> <ul style="list-style-type: none"> <li>• 22 Loading spaces</li> <li>• 12 Disabled spaces;</li> <li>• 6 car club spaces;</li> <li>• 2 motorcycle spaces (space for 6 and 3 motorcycles to park); and</li> <li>• 1 ambulance space</li> </ul>	(as at 10 April 2021) <ul style="list-style-type: none"> <li>• 1890 resident parking permits</li> <li>• 51 business permits</li> <li>• 10 operational</li> </ul>	resident only parking bays)
Subzone – The Embankment, Eel Pie Island, Water, Wharf and Bell Lane, Church Street, and riverside			57%

8.265 There are clearly concerns arising from the development. The loss of the 82 car parking spaces will result in the parking demand within the 'sub zone' exceeding supply. Whilst the parking stress within the CPZ will remain below an 85% threshold, this takes a CPZ wide approach, rather than a 200m snapshot as recommended within the parking survey methodology, and as such residents may need to park further away from properties. In addition, there would be a risk of vehicle displacement to other locations following the implementation of the changes.

8.266 The NPPF test is, can any significant impacts be mitigated to an acceptable degree and would the residual cumulative impact on the road network be severe? In this instance, and on balance, it is deemed with the parking proposals put forward, and with a restriction preventing residents and commercial occupants of this development from obtaining permits to the CPZ and any Council operated car park, both of which will be secured by condition, it is deemed the loss of the parking can be offset through the CPZ review and by maximising parking capacity within the area. Notwithstanding such, conditions are also recommended to secure:

- A safety audit to be undertaken on the access and servicing arrangements to identify any issues for consideration and for any modifications to the proposals to be considered.

- A separate Equality Impact Needs Assessment (EINA) to be carried out on the parking, servicing and access proposals should these be progressed to implementation.

8.267 With the car parking availability and public transport accessibility level within Twickenham Town Centre, nor is it deemed the loss of parking along The Embankment will unduly harm the vitality and viability of Twickenham Town Centre.

Blue badge holder bays

8.268 The scheme does not propose off-street blue badge parking bays, however, incorporates three blue badge holder bays, two on Water Lane and one of the service road, thereby meeting the London Plan standards. Furthermore, space for two additional bays have been identified on Water Lane, if necessary, in the future. It is recognised that these spaces could be utilised by any member of the public, however, it was appropriate to ensure provision to maximise access for all.

8.269 The lack of designated bays for the wheelchair housing has been raised with the applicant, who confirm the Registered Provider has made a firm offer based on the current design, including the provision made for car parking. It is also noted, the Council has exclusive nomination rights to the rented homes (including the wheelchair accessible homes), and the Council's Allocations Team will make potential residents aware of the situation with car parking, so they have a clear choice around accepting a home. It is not necessarily the case the wheelchair users have or require a parking space to occupy a wheelchair user dwelling, and this would be considered when homes are allocated.

Electric vehicle charging points (EVCP)

8.270 The London Plan (T6.1, T6.2, T6.3) requires provision for electric vehicles to be made for commercial developments, and at least 20% of spaces to have active charging facilities for residential developments, with passive provision for the remaining spaces. The TA states the proposed development will ensure that there are opportunities to deliver EVCP in line with the London Plan are identified within the proposed development plans. However, such provision, location, and details of active and passive provision are not detailed. This will be required by condition to ensure compliance with policy.

Delivery and Servicing

8.271 The TAAP seeks the retention of the rear service road and for this to be extended to provide link through from Water Lane to Wharf Lane. Further, existing service areas should be retained unless equivalent alternative arrangements can be provided (and this can include shared areas); and adequate access and servicing arrangements for the residential and businesses on Eel Pie Island should be ensured. Any new development should have adequate, convenience and safe servicing arrangements, and hours will be controlled where necessary for safety or amenity reasons. This is reflected in policy LP45, the London Plan SD7, T6, T7 and D3. Further, policies SI15, T7 and LP18 seek no negative effects are caused to the operations of existing operational boatyards and businesses (such as those on Eel Pie Island).

8.272 Within the site boundaries, there are currently three loading spaces immediately adjacent to the Eel Pie Island Bridge and a loading bay at the northern end of Water Lane.

8.273 When considering delivery and servicing arrangements, it is not solely those needs arising from the development, but also the implications on existing businesses and residents arising from the proposed road layout, which requires consideration.

- 8.274 The scheme proposes a loading bay in Water Lane, a loading bay to the west of the Wharf Lane building and 6 dedicated servicing bays adjacent to Eel Pie Island Bridge. Whilst not designated, the turning area to the eastern end of the service road will be used for servicing the Water Lane building. All smaller HGV's and LGV's will be able to travel along Water Lane, turn and travel back up Water Lane without crossing the Embankment. Service vehicles under 7.5t can enter and exit Wharf Lane from King Street and are able to turn at its southern end. HGVs will only be able to travel along the Embankment and exit via Wharf Lane between the hours of 7am-10am.
- 8.275 Servicing needs arising from the development have been forecast using TRICS. This predicted a total of 22 trips across a typical day (21 Light good vehicles and 2 heavy good vehicles), which can be catered for within the loading / servicing bays provided.
- 8.276 In response to the proposed alterations to the highway arrangement and partial closure of the Embankment, the implications to existing resident and business servicing need to be considered:
- The retail and residential units in King Street currently benefit from the service road for servicing requirements. Cars and LGVs (up to and including 7.5t vans) will always maintain access to the service road, the access and exit is via Wharf Lane. However, larger vehicles over 7.5t will need to access Wharf Lane via Water Lane and the Embankment during the restricted hours (7-10am daily). Surveys have been undertaken across 24-hour periods to provide a full picture of existing servicing activity, which has identified typically 1 daily servicing trip for both Iceland and Superdrug (the latter of which will be removed as part of the development). No formalised loading bay is provided given the frequency of delivery and their early morning operation, and they will be able to benefit from limited load time allowance on the western side of Wharf Lane, and the 7-10am access along the Embankment has been timed to coincide with Iceland's servicing operations so this can continue with minimal impact.
  - The Eel Pie Island servicing arrangements are set to be formalised through a designated servicing area, which the applicants state has been developed through liaison and stakeholder coordination, which identified 5 service vehicles parked or undertaking servicing at any given time, (which can increase to 8-10 servicing vehicles on busy days). Further, the Stage 3 Transport Assessment detailed an average of 19 servicing trips to Eel Pie Island across a two-day period (9 throughout a 24-hour period) with almost all daily deliveries being undertaken in a car or LGV. As such, 6 dedicated servicing bays are proposed at the footbridge (with an additional 2 bays at the southern end of Wharf Lane if necessary), which will suitably meet demand.
  - The applicants have advised the survey information collected does not detail any articulated HGV vehicle trips egressing via the Embankment and Wharf Lane within a typical week, (beyond the acknowledged daily delivery to King Street unit early in the morning). Further, although there is no clear data / evidence, through consultation with the Eel Pie Island Association (EPIA), the applicants understand the boatyards / activity associated with the Island from larger vehicles (potentially articulated) takes place an estimated 3 -4 time a year. The applicants have advised they will work with EPIA to ensure that bookings for these larger vehicles are made within the proposed 7-10am timeslot. However, if occurrences are outside of the hours available it is acknowledged there needs to be a mechanism to make available emergency access across the Embankment to enable the vehicle to leave the site, which will need to be arranged by the EPIA in liaison with the Council. As such, the applicants have committed to continue to work with Eel Pie Island to

ensure that access is facilitated for larger vehicles, should there be a requirement outside of the hours available for reasons that cannot be controlled.

- Church Street is currently pedestrianised between 10am – midnight. Therefore, servicing can continue up to 10am, and then these units can utilise the loading bay at the northern end of Water Lane.

8.277 It is deemed the existing level of servicing for Eel Pie Island and other surrounding businesses and residents has been accommodated. Notwithstanding such, a delivery and servicing management plan condition is recommended for both the residential and commercial businesses, in addition to a management condition associated to the barriers on the Embankment to ensure the scheme does not generate highway safety concerns, nor diminish the value of the public realm along the Embankment. TfL supports such a condition.

#### Pedestrian and cyclist environment

8.278 The NPPF requires for development to give priority first to pedestrians and cycle movements (para. 112). Developments should permanently connect to local walking and cycling networks, as well as public transport (Policy T2 of the London Plan). Policy LP44 requires development to be designed to maximise permeability within and to the immediate vicinity of the development through the provision of safe and convenient walking and cycling routes; and to provide opportunities for walking and cycling, including links and enhancement to the existing networks. The TAAP sets out a number of transport proposals for the site and area including:

- Increased areas of shared space/pedestrian priority - in Water Lane and Wharf Lane and along the Embankment,
- Widened footways
- Retention of existing cycle route, provide safe and convenient access for cyclists and enhance cycle parking
- Pedestrian priority
- Accessibility for disabled people

8.279 The aspiration of the scheme is to enhance the pedestrian and cyclist environment, of which it is deemed to achieve, through the removal of the car park along the Embankment, the provision of a largely pedestrianised area adjacent to the river, a range of accessible walkways through the site, a widened footways along Water Lane, and retention of footway along the northern side of the service road. Any enhancements to the Thames Path and the accesses to it would be in line with the Port of London Authority's Thames Vision goal to see proposals affecting the Thames Path to enhance the route and the access routes to it. There is a narrowing of the footway on the west of Wharf Lane, however, in response to the low vehicle movement forecast, alternative routes provided (adjacent to the Wharf Lane building and through the raised gardens) and Water Lane acting as the primary pedestrian access route, this is deemed acceptable.

8.280 Wharf Lane and The Embankment form part of the Thames National Trail. There may be an element of disruption during the construction works. To minimise any inconvenience, a condition is recommended to detail diversion, signage, notification, with the Thames Path Manager, which is deemed to mitigate any potential harm. The Trail will be reinstated once development is completed, either in the same location or proximity to such.

8.281 An Active Travel Zone has been undertaken, and the existing levels of pedestrian access, comfort, and safety have been thoroughly assessed. Recommendations have been made, including planting along London Road to contribute towards cleaner air,



review street lighting along Riverside, and resurface / improve safety at junctions for pedestrians. The lighting and planting will be addressed via condition. Whilst the resurfacing improvements to crossings are recognised, by reason of their location and the size of development proposed it is not deemed proportionate to require as part of this development; it is not required to mitigate any impact arising and would therefore fail the tests contained in legislation.

- 8.282 The development maintains a cycle route along the Embankment. Whilst the Wharf Lane cycle contraflow is removed, two-way cycle access remains achievable with the two-way lane arrangement. Further, with the removal of parking at the northern section of Wharf Lane and enhanced traffic calming at the junction of Wharf Lane and King Street, combined with reduced vehicular traffic, has the potential to improve safety for cyclists travelling in both directions.

Cycling:

- 8.283 Cycle parking should be designed and laid out in accordance with standards set out in the London Plan (Table 22) and cater for adapted cycles and disabled people (T5 of the London Plan).

**Table 22: Cycle parking standards**

Land use	Short stay (visitors / customers)	Long Term (residents / employees)
Retail (non food) Water Lane - (368m <sup>2</sup> )	1 space per 60m <sup>2</sup> (6)	1 space per 250m <sup>2</sup> (1)
Café / restaurants Water Lane - (255m <sup>2</sup> )	1 space per 20m <sup>2</sup> (13)	1 space per 175m <sup>2</sup> (1)
Drink establishments Wharf Lane – (444m <sup>2</sup> )	1 space per 20m <sup>2</sup> (22)	1 space per 175m <sup>2</sup> (3)
Offices Wharf Lane - (320m <sup>2</sup> )	1 space per 500m <sup>2</sup> (1)	1 space per 75m <sup>2</sup> (4)
Residential	2 spaces (up to 40 units), thereafter 1 space per 40 dwellings	1 per studio / 1bed 1.5 per 1bed (2p) 2 spaces all other
<b>Grand Total</b>	<b>45</b>	<b>85</b>

- 8.284 Distributed across the site, the scheme should provide:

- Long stay spaces:
  - Water Lane (commercial) - 2 long stay spaces for commercial
  - Wharf Lane (commercial) - 7 long stay spaces for commercial
  - Water Lane (residential) – 37 spaces
  - Wharf Lane (residential) – 39 spaces
- Short stay spaces:
  - Water Lane - 19 short stay spaces for commercial
  - Wharf Lane - 23 short stay spaces for commercial
  - Residential – 3 spaces

- 8.285 There are currently 4 stands (8 spaces) on site, in the southwest corner. The development generates the need for a further 130 spaces, 45 of which are short stay spaces and 85 spaces long stay, as identified within Table 22.

- 8.286 As proposed, the scheme maintains 4 Sheffield stands in the southwest corner of the site (8 spaces), and 46 additional short stay stands, distributed around the site, thereby exceeding the standards. A condition is recommended requiring details, design and installation date of the following

- 11 Sheffield stands (22 spaces) on The Embankment
- 2 stands (4 spaces) west of the Wharf Lane building
- 7 stands (14 spaces) on King Street
- 3 stands (6 spaces) along the service road

It is the applicant's intention the Sheffield Stands will be suitable for all oversized bicycle types as well as standard bicycles, and conditions are recommended to secure such.

- 8.287 In line with standards, the Wharf Lane building (within the lower ground floor) incorporates 7 long stay commercial spaces, and 46 residential spaces (both of which are independent to each). The Water Lane building provides two cycle storage areas, one accommodating 30 spaces, and the other 7, not meeting the cycle standards. A condition is thereby recommended requiring full provision, and design and installation details (in line with the London Cycle Design Standards) prior to the commencement of development of this building.

#### Travel Plan

- 8.288 The use of cars is strongly restrained from the outset given the layout and nature of the development. The sites' location and proximity to facilities and services, also creates conditions for sustainable travel choices.

- 8.289 A Framework Travel Plan (July 2021) has been provided. Whilst recognising this is a 'living document' which will be monitored, reviewed and revised, it includes a package of measures to encourage the use of sustainable modes of transport and movement of people and goods during the site's operation and use, as sought by policy. This includes:

- Sustainable Travel Manager.
- Marketing and communication strategy to raise awareness and disseminate travel information
- Measurable targets, which will be specific, measurable, achievable, realistic and time bound (SMART):
  - Appointing travel plan co-coordinators within 1 months of occupation
  - Meeting cycle parking standards – and aim to achieve 12% modal share for cycling
  - Organising cycle to work week events
  - Production of leaflets promoting alternative modes of transport
  - Undertake travel surveys
  - Provision of bicycle pumps and maintenance facilities
  - Personalised journey planning, provided by the Travel Plan Coordinators
  - Sustainable delivery initiatives pursued where practicable, to synchronise deliveries from common suppliers.
  - Notice boards

- 8.290 Shower facilities would be provided on the ground floor of both buildings, which will encourage sustainable modes of travel by employees of the commercial buildings. All the above is acceptable, and conditions are recommended for Residential and Commercial travel plans to be developed further, and monitored on an annual basis, over a 5-year period.

Construction

8.291 Policies LP10 and LP44 seek to manage and limit the environmental disturbances during construction and demolitions, and to achieve such, require the submission of Construction Management Statements (CMS). As part of any CMS, policies SI15, T7, LP24 and LP44 sets out several expectations, including:

- Proposals near the river to utilise the river for the transport of construction materials and waste where practicable.
- During the construction phase, inclusive and safe access for people walking or cycling should be prioritised and always maintained.
- A site waste management plan to arrange for the efficient handling of construction, excavation and demolition waste and materials.

Where applicable and considered necessary, the planning authority may seek a bespoke charge specific to the proposal to cover the cost of monitoring the CMS.

8.292 A Framework Construction Environment and Logistics Management Plan (version 004 19/07/2021) has been submitted. The current strategy is to build out the development in one single phase, over a 25–30-month period, however, the site will be divided into 4 zones, with some overlap, and work is likely to be progressed concurrently across all zones of the duration of the Project:



8.293 The Embankment will be temporarily closed during some construction phases. During this time:

- This will require a temporary ramp-link to be provided between Water Lane and the eastern end of the existing service road. The link will be designed to accommodate articulated lorries.
- Two way working will be introduced along Water Lane, and access to the Eel Pie Island service area adjacent to the footbridge and to the properties to the east of the application site will be via Water Lane only.
- Access to the properties to the west of Wharf Lane will be along the service road, via a temporary ramp link onto Water Lane, with a one way westbound system operating along the service road.

8.294 The Framework confirms the contractors will be required to sign up / comply with:

- Considerate Constructors Scheme

- Code of Considerate Practice
- CLOCS (Construction, Logistics and Community Safety requirements)
- Mayor of London's SPG 'The Control of dust and emissions from construction and demolition'
- Construction (Design and Management) Regulations 2015

- 8.295 Whilst the full CMP will not be submitted until a Lead Contractor has been appointed, the Framework confirms this will detail the following matters:
- a) Hoarding – 2.4m high, with decorative displays / public viewings, CCTV and lighting, which will be inspected weekly
  - b) Site compound and storage – to be confirmed once Principal Contractors appointed.
  - c) Delivery routes to minimise disruption
  - d) The Principal Contractor will establish a general access strategy, which will consider the following constraints:
    - Church Street – and its loading facility
    - Water Lane residential properties
    - Eel Pie Island residents and businesses – and their necessary parking / loading spaces.
    - Properties in King Street that require access to the private car park in Wharf Lane and service road, and also need access for waste removal, emergency exits etc.
  - e) Indicative working hours – any change to be agreed with the LPA
    - 7.30am – 6pm Monday to Friday
    - 8am – 1pm Saturdays
    - Sundays and Bank Holidays – No working
  - f) Parking:
    - Parking suspensions, and these will need agreement
    - Confirmation there will be no parking available onsite – with all operatives / visitors encouraged to take public transport
    - Holding areas – vehicles will be required to turn off engines.
  - g) Safety measures:
    - Gateman posted at site entrance to ensure vehicles do not obstruct pavements or queue on adjacent roads.
    - Banksman to receive / manage deliveries and safety
  - h) No works on major event days
  - i) Wheel washing facilities will be provided
  - j) Waste removal strategy will be developed
  - k) Dust management / air quality – to follow best practice, monitoring, and mitigation
  - l) Noise and vibration control and monitoring.
  - m) The CMS will be written in conjunction with the Arboricultural Method Statement in accordance with British Standard 5837:2012 'Trees in relation to design, demolition and construction – recommendations.
  - n) The CMS to follow the Ecological Impact Assessment recommendations
  - o) Community engagement – A community liaison manager will be appointed; there will be a 24 hour emergency number; newsletters, coffee mornings / evening; open space; supervised school visits; 'open door' policy; Construction Ambassador Scheme; Charity events'
- 8.296 Like all developments, there will be an inconvenience caused and an element of disturbance during the construction process. A condition imposed requiring the submission and approval of the final CMS (prior to the commencement of development), will seek to ensure the safety of surrounding residents, businesses and visitors; and any inconvenience and disturbance minimised to an acceptable level. The

condition is deemed to meet the requirements identified by TfL.

- 8.297 London Plan policy SI15 states development proposals close to navigable waterways should maximise water transport for bulk materials during demolition and construction phases. Further, the Submitted Air Quality Assessment recommends the use of the river for deliveries. The applicants have confirmed once the Lead Contractor has been appointed, consideration will be given to the potential use of the river where relevant in the construction of the masterplan. A condition requiring a feasibility study is recommended.

Waste management:

- 8.298 Policy LP24 requires waste to be managed in accordance with the waste hierarchy, and therefore requires all development to provide adequate refuse and recycling storage space and facilities, which allows for ease of collection and sensitively integrated within the overall design. This is reflected in LP39.
- 8.299 The Wharf Lane building provides residential refuse storage facilities at ground floor level, accessed via the western façade. Three separate refuse storage areas are provided at ground floor level of the Water Lane building. The developer and property managing agents will be responsible for residential waste collection for both Wharf Lane and Water Lane, whilst commercial tenants will be responsible for arranging their own management procedure and waste collection. Refuse collection is proposed to take place from the Wharf Lane loading bay, and the servicing area at the eastern end of the servicing road, and therefore need to take place before 10am during the Embankment hours.

Commercial units:

- 8.300 The waste and recycling storage for commercial units in both buildings has been calculated using the various metrics in BS5906:2005 Code of Practice for waste management in buildings. No objection is raised to this methodology. Within both buildings the waste storage caters for more than one commercial outlet. Shared commercial waste storage facilities are acceptable providing that a unified collection service from it is provided and protected by covenants attached to the leases. A refuse management condition is thereby recommended.

Residential units:

- 8.301 Both buildings have provided sufficient waste and recycling storage in line with SPD requirements and are accessible to within 20m (or less) by a refuse collection vehicle. A condition is recommended for further details to ensure:
- The push route between the bin stores and the vehicle waiting points are smooth, hardstanding and free of any steps or steep slopes.
  - Dropped kerbs must be provided at appropriate points.
  - Bin stores should be locked with either a FB1 or FB2 key.
  - Identification of temporary storage of bulky waste items awaiting collection.
  - Investigation as to whether additional space in each of the two residential bin stores for a 240L wheelie bin could be provided for food recycling.
  - For the gate adjacent to the turning circle to be permanently open for ease of movement of service vehicles.
- 8.302 With respect to access, the applicants has confirmed it will:
- ensure the residential waste contractor collects refuse and recycling within the timeframe that the Embankment is open (7-10am) and will build this formally into the contractual arrangements with the current contractor (Serco) and any future new contractor.

- Will explore the possibility of reducing the vehicle size that services the area, to minimise the need to use the Embankment in any event.
- Will build into the terms of the leases of the new properties that collection needs to be in the morning window when the Embankment is open.

The above is secured within a refuse and waste strategy condition.

Summary:

- 8.303 There are clearly highway and parking concerns arising from the development. Shortcomings have been identified regarding the swept paths and manoeuvrability for certain vehicles around the site, the loss of and displacement of parking requiring a CPZ review, and absence of Electric Vehicle Charge points in the current design. However, in response to low traffic volumes and speeds, and with conditions, it is deemed sufficient mitigation would be secured to ensure the residual impact on the highway network is not severe thus ensuring compliance with the NPPF. It is further recognised the development delivers on a clear aspiration of the TAAP, to reduce parking along the Embankment to allow for environment, pedestrian, and cycle improvements, which is welcomed. The reduction in parking will also have wider benefits, from reducing adverse impacts on air quality, lower trip generation and removing congestion. The scheme is also deemed to meet the servicing and delivery requirements both existing and proposed as a result of the land uses proposed in this scheme.

**Issue xiii – Sustainability**

- 8.304 Development needs to be resilient to the future impacts of climate change, policies LP20 and LP22 sets out necessary credentials to be achieved, including; meeting water consumption; BREEAM excellent for non-residential uses; zero carbon standards; for developments to follow the Energy Hierarchy (lean, clean, green); to meet the cooling hierarchy and for developments to contribute towards the Mayor of London target of 25% of heat and power to be generated through localised decentralised energy (DE) systems by 2025 – including connecting to DC networks where feasible; considering the provision of on-site decentralised energy networks and CHP, and if not feasible, provision made for future connection.
- 8.305 The above is reflected in London Plan policies GG6, SI2 and SI4 which also add the additional requirement of 'be seen' (monitor, verify and report on energy performance) in the energy hierarchy; for onsite reductions of at least 35% beyond Building Regulations of which 10% and 15% is achieved through energy efficiency measures for residential and non-residential developments respectively; and where it is demonstrated zero carbon cannot be fully achieved on site for any shortfall to be provided by cash in lieu to the boroughs carbon offset fund; and for the cooling hierarchy to be followed to reduce the potential for internal overheating and reliance on air conditioning systems.
- 8.306 The scheme has been accompanied with a BREEAM pre-assessment, Carbon Emission Calculations, Energy Strategy, Sustainable Construction Checklist, Be Seen spreadsheet, and Water calculator assessment. The documents confirm the scheme meets the following credentials:
- Non-residential units: Excellent rating
  - Energy Strategy: Overall on-site reduction of CO2 emissions of 54%:
    - The scheme follows the lean, clean, green approach for the residential development, which achieves an overall reduction in CO2 emissions of 64%

- Lean (19%): Reduction in energy use through passive and active lean design measures, such as building fabric, insulation, tight construction, high performance solar glazing, maximisation of daylight, openable windows, water saving strategies, efficient services and controls.
  - Clean: The scheme will utilise electric air source heat pumps (ASHP) for heat and hot water.
  - Green (46%): ASHP.
- The scheme follows the lean, clean, green approach for the commercial element, which achieves an overall reduction in CO2 emissions of 45%
  - Lean (12%): Building fabric, thermal envelop and airtight building, solar glazing, maximisation of daylight, hybrid nature / mechanical ventilation (via MVHR units); water saving strategies, efficient services and controls.
    - Clean: The scheme will utilise electric air source heat pumps (ASHP) for heat and hot water.
    - Green (33%): ASHP and PV panels.
  - A Be Seen schedule has been providing for ongoing reporting and monitoring,
  - Zero carbon, being achieved with offset payments £123,892
    - Residential: £45,614
    - Commercial: £78,278
- Sustainable Development Checklist score of 62:
  - Non -residential development: Helps to significantly improve the Borough's stock of sustainable developments
  - Residential: Makes a major contribution towards achieving sustainable development in Richmond
- Water conservation targets will be met primarily through the use of water efficient fittings, monitoring, leak detection.

8.307 The plant rooms are louvred on both sides to provide a good cross flow of ventilation to allow the air source pumps to work efficiently. Further, the louvre blades are sized to support photovoltaic panels on the southern side.

8.308 The submission has been accompanied with a low and zero carbon feasibility study, and considered the potential for hydroelectric, hydrogen, biomass, CHP, ground and water source heat pumps and solar thermal panels. Whilst the study recognises there are various options, a combination of project constraints has discounted the majority of these, including, capital expense, return on investment, carbon saving potential, clean energy output potential, separation requirements, operation and maintenance requirements, logistical implications and planning requirements. Arguably further information could be provided to demonstrate it is not feasible to achieve zero carbon on site, the study is accepted.

#### Cooling hierarchy:

8.309 Schemes should demonstrate how they will reduce the potential for internal heating and reliance on air conditioning in accordance with the cooling hierarchy, of which the scheme has provided:

- 1) reduce the amount of heat entering a building— this has been incorporated using high performing building fabric, solar glazing and deep window reveals
- 2) minimise internal heat generation – this has been achieved through building fabric, insulation, high efficiently light fittings
- 3) provide passive ventilation – scheme includes openable windows and doors to flats and commercial to allow natural ventilation when acoustic / air quality requirements

allow. Where units are single aspect, openings are sized to provide adequate ventilation

- 4) provide mechanical ventilation – this will be used throughout to provide a constant supply of fresh air and some free cooling, via MVHR units,
- 5) provide active cooling system – the overheating analysis identifies it is necessary for the commercial units to have active cooling, for thermal comfort, which will be installed as part of the fit out.

8.310 Notwithstanding the above, and whilst the passive design measures may minimise overheating, the submission outlines that due to the noise and security constraints of the site, passive design measures outlined in the Cooling Hierarchy are not sufficient to prevent overheating in the peak summertime conditions, and the scheme does not comply with Chartered Institution of Building Services Engineers (CIBSE) TM52 and 59 criteria which relates to overheating in homes and buildings. As a result, the commercial tenants may install mechanical cooling and the residential units will be provided with mechanical ventilation. The results of the residential overheating analysis, shows all the units will pass the criteria for current design summer year, however, will fail the overheating tests in some terms in the extreme summer years, and recommends further mitigation (enhanced solar control glazing and retrofitted additional brise soleil). The measures also apply to the commercial units to reduce the requirement for active cooling. Ideally this would be considered further at this stage to see if further mitigation is possible, it is a harm and will be considered in the planning balance.

#### Heating networks:

8.311 The application has explored the potential to connect with a district heating / cooling network, via the London Heat Map. However, this shows there are no identified networks within a viable distance to the site, and therefore is not feasible. In the absence of an existing local district heat networks, the scheme proposes a site-wide heating network. To facilitate connection to a district heat network at a future date, should one become available, heating systems shall incorporate capped connections for ease of connectivity, and plant space suitable for the installation of a heat exchanger and associated equipment.

#### Summary:

8.312 The scheme has been reviewed by the Council's Energy Consultants. Elements of the scheme's energy strategy meets policy requirements, namely the BREEAM excellent of the commercial units, the scheme exceeding the 35% reduction in emission target on site; meeting zero carbon (through offset payments) and the water consumption targets. However, two key elements fail short of the requirements – reduction in CO2 emissions through 'lean' measures for the residential development and overheating.

8.313 The applicants have advised that the 15% reduction through the 'lean measures' is not possible in response to the higher glazing ratios, and it was a design decision to prioritise good daylight levels within the commercial units and to promote views across The Embankment and Diamond Jubilee Gardens. This will be identified as a harm of the scheme. Further details were requested to show compliance with the overheating criteria for extreme summer years, however, the applicants concluded these were onerous design summer years. Again, this will be identified as a harm of the development. Whilst the applicant has failed to explore the outcomes of the recommended mitigation, officers recommend conditions be secured for the details of enhanced solar control glazing, brise soleil, and mechanical ventilation, all to ensure satisfactory living conditions, appropriate design, and no undue noise pollution. The alternative to conditions would be to defer the scheme for further consideration of these matters.



**Issue xiv – Infrastructure**

- 8.314 Where there is insufficient capacity within the existing infrastructure network to support proposed densities of development, LPA's should work with applicants and infrastructure providers to ensure there is sufficient capacity at the appropriate times (D2).

Water resources and infrastructure

- 8.315 Policy SI5 requires scheme to minimise the use of main water and achieve the mains water consumption of 105litres or less per head per day (phpd); achieve BREEAM excellent standard for the Wat 02 water category or equivalence; and incorporate measures to help to achieve lower water consumption. The water calculator assessment confirms the residential will meet the cap of 105 litres (101.1phpd).
- 8.316 As set out in Policies SI5, LP21 and LP23, new major developments must ensure that there is adequate water supply, surface water, foul drainage and sewerage treatment capacity to serve the development, and planning permission will only be granted on schemes that increase the demand for off-site service infrastructure where:
- a. sufficient capacity already exists (as evidenced by the provider), or
  - b. extra capacity can be provided in time to serve the development, which will ensure that the environment and the amenities of local residents are not adversely affected.
- 8.317 In line with policy, the submission confirms, with correspondence from Thames Water, that there is sufficient capacity in the clean water and sewer network to serve the development.

Substation:

- 8.318 To enable the development, there is an existing substation on Water Lane that is to be replaced and upgraded to meeting the needs of the development.

Health

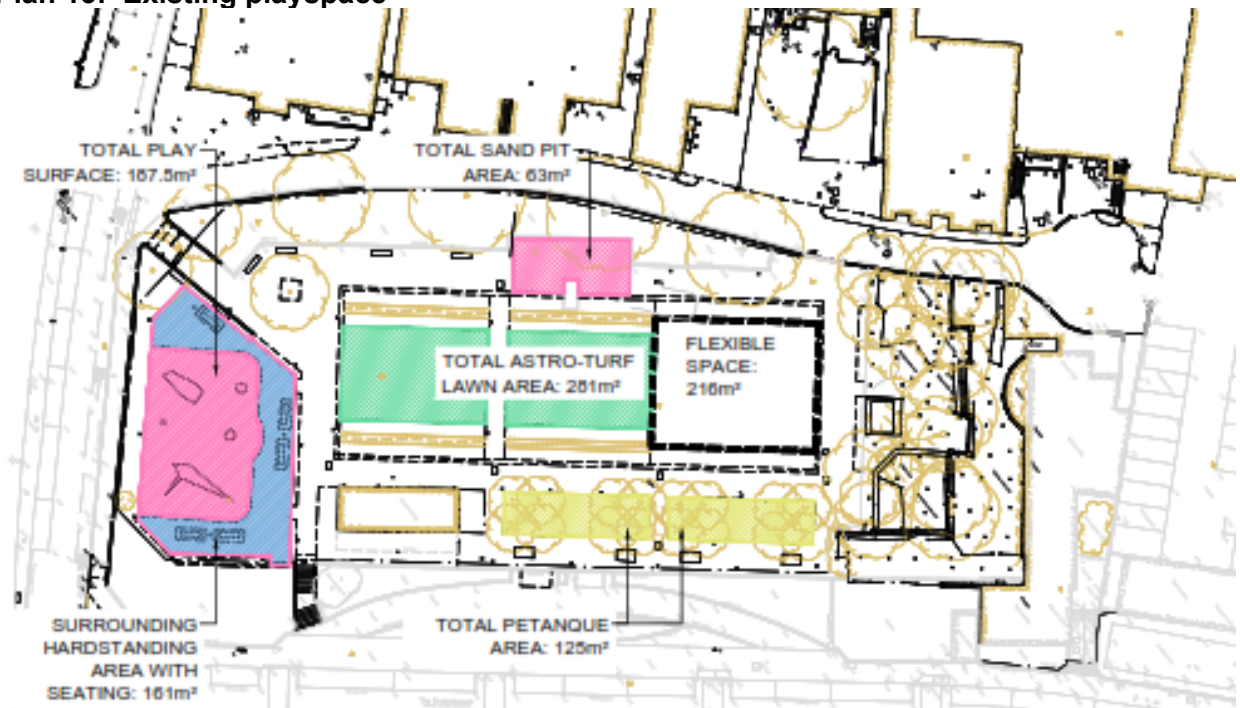
- 8.319 Policy GG3 of the London Plan requires the impacts of development on health and wellbeing of communities to be considered and any negative impacts appropriately mitigated (GG3). Policy LP30 requires all major developments, such as this, to be accompanied with a Health Impact Assessment (HIA), that assesses the health impacts of the development, identifying mitigation measures for any potential negative impacts. This is reflected in policy LP28 and the NPPF.
- 8.320 A Health Impact Assessment (HIA) has been submitted, which has been reviewed by both the CCG and London Healthy Urban Development Unit (HUDU). The HIA identifies the GP practices closest to the site and demonstrates that the location is relatively well served by primary care services. There are three practices and a branch site within 0.3 miles of the site. Since August 2021 the patient list at the two of the closest practices - Cross Deep Surgery and York Medical which form part of the East Twickenham Partners Primary Care Network has increased by 3.4%. This has resulted in a higher ratio of 1:1826 above the standard of 1:1800 indicating that there will be an adverse impact which requires mitigation in the form of a s106 contribution. Applying the proposed housing mix, the HUDU Planning Contributions Model calculates a s106 primary healthcare requirement of £33,650, which will be used to provide additional capacity for the East Twickenham Partners Primary Care Network, which could include investment at St John's Health Centre which accommodates the York Medical Practice. With such contribution, secured via condition, the service will be able to cater for the needs of the development.

Education

- 8.321 Policy LP28 requires applications to assess the potential impacts on existing social and community infrastructure in order to demonstrate there is sufficient capacity within the existing infrastructure to accommodate the needs arising from the development.
- 8.322 Achieving for Children has been consulted, the number of units proposed is relatively modest and is therefore likely to have little impact on the demand for local state funded school places. At primary level, the number of children who would move into this development and would need new state-funded school places within Twickenham could, both at present and in the foreseeable future, be absorbed by spare capacity within a reasonable distance of the riverside. At secondary level, the level of spare capacity is much lower, because only one of the state-funded secondary schools has, and may continue to have, spare places. However, the number of secondary-aged children from families who move into the development is likely to be less than 10. Therefore, even with probable additional demand resulting from the national cost-of-living situation, the impact of this development would have a comparatively low impact on the supply of state-funded school places due to its location (in the western half of the borough) and its relatively modest scale.
- 8.323 In response to such advice the scheme meets policy LP28 and the scheme will not place unreasonable pressure on existing educational infrastructure.

Playspace and public open space

- 8.324 Policy S4 of the London Plan requires schemes not to result in a net loss of play provision (unless there is no ongoing or future demand) and developments that are likely to be used by children and young people to increase opportunities for play and informal recreation to provide 10m<sup>2</sup> of good quality and accessible playspace per child, which is in a stimulating environment, forms an integral part of the development, incorporates greenery, is overlooked to enable passive surveillance and not segregated by tenure. In large scale developments, it is recognised incidental play can be provided. Under policy LP31, an assessment of existing play facilities within the surrounding area is required, and where a play and child occupancy assessment indicates a proposal will lead to an estimated child occupancy of 10 children or more, it should make appropriate and adequate provision of dedicated on-site play space by following the London Plan benchmark standard of 10sqm per child. Further, any new dedicated on-site play space should be made publicly accessible.
- 8.325 The policy also requires major developments, such as this, to meet the Public Open Space, and playing fields and ancillary sport facilities needs arising out of the development. In doing so, applicants should provide an analysis of existing open space / playing fields provision in line with the Council's accessibility standards for travel to open spaces. Where there is inadequate existing provision and limited access to such facilities, publicly accessible facilities will be expected on site to mitigate the impacts of the new development on existing provision
- 8.326 The existing Diamond Jubilee Gardens currently provides 250.5m<sup>2</sup> of dedicated play space, split between two areas – a play area of 187.5m<sup>2</sup> and sandpit of 63m<sup>2</sup>. (Area hatched pink in Plan 13 below)

**Plan 13: Existing playspace**

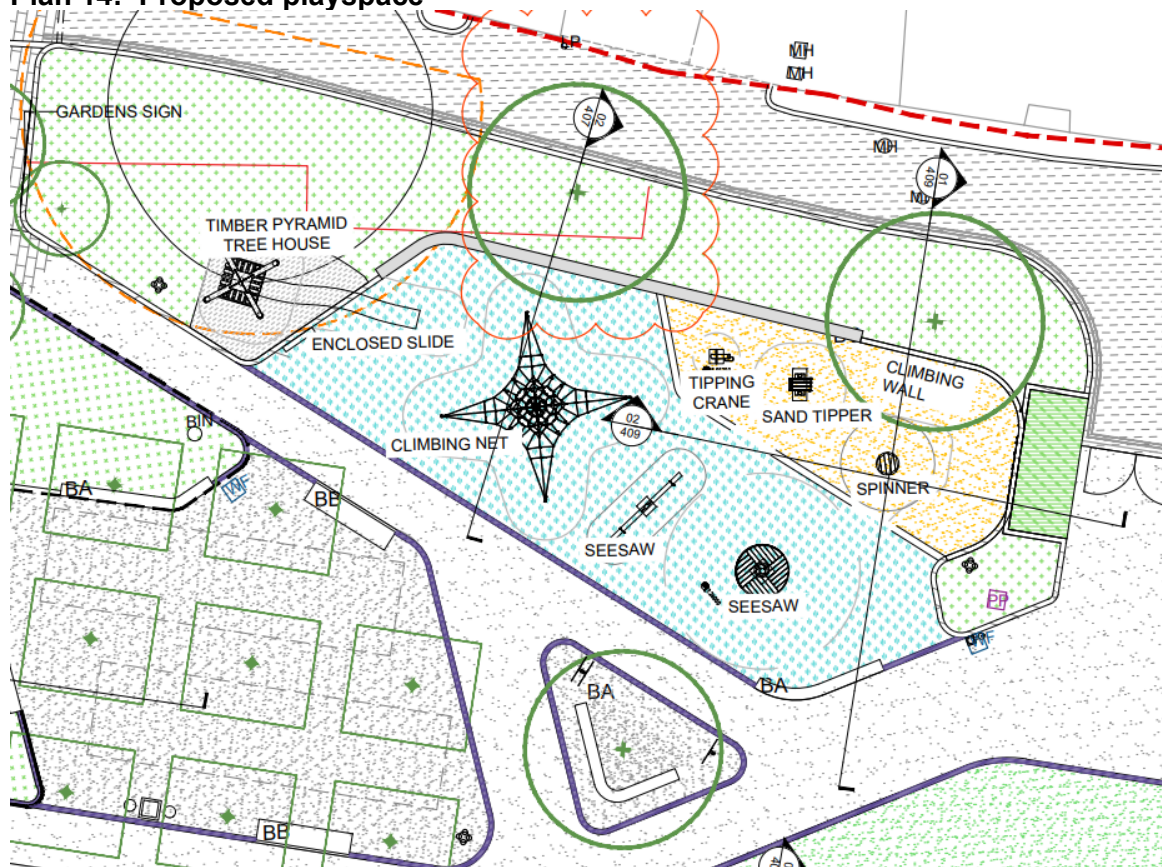
8.327 Applying the GLA Population Yield Calculator, the scheme will generate a child yield of 14.9 and consequently a requirement to provide 148.6m<sup>2</sup> of playspace on site:

- Ages 1-4: 7.5 (75m<sup>2</sup> of play)
- Ages 5-11: 5.1m<sup>2</sup> (51m<sup>2</sup> of play)
- Ages 12-15: 1.5 (15m<sup>2</sup> of play)
- Ages 16-17: 0.8 (8m<sup>2</sup> of play)

8.328 Playspace for children up to aged 11 should be provided on site.

8.329 As a result, the scheme should provide 376.5m<sup>2</sup> to replace the existing dedicated playspace and to meet the needs of the proposed development (up to and including children aged 11). In line with policy, the development incorporates a dedicated play area to the south of the service road, equating to 377m<sup>2</sup>, and additional 40m<sup>2</sup> seating area with sensory play is proposed to the south of this (refer to Plan 14). The latter has not been included in the calculation given its questionable value. The scheme also replaces all existing lost equipment or provides suitable alternative:

Existing play provision	Proposed play provision
<ul style="list-style-type: none"> <li>• Play tower with slide</li> <li>• 3 person seesaw</li> <li>• Climbing frame</li> <li>• Roundabout</li> </ul>	<ul style="list-style-type: none"> <li>• Enclosed slide</li> <li>• Timber pyramid tree house</li> <li>• Seesaw</li> <li>• Climbing wall</li> <li>• Spinner</li> <li>• Sand tipper</li> <li>• Tipping crane</li> <li>• Climbing net</li> </ul>

**Plan 14: Proposed playspace**

- 8.330 The design of the play area is fully inclusive and accessible, the equipment has better play value and would be located appropriately, where there is natural surveillance. A condition is recommended for final details of play equipment to ensure there is the right balance of equipment between the age groups. In addition to the dedicated play, the scheme provides extensive opportunities for informal and organised play within the petanque courts, lawn areas, town centre and water sports, all of which are welcomed.
- 8.331 To offset the shortfall of play provision for children aged 12+ (23m<sup>2</sup>), an contribution of £6026 is sought (£221 per m<sup>2</sup> and £41m<sup>2</sup> for maintenance of 10 years). The submission identifies several spaces within 800m walking distance of the site, for the 12+ age group. However, actual walking distance have not been applied and several sites are across the river in Ham. Only York House tennis courts is within the distance and this is only free to under 15s (membership and booking required). Radnor Gardens is 850m away. It is on the limit of acceptability but there are no significant access barriers for this age group. Whilst Radnor's play is focused up to 11, additional play could be located here for the older age group.

#### Digital connectivity

- 8.332 Policy SI 6 of the London Plan requires all proposals to ensure there is sufficient ducting space for full fibre connectivity infrastructure to all end users and that schemes meet expected demand for mobile connectivity. Telecommunications asset maps show that both BT and Virgin services are available on site via Water Lane and The Embankment.

#### Summary:

- 8.333 There is sufficient capacity in the clean water and sewer network to serve the development and the scheme will not place unreasonable pressure on existing

educational infrastructure. Whilst the development will meet the play needs for aged 11 and under at the site, the scheme does not cater for the 12+, and will place pressure on the Primary Health Service. However, it is deemed such potential harm could be mitigated with contributions for offsite provision (play) and a contribution towards providing additional capacity in the local health service. Both of which are secured via condition, and with such, the development is not deemed to depart from the aims of policy.

#### **Issue xv - Fire Safety**

- 8.334 The London Plan (D5) and (D12) requires developments to achieve the highest standards of fire safety, allowing for fire access, to be designed to reduce the risk to life or serious injury in the event of a fire; constructed to minimise the risk of fire spread; to be designed to incorporate safe and dignified emergency evacuation for all building users; provide for unobstructed outside space and incorporate a robust strategy of evacuation.
- 8.335 A Fire Statement (Issue 03, dated 17 March 2022) and RIBA Stage 3 fire strategy Report have been submitted, which details measures to minimise fire spread and to reduce the risk to life, including:
- Provision of evacuation lifts within each escape stair
  - Designated refuges located within fire protected lift lobbies
  - Emergency voice communication system
  - All escape routes designed for egress by wheelchair users and others who need access.
  - Automatic fire detection
  - Fire alarm systems
  - Evacuation strategy and assembly points
  - Automatic water fire suppression systems
  - Smoke control provision within communal escape routes
  - Passive fire protection features will be inherent in the construction of the building.
  - Material section to comply with BS9991, BS9999 and Regulation 7 of the Building Regulations.
  - Requirement for design change process to assess the impact on the fire strategy
  - Fire vehicle access routes and firefighting access
  - Proposals for management - Fire safety strategy reports; operation manuals, maintenance and inspection schedules.
- 8.336 The Fire Statement has been independently assessed and deemed to meet the intent of the London Plan. Further detail is required at the next design stage to support the approach for controlling and managing the evacuation lifts, which can be secured via condition.

#### **Issue xvi - Public Sector Equality Duty**

- 8.337 Public authorities, under the Equality Act 2010, have a public sector equality duty, whereby they must have due regard to, or consciously think about, when carrying out their functions the need to achieve the objectives set out under section 149 of the Equality Act 2010, namely:
- eliminate discrimination, harassment and victimisation
  - advance equality of opportunity
  - foster good relations between different people when carrying out their activities

- 8.338 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic.
  - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
- 8.339 The Equality Duty does not:
- impose a legal requirement to conduct an Equality Impact Assessment
  - require public bodies to take a disproportionate action on equality.
  - require public bodies to treat everyone the same
- 8.340 The Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004 stipulate planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.
- 8.341 As set out in Sections 8 of this report, the proposed scheme has been fully assessed against the development plan, including the Local Plan, London Plan, and National Planning Policy Framework. Such documents and policies contained therein have been subject to an Equality Impact Assessment process and found to meet the requirements of Section 149 of the Equality Act. Given the development is found to be in general compliance with the Development Plan as a whole, it is fair to conclude the development also meets the aspirations of the Equality Act, with examples summarised in Table 23:

**Table 23: Public Sector Equality Duty**

<b>Layout and transport</b>	<ul style="list-style-type: none"> <li>• Located in a highly sustainable and accessible location, which should help reduce congestion and emissions, which in turn improves air quality and public health, positively impacting those with respiratory problems, such as the elderly and young.</li> <li>• Removes physical barriers and minimises street clutter to assist those with visual and physical impairments</li> <li>• Public access to all parts of the site for all of society</li> <li>• Allows level access throughout the site for those with mobility issues, disabled or those with prams / pushchairs</li> <li>• Provision of disabled parking bays</li> <li>• Provision of appropriate wayfinding and diversions for all the community and those with mobility issues during construction.</li> <li>• Conditions securing community toilet scheme, ensuring provision for parents and disabled.</li> </ul>
<b>Flooding</b>	<ul style="list-style-type: none"> <li>• Securing emergency plans (including evacuation) during flood, ensuring safe access / exit for all those who are less mobile and disabled</li> </ul>
<b>Housing</b>	<ul style="list-style-type: none"> <li>• Provides housing for all groups of society with a genuine choice, through the size, mix, tenure, affordability, accessibility and adaptability of the proposed housing units.</li> <li>• Affordable housing meets an identified housing need.</li> <li>• Many people with characteristics protected by the Equality Act 2010 are among lower income households</li> </ul>



<b>Economy and town centre</b>	<ul style="list-style-type: none"> <li>The scheme enhances services and facilities within the town centre and a highly accessible location, providing opportunities for society, particularly those who are less mobile, to live close to and access such.</li> <li>Local Employment Agreements are secured both on the construction and operational elements of the development, which will adhere to anti-discrimination laws.</li> </ul>
<b>Natural Environment</b>	<ul style="list-style-type: none"> <li>Achieves air quality neutral, thereby having a positive impact to everyone, including protected groups, such as older, disabled and young people.</li> </ul>

## 9. MITIGATION

- 9.1 Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning conditions must only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Planning obligations must only be sought where they meet all of the following tests:
- Necessary to make the development acceptable in planning terms
  - Directly related to the development; and
  - Fairly and reasonably related in scale and kind to the development (para. 57 of the NPPF).
- 9.2 A set out in Section 8, several measures have been identified to mitigate the harm of the development and to make it acceptable, and under usual circumstances, would be secured via a S106 Legal Agreement. However, in this case, the applicant is the Council, and LPAs cannot enter into a legal agreement, either a Unilateral Undertaking or Section 106 legal agreement, with itself, even where it has two separate functions, for example, a planning function and a landowning / applicant function.
- 9.3 Whilst the NPPG states, “*no payment of money or other consideration can be positively required when granting planning permission*”, in exceptional circumstances, a negatively worded condition that prohibits development authorised by the planning permission until a specified action has been taken (for example, entering into of some form of agreement requiring the payment of a financial contribution towards the provision of supporting infrastructure) is permitted where there is clear evidence that the delivery of the development would otherwise be at risk.
- 9.4 As such, the following matters are recommended to be secured via conditions, which are included under Section 12 of this report, and clarified in Informative IL08 in Section 13.

Topic	Specifics required	Condition number
Affordable housing	<ul style="list-style-type: none"> <li>Quantum - 47% affordable housing by unit / 50% affordable housing by habitable room</li> <li>Phasing and delivery</li> <li>Split of 81% Rent / 19% Intermediate,</li> <li>Tenure and Mix</li> </ul>	NS29 NS119

	<table><tr><th>Tenure</th><th>1 bed</th><th>2bed</th><th>3 Bed</th><th>Total</th></tr><tr><td>Affordable Rent</td><td>9 (53%)</td><td>7(41%)</td><td>1(6%)</td><td>17(81%)</td></tr><tr><td>Shared Ownership</td><td>2 (50%)</td><td>2 (50%)</td><td>0</td><td>4 (19%)</td></tr></table> <ul style="list-style-type: none"><li>• Intermediate – marketing and affordability criteria in accordance with the Council’s Intermediate Housing Statement</li><li>• Nomination rights</li><li>• Affordability (to also take account of service charge)</li><li>• 10% wheelchair accessible homes, with Affordable Rent be built out as fully accessible (M4(3) 2b), and Shared Ownership and Private can be built out as adaptable (M4(3) 2a).</li></ul>	Tenure	1 bed	2bed	3 Bed	Total	Affordable Rent	9 (53%)	7(41%)	1(6%)	17(81%)	Shared Ownership	2 (50%)	2 (50%)	0	4 (19%)	
Tenure	1 bed	2bed	3 Bed	Total													
Affordable Rent	9 (53%)	7(41%)	1(6%)	17(81%)													
Shared Ownership	2 (50%)	2 (50%)	0	4 (19%)													
Education and training	Local Employment Agreements – construction and operational	NS43 NS88															
Ecology	A contribution to enable planting of 87m of new species-rich native hedgerow off site	NS40															
Trees	Wider tree planting within the Twickenham Riverside Ward - £64,900.90	NS68															
	Black poplar ‘cuttings and propagation with funding to secure such.	NS48															
Sustainability	Zero carbon off set payment (£123,892 total made up from Residential: £45,614; Commercial: £78,278)	NS91															
Transport	<p>Traffic Management Orders (under the Road Traffic Regulation Act 1984), Traffic Orders and other S38 and S278 works of the Highways Act</p> <ul style="list-style-type: none"><li>• Removal of the one-way system for vehicular traffic on Water and Wharf Lane and all signage</li><li>• removal of existing on street vehicular parking spaces and bays within the controlled parking zone</li><li>• new parking provision on the highway</li><li>• removal and relocation of loading ways,</li><li>• insertion of double yellow lines and other parking and loading bay restrictions on the carriageway.</li><li>• Road layout, junctions, widening of carriageways, raised tables, ramped pedestrian crossings (with tactile paving)</li><li>• Parking controls</li><li>• Works on the adopted highway</li><li>• Adoption of the proposed public realm</li><li>• Restriction / limit of vehicular access along the Embankment, Water and Wharf Lane</li><li>• 7.5t weight restriction in Wharf Lane (travelling south)</li></ul>	NS22															



	<ul style="list-style-type: none"> <li>• Resurfacing (including tactile paving),</li> <li>• Signage and lining (including but not limited to 'no U-turn on King Street'</li> <li>• Street lighting / furniture – bollards etc</li> <li>• Parking proposals as set out in June 2021, a report (Twickenham Riverside Development – Parking and Servicing proposals)</li> <li>• Electric vehicle charging points</li> <li>• Diversion and reinstatement of cycle network</li> <li>• Installation of bollards, trees, planters, cycle stands</li> <li>• Signage / lining</li> </ul>	
	Travel Plan (5 year monitoring both residential and commercial - £10,000)	NS79 NS80
	Car club membership	NS78
	Residents and commercial units excluded from obtaining permits within the CPZ or in any Council-managed car park and that this will be secured via a planning obligation.	NS77
Health	Contribution towards primary healthcare requirement of £33,650,	NS101
Play	Off site play provision (£6026)	NS100

## 10. LOCAL FINANCE CONSIDERATIONS

10.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. The weight to be attached to a local finance consideration remains a matter for the decision maker. The Mayor of London's CIL and Richmond CIL are therefore material considerations.

10.2 On initial assessment this development is considered liable for the Mayoral and Richmond CIL as follows:

### **Mayoral Community Infrastructure Levy (CIL)**

10.3 The estimated amount of Mayoral CIL for this development is £458,135.35 in accordance with the Mayor's CIL 2 Charging Schedule (MCIL2) that took effect on 1st April 2019. The actual amount of CIL can only be confirmed once all relevant details are approved and any relief claimed.

### **Richmond Community Infrastructure Levy (CIL)**

10.4 The estimated amount of Richmond CIL for this development is £1,377,681.94. The actual amount of CIL can only be confirmed once all relevant details are approved and any relief claimed.

<b>Community Infrastructure Levy (CIL) estimate</b>	
Mayoral CIL	£438,135.35

Borough CIL	£1,377,681.94
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- 10.5 Furthermore, if the proper CIL process is followed and a claim for social housing relief is granted, the CIL charges will be as followed:

<b>Community Infrastructure Levy (CIL) estimate</b>	
Mayoral CIL	£308,674.46
Borough CIL	£732,780.05

## 11. PLANNING BALANCE AND CONCLUSION

- 11.1 Any planning decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004), and it is for the decision maker to decide what weight is to be given to the material planning considerations in each case. The report sets out an assessment of the proposal against the relevant policies contained within those documents which make up the Development Plan. Officers' overall conclusion is that the proposal complies with the Development Plan when taken as a whole which is explained below.
- 11.2 The NPPF is a material consideration that must be taken into account. The Framework outlines the purpose of the planning system is to contribute to the achievement of sustainable development, and achieving sustainable development means that the planning system has 3 overarching objectives (economic, social and environmental), that are interdependent and need to be pursued in a mutually supportive way. Decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.
- 11.3 The assessment of this application has considered the Development Plan policies referred to in Section 5 and throughout this report, and notes where the proposal is considered to comply with those policies or not, and whether the assessment is on balance and where there may be residual harm which cannot be mitigated. The scheme has generated significant objection, on several different material planning grounds, all of which have been thoroughly considered by officers in the assessment of the application.
- 11.4 There are shortcomings with the scheme identified in the report, with elements not meeting policy targets and thereby identified as harms. The development fails to meet the targeted Urban Greening Factor; the Water Lane building results in a loss of light to a number of properties along Water Lane and will diminish the outlook of the King Street rear facing windows; the target for CO2 emission reduction via 'lean measures' are not met, nor are the overheating targets in certain environments; a number of the units fall short of internal and external space standards, and there are single aspect units. However, for the reasons set out in Section 8, these have afforded limited weight as causing harm in this 'ordinary' planning balance.
- 11.5 The report also identifies concerns surrounding ecology and trees, namely the loss of a significant tree cover at the site, which is also the single most important contribution to wildlife on the existing site, and species selection for replacement planting, and questions over the sustainability of the proposed planting and soil volumes. However, conditions are being recommended to secure replacement planting, both on and off

site, and appropriate management arrangements. As such it is considered the proposal does not depart from policy, mitigation has been secured. It is also recognised the scheme proposes ecological enhancement measures and net gain as a benefit, and conditions are secured to ensure such (in light of any changes to landscaping).

- 11.6 In achieving the TAAP aspiration to improve the environment along The Embankment through rearranging or reducing parking, the scheme results in a significant change to traffic arrangements by replacing the one-way system with two-way traffic along Water and Wharf Lane, restricted access along The Embankment; and the removal of nearly all parking. This report recognises the highway layout will result in pinchpoints and not fully comply with guidelines, raising potential safety concerns arising from conflict, further, the loss of parking will have an impact. However, in line with the NPPF, development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. It is considered, with safeguarding conditions, and in response to the low traffic volumes expected and low speeds, with the parking proposals put forward for review and amendments within the CPZ, the residual impact is not deemed severe. The development will impact upon delivery and services arrangements for existing businesses and residents, however, access along The Embankment remains available between 7-10am, and management arrangements are secured via condition to allow access for HGVs outside the restricted hours, which has been identified as an infrequent occurrence. Whilst the development does not meet EVCP or cycle provision, conditions have been secured to ensure targets are met and provision delivered.
- 11.7 The scheme has potential to cause harm to the archaeology remains of the site; from noise, odour, light pollution; on the primary health service, and play provision for +12. However, with mitigation secured via condition, it is deemed there would be no residual harm thus securing compliance with the development plan. The scheme provides private amenity space to units as required by policy, in so doing those units on the north elevation of the Wharf Lane building will be exposed to a reduce air quality which led to a recommendation from environmental protection that the doors to access the outdoor space should be non-opening; officers have concluded in the balance of those competing matters that access to outdoor private amenity space is important to health and wellbeing and a condition is not recommended. There is therefore limited harm arising as a result.
- 11.8 To summarise the other aspects of the scheme that are in compliance with the development plan as a whole. The scheme delivers on the many aspirations and ambitions of the Twickenham Area Action Plan and particularly would deliver enhanced public realm above policy requirements which is a significant benefit of the scheme.
- 11.9 Whilst the development will result in the loss of existing open space and Diamond Jubilee Gardens as it is currently arranged, to which there is clearly significant community objection, the scheme meets the requirements of the NPPF by providing an overall uplift in open space and public open space by area and in qualitative terms, providing opportunities for facilities and events to take place in a new event space linked to the river and to the town centre. Play provision is re-provided and enlarged to meet the needs of the development. It is recognised there is a greater area within the proposed DJGs that will flood, when compared to existing, however, this is outweighed by the overall benefits of the public open space re-provision.
- 11.10 There remains some criticism with elements of the design, these are not identified as harms, just missed opportunities. The layout achieves the sought after widened vista along Water Lane; provides activated frontages along King Street, Water Lane and

those commercial units adjacent to the newly formed open space, that take full advantage of their setting. The scheme has followed a design led approach, and as a whole will achieve a high-quality design that reflects the period it is set in and be sympathetic to the form of the boat yards on Eel Pie Island. By reason of the architectural and landscape quality of the proposal, and the resultant visual and architectural engagement between the river and the town centre, it is concluded the development positively contributes to the character of Twickenham Riverside Conservation Area and will preserve the significance of the Queens Road Conservation Area and nearby listed buildings and buildings of townscape merit, in accordance with policies and the NPPF. The statutory tests in the Planning (Listed Buildings and Conservation Areas) Act 1990 are met. The development proposes appropriate uses within the MOL and taking account of the existing pattern of development will not harm its character and openness.

- 11.11 The development maintains and will potentially strengthen the retail offer of Twickenham Town centre, and provides opportunities for specialist uses, akin to those found in Water Lane. The café, restaurant and public house, will all activate frontages, taking full advantage of the setting of the riverside and adjacent open spaces, attract visitors, and improve the link between the town centre and the river. The offices are welcomed, providing valuable flexible accommodation and employment opportunities, to which substantial weight is afforded. The scheme contributes towards the Boroughs housing targets in this highly accessible location, providing the appropriate mix, wheelchair housing, and affordable housing in line with policy requirements in both tenure and mix, assisting in meeting the Borough's acute need for affordable housing.
- 11.12 The site is within flood zones 2, 3a and 3b, and the application has followed the flooding decision making process, assessing, avoiding, controlling, mitigating and managing flood risk. It has been concluded through the Sequential Test the development cannot be located in an area with lower risk of flooding, and the Exception Test is passed whereby flood risk is outweighed by sustainability benefits to the community (including the regeneration of this site, economic benefits, delivery of much needed housing, public realm, improved flood defence) and the development will be safe for its lifetime without increasing risk elsewhere (achieved by the flood defence, storage volumes, reclassification of flood zones, residual risk being managed, SUDs, flood emergency planning). With respect to drainage, whilst the development does not achieve green runoff rates, in line with policy it does achieve a reduction in runoff greater than 50%.
- 11.13 The development is not deemed to adversely impact upon the highway network or public transport in response to trip generation and provides the necessary blue badge bays.
- 11.14 The development achieves the sought energy credentials, including BREEAM excellent for the non-residential uses, 35% reduction in CO2 emissions, water consumption targets and zero carbon. The development achieves air quality neutral, and construction will have negligible impact with safeguarding conditions. The scheme will not place unacceptable pressure on water infrastructure, nor unreasonable pressure on the existing education service, and meets fire safety policies.
- 11.15 There are clear benefits the scheme will deliver. Most notably in the provision of new public realm. The riverside is currently disjointed, dominated by the car park along the riverside, which severs the openspace from the river, and diminishes the quality of the public realm. By comparison, the scheme delivers significant environmental improvements as sought by the TAAP. Through the removal of the one-way system and car parking along the Embankment, and consequential reduction in the dominance of parking and moving traffic, the development allows for an enhanced public space

along the riverside, that visually and physically connects with the open space throughout the development and that adjacent, providing inclusive access and improving the pedestrian and cycling environment and providing opportunities for water related uses and events. The set back of the proposed building on Water Lane and the enhanced walkways, hard surfacing materials and landscaping will improve the link between the town centre and river, creating new vistas that will act as a pull. The (limited hours of) opening along The Embankment for vehicles, whilst unfortunate, does not substantially diminish the public realm benefits. The scheme also delivers an improved flood defence, which is welcomed and will have a positive effect.

- 11.16 **Conclusion:** Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case Officers conclude that the identified harm is outweighed by the benefits the scheme will deliver, and the development proposed accords with the Development Plan and Statute as a whole, subject to the mitigation secured through recommended conditions set out in Section 12 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. Officers have reviewed all relevant material considerations and have concluded that these do not “indicate otherwise” such that the Council should determine the application otherwise than in accordance with the Development Plan.

**RECOMMENDATION: The Committee is recommended to APPROVE the application subject to Conditions and informatives set out in Sections 12 and 13 of the report.**

## 12. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

### 1. NS01: Development begun within 3 years

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

### Prior to commencement of development

### 2. NS02: Phasing:

Prior to the commencement of development, a phasing plan shall be submitted to and approved in writing by the Local Planning authority. This shall include, as a minimum, details of the following:

- Programme for demolition
- Provision of the flood defence wall
- Demolition and reprovision of the substation
- Delivery of the affordable housing and market housing
- Delivery of the river related uses – boat store, pontoon, ramp, slipway repairs, floating ecosystem
- Delivery of the public realm and public open space

The development shall not be implemented other than in accordance with the approved plan.

REASON: To ensure a satisfactory form of development.

### 3. NS03: CMS / Logistics Plan

No development shall take place, including any works of demolition, until a Construction Management Statement / Logistics Plan, building on the principles

established in the submitted Framework Construction Management Plan (August 2021) has been submitted to and approved in writing by the Local Planning Authority. The development shall not be implemented other than in accordance with the approved details through the demolition / construction period, unless otherwise previously agreed in writing with the Local Planning Authority. The document shall demonstrate compliance with the guidance found in the Construction Logistics Plan for developers produced by Transport for London and LBR Air Quality SPD and include:

- a) How the construction takes into account the Tidal Thames
- b) Access strategy - Retained access for businesses, residents, emergency services, boatyards and articulated vehicles
- c) Any diversions to the Thames National Trail
- d) The size, number, routing, and manoeuvring tracking of construction vehicles to and from the site and holding areas for these on/off site.
- e) Number of vehicles expected per phase of implementation
- f) Hours of deliveries (should avoid 08:30-09:30 and 15:00-16:00 Monday to Friday)
- g) Site layout plan showing manoeuvring tracks for vehicles accessing the site to allow these to turn and exit in forward gear.
- h) Details and location of parking for site operatives and visitor vehicles
- i) Travel Plan for construction workers
- j) Method of transportation for construction trips
- k) Existing condition survey of pavement / roads (refer to informative IL06)
- l) Details and location where plant and materials will be loaded, unloaded, stored,
- m) Details of any necessary suspension of pavement, road space, bus stops and/or parking bays (including location of skips on the highway if required)
- n) Details of any highway licenses and traffic orders that may be required (such as for licences for any structures / materials on the highway or pavement; or suspensions to allow the routing of construction vehicles to the site).
- o) Details where security hoardings (including decorative displays and facilities for public viewing) will be installed, and the maintenance of such.
- p) Details of a scheme for recycling/disposing of waste resulting from demolition and construction works (including excavation, location and emptying of skips).
- q) Details of measures that will be applied to control the emission of noise, vibration and dust including working hours. This should follow Best Practice detailed within BS5288:2009 Code of Practice for Noise and Vibration Control on Construction and Open Sites.
- r) Details of the phasing programming and timing of works.
- s) Where applicable, the Construction Management Statement should be written in conjunction with the Arboricultural Method Statement, and in accordance with British Standard BS5837:2012 'Trees in relation to design, demolition and construction - recommendations', in particular section 5.5, 6.1, 6.2, 6.3 and 7.
- t) A 24-hour emergency contact number.
- u) Communication strategy (including a Community Liaison Group) for residents, councillors, Eel Pie Island businesses and residents, and local businesses during demolition and construction.
- v) Air Quality measures, including but not limited to:
  - Holding locations
  - Confirmation that no vehicle will be permitted to idle its engine whilst waiting/unloading on or off site.
  - wheel washing facilities and a monitored sweeping scheme at site exit
  - sweeping regime
  - No bonfires
  - Must comply with and sign up to latest NRMM. All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the demolition, site preparation and construction phases

shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up-to-date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>. Use of plug in power/electric generator will be required on the construction site from the outset. No diesel generator will be permitted on site at any time.

REASON: In the interests of highway and pedestrian safety together with the amenity of the area.

4. **NS03a: Construction Waste management strategy**

In respect of site clearance, demolition works, excavation and any construction works; no development shall take place in any until a Construction Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority. This should follow the waste management hierarchy (reduce, reuse and recycle, and include soft striping prior to demolition works). The development shall not be implemented other than in accordance with the approved details.

REASON: To safeguard the amenities of nearby occupiers and the area generally and encourage recycling.

5. **NS04: Feasibility study for the use of the river for construction purposes**

Prior to the commencement of development (including demolition), a feasibility study into the use of the river Thames for construction purposes (for example transporting waste and materials) shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be implemented other than in accordance with the approved scheme.

REASON: To minimise the impacts of the development on air quality.

6. **NS05: Environmental Construction Management Plan**

Prior to the commencement of development (including demolition) an Ecological Construction Management Plan shall be submitted to and approved in writing by the local planning authority and thereafter constructed in accordance with the approved Plan. The Details shall include, but not limited to

- a. Written in accordance with the recommendations set out in BSG Ecological Enhancement Statement dated 2 August 2021.
- b. Storage, use and handling of substances and materials, refuelling and fuel/oil storage
- c. Sensitive lighting design to ensure minimal spillage onto the river and trees
- d. Monitoring and reporting of ecological outcomes.

REASON: To prevent harm to wildlife and protect existing biodiversity.

7. **NS06: Dust Management Plan**

Prior to commencement of the development hereby approved, a Dust Management Plan for the ground works, demolition and construction phases shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be implemented other than in accordance with the approved scheme. The dust management plan shall include:

- a) Demonstrate compliance with the guidance found in the control of dust and emissions from construction and demolition Best Practice produced by the Greater London Authority (GLA)

[http://static.london.gov.uk/mayor/environment/air\\_quality/docs/construction-dust-pg.pdf](http://static.london.gov.uk/mayor/environment/air_quality/docs/construction-dust-pg.pdf)

- b) A risk assessment of dust generation for each phase of the demolition and construction. The assessment and identified controls must include the principles of prevention, suppression and containment and follow the format detailed in the guidance above. The outcome of the assessment must be fully implemented for the duration of the construction and demolition phase of the proposed development and include dust monitoring where appropriate.
  - c) Where the outcome of the risk assessment indicates that monitoring is necessary, a monitoring protocol including information on monitoring locations, frequency of data collection and how the data will be reported to the Local Planning Authority.
  - d) details of dust generating operations and the subsequent management and mitigation of dust demonstrating full best practicable means compliance and covering construction activities, materials storage, on and off-site haul routes, operational control, demolition, and exhaust emissions; and
  - e) where a breach of the dust trigger level may occur a response procedure should be detailed including measures to prevent repeat incidence
- REASON: To safeguard the amenities of neighbouring residents.

#### 8. **NS07: Noise and Vibration Construction Method Statement (NVCMS)**

Prior to the commencement of development (including demolition) a Noise and Vibration Construction Method Statement (NVCMS) shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be implemented other than in accordance with the approved details. The Statement shall include but not be limited to:

1. The NVCMS should include an acoustic report undertaken by a suitably qualified and experienced consultant and include all the information below;
  - a. Baseline noise assessment - undertaken for a least 24-hours under representative conditions to determine the pre-existing ambient noise environment.
  - b. Noise predictions and the significance of noise effects - Predictions should be included for each Plot of the demolition, and construction, vehicle movements and an assessment of the significance of noise effects must be included based on the guidance in BS 5228:2009+A1:2014 Annex E
  - c. Piling - Where piling forms part of the construction process, a low noise and vibration method must be utilised wherever possible, and good practice guidelines should be followed e.g. BS 5228:2009+A1:2014.
  - d. Vibration Predictions and the significance of vibration effects - Predictions should be included for each Plot of demolition, and construction, and an assessment of the significance of vibration effects must be included e.g. as per BS 5228:2009+A1:2014.
  - e. Noise and vibration monitoring - Permanent real time web enabled, and/or periodic noise and vibration monitoring must be undertaken for the duration of the demolition and construction phases which may result in a significant impact. The location, number of monitoring stations and the measurement data must be agreed with the Local Planning Authority prior to the start of construction.
  - f. Community engagement - The steps that will be taken to notify and update residents and businesses that may be affected by the construction of the proposed development.
  - g. The Statement, where relevant, shall demonstrate how it coordinates with other NVCMS that may be in operation within the site.
  - h. Cumulative impacts arising from works taking place within the Site
2. The NVCMS shall include control measures for noise, vibration including working hours and follow Best Practice detailed within BS 5228:2009+A1:2014 Code of Practice for Noise and Vibration Control on construction and open sites and BS



6187:2011 Code of practice for full and partial demolition. Further guidance can be obtained from the Commercial Environmental Health Department.

3. The development shall not be implemented other than in accordance with the approved scheme throughout the construction period.

REASON: In order to safeguard the amenities of neighbouring residents

9. **NS11: River Piling- Method Statement**

Prior to the commencement of development hereby permitted (excluding any demolition of the buildings above ground as per Plan TRS-HAL-ZZ-00-DR-A-SK-262 CO1), full details of piling methodology and method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure); programme of works (outside 1<sup>st</sup> March – 31 October); and proposed mitigation measures to prevent impacts from underwater noise shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Thames Water and Port of London. The development shall not be implemented other than in accordance with the approved piling method statement scheme.

REASON: The proposed works will be in close proximity to underground water utility infrastructure and have potential to impact such.

10. **NS12: Environment Agency Condition 2**

The development hereby permitted must not be commenced until such time as a scheme setting out the detailed design of the flood defences and boathouse has been submitted to, and approved in writing by, the local planning authority. The scheme shall include details of how the flood defence and boathouse will be maintained, inspected and last for the lifetime of the development. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To ensure the structural integrity of the of the proposed flood defences thereby reducing the risk of flooding. Advisory comments: We 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).

11. **NS13: Environment Agency Condition 3**

Prior to the installation of the Floating Eco-system, a scheme for the provision and management of ecological enhancement and habitat creation including details of the Floating Ecosystems shall be submitted to, and agreed in writing by, the local planning authority and implemented as approved. Thereafter, the development shall be implemented in accordance with the approved scheme and maintained as such for the lifetime of the development.

REASON: To ensure the development incorporates and creates new habitats or biodiversity features that enhances the river corridor as required by the London Borough of Richmond Local Plan Policy LP 15 Biodiversity. Policy SP 15 states that major developments are required to deliver net gain for biodiversity, through incorporation of ecological enhancements.

12. **NS14: Environment Agency Condition 7**

The development hereby permitted shall not be commenced until such time as a scheme to connect the property to foul and or surface water drainage system has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved and maintained as such for the lifetime of the development.

REASON: To ensure the foul and surface drainage does not pose a risk to the water environment.

13. **NS15: Drainage**

Prior to the commencement of development hereby permitted, excluding any demolition of buildings above ground as per Plan TRS-HAL-ZZ-00-DR-A-SK-262 CO1, a scheme detailing the location and levels of the pipes identified to flood for the attenuation system and maintenance responsibility for the sustainable urban drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be implemented or occupied other than in accordance with the approved scheme.

REASON: To ensure a satisfactory form of development.

14. **NS16: Contamination 1:**

Notwithstanding the submitted preliminary risk assessment, prior to the commencement of development the following shall be undertaken:

- a. a revised preliminary risk assessment with details of a site investigation strategy based on the information revealed in the PRA shall be submitted to and approved in writing by the Local Planning Authority;
- b. an intrusive site investigation has been conducted comprising: sampling of soil, soil vapour, ground gas, surface water and groundwater to the satisfaction of the local planning authority. Such a study to be conducted according to current U.K. requirements for sampling and testing.
- c. written reports of the findings of the above site-investigation and a risk assessment for sensitive receptors together with a detailed remediation strategy designed to mitigate the risk posed by the identified contamination to sensitive receptors have been submitted to and approved in writing by the Local Planning Authority.

Note: some demolition work, if required could be allowed beforehand for enabling the above requirement (1b) subject to the agreement of the Local Planning Authority.

REASON: To protect human health and water quality.

15. **NS17: Geosphere Environmental Report**

The development shall not be implemented other than in accordance with the recommendations as outlined in the Geosphere Environmental Report (dated 28/06/2021).

REASON: To ensure a satisfactory form of development

16. **NS18: UXO threat assessment**

Prior to the commencement of development approved by this planning permission, a detailed UXO threat assessment for potential unexploded ordnance shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be implemented other than in accordance with the approved scheme.

REASON: To ensure the health and safety of the site, workers and surrounding occupants.

17. **NS19: Archaeology (1): Written scheme of investigation**

A. No development other than demolition to existing ground level shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of geo/archaeological mitigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing and a report on that evaluation has been submitted to and approved by the local planning authority in writing.

B. Under Part A, the applicant (or their heirs and successors in title) shall implement a programme of geo/archaeological mitigation in accordance with a Written Scheme of Investigation.

C. The development shall not be occupied until the site investigation and post-investigation assessment has been completed in accordance with the program set out in the Written Scheme of Investigation approved under Part A, and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

REASON: Heritage assets of archaeological interest may survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results, in accordance with Section 12 of the NPPF.

18. **NS20: Archaeology (2) – Foundation Design:**

No development shall take place until details of the foundation design and construction method to protect archaeological remains have been submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON: The planning authority wishes to secure physical preservation of the site's archaeological interest in accordance with the NPPF

19. **NS21: Archaeology (3) – Public engagement**

No development shall take place until details of the public engagement framework pertaining to the site's archaeological program of work have been submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON: The planning authority wishes to secure public value in respect of the site's archaeological interest in accordance with the NPPF.

20. **NS22: Highways and transport matters**

a. Prior to the commencement of development, a scheme detailing the necessary Traffic Management Orders (under the Road Traffic Regulation Act 1984), Stopping Up Orders, Traffic Orders and other S38 and S278 or works of the Highways Act are in place to secure the following highway measures (including future management and maintenance where provision is on private land not forming public highway) shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Transport for London.

- Removal of the one-way system for vehicular traffic on Water and Wharf Lane and all signage
- removal of existing on street vehicular parking spaces and bays within the controlled parking zone
- new parking provision on the highway
- removal and relocation of loading ways,
- insertion of double yellow lines and other parking and loading bay restrictions on the carriageway.
- Road layout, junctions, widening of carriageways, raised tables, ramped pedestrian crossings (with tactile paving)
- Parking controls
- Works on the adopted highway
- Adoption of the proposed public realm
- Restriction / limit of vehicular access along the Embankment, Water and Wharf Lane
- 7.5t weight restriction in Wharf Lane (travelling south)
- Resurfacing (including tactile paving),
- Signage and lining (including but not limited to 'no U-turn on King Street'
- Street lighting / furniture – bollards etc

- Parking proposals as set out in June 2021, a report (Twickenham Riverside Development – Parking and Servicing proposals)
  - Electric vehicle charging points
  - Diversion and reinstatement of cycle network
  - Installation of bollards, trees, planters, cycle stands
  - Signage / lining
- b. The development shall not be implemented other than in accordance with the approved scheme to the satisfaction of the Boroughs Engineer, which shall be in place prior to the first occupation of the development hereby approved or in accordance with a delivery plan previously agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory form of development that does not cause severe impacts on the highway network.

#### 21. NS23: Highway Matters

Prior to the commencement of the development a scheme detailing the following parking and highway matters shall be submitted to and approved in writing by the Local Planning Authority.

- Stage 2 Safety Audit
- Equality Impact Needs Assessment (EINA) on the parking, servicing and access proposals should these be progressed to implementation
- Siting of the street traders bay, demonstrating this will not compromise the turning areas at the south of Water Lane.
- Plan detailing the privately maintained public realm works.

The development shall not be implemented other than in accordance with the approved scheme.

REASON: To ensure the development does not cause severe highway impacts.

#### 22. NS25: Servicing and Delivery Plan

Prior to the first occupation of the development hereby approved, a servicing and delivery management plan shall be submitted to and approved in writing by the Local Planning Authority, both for the uses hereby approved, and also to ensure access for surrounding businesses and residents is maintained. This shall detail:

1. Management arrangements
2. responsibilities and booking arrangements for access along the Embankment outside the hours of 7am-10am;
3. engagement programme with the community, including Eel Pie Island residents and businesses;
4. risk assessments;
5. use of traffic marshals and banksmen;
6. access for emergency services,
7. measures to encourage deliveries outside peak hours.
8. Times and frequency of deliveries and collections
9. Noise control measures to protect noise sensitive premises from delivery noise
10. Control of vehicle movements including quiet reversing methods (preference will be given to broadband reversing alarms or alternative quiet safety methods for reversing)
11. Good practice working methods to minimise impact noise for example associated with the delivery of 'beer barrels'

The development shall not be occupied other than in accordance with the approved details.

REASON: To accord with the terms of the application, to ensure the development is not prejudice to highway and pedestrian safety, to preserve residential amenity and to maximise the public realm value.

23. **NS26: Thames Path / National Trail**

Prior to the commencement of development, details of the Thames Path diversion, including dates of closure, diversion route, signage and notification with the Thames Path Diversion Team / Manager shall be submitted to and approved in writing with the Local Planning Authority, in consultation with the Thames Path Diversion Team / Manager. The development shall not be implemented other than in accordance with the approved scheme.

REASON: To ensure appropriate access to and alternative route for the Thames Path / National Trail

24. **NS27: Pontoon**

Prior to the installation of the pontoon and ramp hereby approved:

- a) full details of works, methodology, method statement and methods to reduce noise during construction, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be implemented other than in accordance with the approved scheme, and in accordance with the agreed phasing of the scheme under condition NS02.

25. **NS28: Slipway**

Prior to any repairs being undertaken to the slipway, full details of works, methodology, programme of implementation shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be implemented other than in accordance with the approved scheme, and in accordance with the agreed phasing of the scheme under condition NS02.

REASON: To accord with the terms of the application.

26. **NS29: Affordable housing**

1. The upper floors of the Water Lane building shall not be occupied other than by 21 affordable homes with the following tenure, mix and size of unit:
  - a. Affordable rent:
    - i. 1bed (2 person): 9 units
    - ii. 2bed (3 person): 1 unit
    - iii. 2bed (4 person): 6 units
    - iv. 3bed (6 person): 1 unit
  - b. Intermediate:
    - i. 1bed (2 person): 2 units
    - ii. 2bed (3 person): 2 units
2. No more than 50% of the market housing within the Wharf Lane building shall be occupied, until the time when all the affordable homes in the Water Lane building are ready for occupation.
3. The London Borough of Richmond shall have nomination rights for all the affordable rented products
4. The intermediate housing units shall meet the London Borough of Richmond's Intermediate housing statement, and will deliver two thirds of the shared ownership homes that are affordable at gross household income of £50,000, and the remaining third affordable to those on household incomes up to the GLA intermediate housing threshold of £90,000 per annum.
5. Prior to the commencement of development hereby permitted (excluding any demolition of the buildings above ground as per Plan TRS-HAL-ZZ-00-DR-A-SK-262 CO1),, the following details shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be implemented or occupied other than in accordance with the approved details.
  - a. details of the affordability of all the residential units, taking account of service charge and the affordability criteria

- b. marketing strategy for all intermediate homes.

REASON: To accord with the terms of the application and ensure the scheme delivers the priority housing.

27. **NS30: Accessible homes**

Prior to commencement of development hereby permitted, excluding any demolition of buildings above ground as per plan TRS-HAL-ZZ-00-DR-A-SK-262 CO1, a scheme confirming engagement with the Councils Specific housing occupation therapist in the design and fit out of the affordable residential units hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be implemented other than in accordance with the approved scheme.

REASON: To ensure an acceptable design and layout to all M4 homes.

28. **NS31: Living conditions and sustainability**

1. The development shall not be carried out other than in accordance with strategies to mitigate potential for overheating as detailed in the Energy Statement (Skelly & Couch, 2021).
2. Prior to the construction of the buildings hereby approved, further details to mitigate potential for overheating shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall explore the use of further brise soleil, solar control glazing and mechanical ventilation, and provide full details of specifications, implications on the cooling hierarchy, noise assessments (where applicable), siting, design and implementation. The development shall not be implemented other than in accordance with the approved scheme, which shall be full installed and operational before the first use of any of the units within the proposed buildings on site.
3. Prior to the commencement of the Water Lane building hereby approved, details of the Mechanical Ventilation with Heat Recovery (MVHR) systems serving the northern residential units on the first – third floors (inclusive) of the Water Lane building shall be submitted to and approved in writing. The scheme shall provide specification, noise assessment, siting and design. The development shall not be implemented other than in accordance with the approved scheme and shall be implemented in full and thereafter retained prior to the first occupation of the said units.

REASON: To mitigate the potential of overheating, ensure satisfactory living conditions and to avoid undue noise and air pollution.

29. **NS32: Noise Impact on Structurally Adjoining Properties/Premises**

Prior to the commencement of the development hereby permitted, details of the proposed sound insulation scheme to be implemented between the residential accommodation and any non-residential uses shall be submitted to and approved by the Local Planning Authority. Details should include airborne and impact sound insulation. The developer shall certify to the local planning authority that the noise mitigation measures have been installed. The approved scheme is to be completed prior to occupation of the development and shall be permanently maintained thereafter.

REASON: To ensure a suitable standard of accommodation.

30. **NS33: Air Quality – Emissions Control Scheme**

1. The development hereby approved (all residential and commercial units) shall be served by non-combustion heating and cooling Air Source Heat Pumps, as per the Approved Air Quality Assessment (August 2021), prior to their first occupation, and thereafter maintained.
2. Where boilers are installed they must meet minimum NOx emissions standards of 0.04 g/KWH of heat supplied. Flues and exhaust vents should be a minimum of 1 metre



above the height of the highest roof in the vicinity. Dispersion modelling should be used to determine the optimum height. No air inlet should be within 10m of exhaust flues.  
REASON: To minimise the emissions of pollutants.

31. **NS34: Residential - Refuse and waste management and strategy**

1. Prior to commencement of development, the following details shall be submitted to and approved in writing by the Local Planning Authority
  - a. details of the push routes between the bin stores and the vehicle waiting area. The details shall demonstrate the service is smooth, hard standing, drop kerbs, and free of any steps or steep slopes.
  - b. Details of potential locations for temporary storage of bulky waste items for collection shall be identified.
  - c. A feasibility scheme into whether additional space in each of the two residential bin stores for a 240L wheelie bin could be provided for food recycling.
  - d. Confirmation of the access detail to the bin stores

The development shall not be implemented other than in accordance with the approved scheme.

2. Refuse and waste collections shall only access the Embankment between the hours of 7am-10am.

REASON: To ensure appropriate provision and access, and encourage recycling.

32. **NS35: Hard Landscaping Required**

All hard landscape works shall be carried out in accordance with the hereby approved drawings and details, as set out in NS101A, and in any event prior to the occupation of any part of the development, and thereafter maintained as approved, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the proposed development does not prejudice the appearance of the locality.

33. **NS36: Soft Landscaping Required**

1. All soft landscape works shall be carried out in accordance with the hereby approved drawings and details as set out in NS101A and in any event prior to the occupation of any part of the development, and thereafter maintained as approved, unless otherwise agreed in writing by the Local Planning Authority.
2. Prior to the commencement of the development hereby permitted, excluding any demolition of buildings above ground as per Plan TRS-HAL-ZZ-00-DR-A-SK-262 CO1 notwithstanding the submitted details outlined in 1 and drawings NS101A, revised details of the following shall be submitted to, and approved, in writing by the Local Planning Authority and thereafter implemented as approved and maintained as such:
  - A. Written specifications (including finalised details and designs for tree pits and soil volumes, cultivation and other operations associated with plant and grass establishment); detailing the quantity, density, size, species, position, planting bed protection and the proposed time or programme of planting of all shrubs, hedges, grasses etc.,
  - B. Details of earthworks, to include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform;
  - C. Indication of how the soft landscaping will integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance. All species should be of native or non-native plants of known value for wildlife and include examples of seed/fruit bearing species, pollinator plants and those which attract night flying insects.
  - D. Planting methodology

- E. Programme for planting
- F. The tree planting scheme shall be written in accordance with the British Standard 5837:2012 Trees in relation to design, demolition, and construction - Recommendations (sections 5.6) and BS 8545:2014 Trees: from nursery to independence in the landscape - Recommendations, and include:
  - a) Details of the quantity, size, species, and position.
  - b) Planting specification and methodology including soil volume calculations and incorporating root deflection measures (Where necessary)
  - c) Proposed time of planting (season)
  - d) 3-year maintenance and management programme.
- G. All tree, shrub and hedge planting included within that specification shall be carried out in accordance with BS 3936:1986 (Parts 1, 1992, Nursery Stock, Specification for trees and shrubs, and 4, 1984, Specification for forest trees); BS 4043: 1989, Transplanting root-balled trees; and BS 4428:1989, Code of practice for general landscape operations (excluding hard surfaces).
- H. If within a period of 5 years from the date of planting that tree or any tree planted in replacement for it, is removed, uprooted, destroyed, or dies (or becomes in the opinion of the local planning authority seriously damaged or defective) then the tree shall be replaced in the same location to reflect the specification of the approved planting scheme in the next available planting season / within one year of the original tree's demise unless the local planning authority gives its written consent to any variations.

REASON: To ensure that the proposed development does not prejudice the appearance of the locality and to preserve and enhance nature conservation interests.

34. **NS37: Landscape and Ecology Maintenance and Management Plan:**

Prior to the commencement of development hereby permitted, excluding any demolition of buildings above ground as per plan TRS-HAL-ZZ-00-DR-A-SK-262 CO1, a 10 year landscape maintenance plan shall be submitted to and approved in writing with the local planning authority. The plan shall detail timings, responsibilities, necessary contributions to implement the maintenance plan and instalments for such contributions. The development shall not be implemented other than in accordance with the approved Plan, unless otherwise agreed in writing with the local planning authority.

REASON: To ensure the appropriate management and maintenance of the soft landscaping.

35. **NS38: Open Space Management**

Prior to the commencement of development hereby permitted, excluding any demolition of buildings above ground as per plan TRS-HAL-ZZ-00-DR-A-SK-262 CO1, an Open Space Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan must set out details of how all parts of the open space are to be managed in a coherent and comprehensive way. The development shall not be occupied other than in accordance with the approved plan.

REASON: To ensure a high quality public realm, which weight has been afforded to.

36. **NS39: Bats:**

Prior to the demolition of any building, a full ECiA (and any relevant surveys) will be submitted to and approved in writing by the Local Planning Authority. Should bats be discovered during the pre-works surveys, all works must stop until the necessary license from Natural England has been obtained.

REASON: To protect the ecological value of the site.



37. **NS40: Ecological Mitigation and Enhancements**

Prior to the commencement of development hereby approved, an ecological enhancement plan (in accordance with the recommendations set out in BSG Ecological Enhancement Statement dated 2 August 2021 – with the exception of transplanting of trees) and the additional requirements outlined in (a-e) to demonstrate 19% biodiversity net gain shall be submitted to and approved in writing by the Local Planning Authority and be implemented in accordance with these details and thereafter retained as approved. The details shall include, but not be limited to:

- a. All bird and bat bricks to be inbuilt into the fabric of the building/s
- b. All species to be native or wildlife friendly
- c. Proposed maintenance responsibilities to ensure the target is achieved.
- d. Information to tenants / building owners on ecology and biodiversity
- e. Offsite planting of 87m of native hedgerow
- f. Increase habitat heterogeneity on the slipway and pontoon

REASON: To enhance nature conservation interest.

38. **NS41: Infrastructure for the event space / public open space:**

- a. Irrigation - Prior to the commencement of the development hereby permitted, excluding any demolition of buildings above ground as per Plan TRS-HAL-ZZ-00-DR-A-SK-262 CO1, full details of the irrigation system for all landscaped areas, and time of implementation shall be submitted to and approved in writing by the local planning authority. The development shall not be implemented other than as approved. (The use of rain garden for watering should be explored)
- b. Water supply - Prior to the commencement of the development hereby permitted, excluding any demolition of buildings above ground as per Plan TRS-HAL-ZZ-00-DR-A-SK-262 CO1, full details of the water supply to the public open space and events area, including time of implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be implemented other than as approved.
- c. Electricity – Prior to the commencement of the development hereby permitted, excluding any demolition of buildings above ground as per Plan TRS-HAL-ZZ-00-DR-A-SK-262 CO1, electrical cabling for feeder pillars for the public open space / event space / ice cream van along The Embankment shall be submitted to and approved, implemented as approved, and be in place prior to the first occupation of the site.

REASON: To ensure the appropriate maintenance and use of the public realm, and to minimise the impact on air quality

39. **NS42: Play provision**

Prior to the commencement of the development hereby permitted, excluding any demolition of buildings above ground as per Plan TRS-HAL-ZZ-00-DR-A-SK-262 CO1, full details (siting, equipment, design, materials, surface treatment, accessibility and sensory provision) of the play provision shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full and ready for use prior to the first occupation of the development and use of the open space. The approved scheme shall remain in situ thereafter.

REASON: To ensure a suitable play space environment with sufficient facilities for the occupants and visitors to the site.

40. **NS43: Local employment agreement - construction**

Prior to the commencement of the development hereby permitted, excluding any demolition of buildings above ground as per Plan TRS-HAL-ZZ-00-DR-A-SK-262 CO1, a Local Employment Agreement for the construction process shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be implemented other than in accordance with the approved scheme.

REASON: To comply with London Plan and Local Plan policies that support employment opportunities.

41. **NS44: Digital connectivity**

Prior to the commencement of the development hereby permitted, excluding any demolition of buildings above ground as per Plan TRS-HAL-ZZ-00-DR-A-SK-262 CO1, a scheme demonstrating digital connectivity in line with policy SI 6 of the London Plan must be submitted to and approved in writing with the Local Planning Authority. The development shall not be implemented other than in accordance with the approved scheme and shall be fully installed prior to the first occupation of the development hereby approved.

REASON: To ensure full fibre connectivity infrastructure to all end users.

**Prior to relevant works**

42. **NS46: Environment Agency Condition 8**

Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

REASON: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by remobilised contaminants present in shallow soils/made ground in line with paragraph 170 of the National Planning Policy Framework.

43. **NS47 Environment Agency Condition 9**

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

REASON: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. Piling and investigation boreholes using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways

44. **NS48: Black Poplar**

1. Prior to the felling of the Black Poplar (T34) a nursery propagation scheme shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall:

- Detail genetic tests of the tree
- Detail the cuttings of the Black Poplar – methodology including, time of year, number (no less than 10), size, storage;
- Provide details of the nursery where the cuttings will be propagated, including management and maintenance of such;

2. Prior to the replanting of the cuttings, a scheme shall be submitted to and approved in writing detailing the location and future management and maintenance of such, which should include at least 5 years aftercare.

3. The development shall not be implemented other than in accordance with (1) and (2), unless previously agreed in writing with the Local Planning Authority.

REASON: As part of the mitigation for the loss of the Black Poplar tree.

45. **NS49: Pin Oak investigation**

1. Prior to the felling of the Pin Oaks along The Embankment (T58, T59, T60, T61, T62, T63, T64), details of an investigation scheme into their failure, including below ground rooting and soil environment, shall be submitted to and approved in writing.
2. The development shall not be implemented other than in accordance with the approved scheme.
3. The results of the investigation shall be submitted to and approved in writing prior to details of the soft landscaping scheme (condition titled 'Soft Landscaping Required') being submitted, and should inform the final landscaping scheme along the Embankment.

REASON: To ensure a robust planting scheme.

46. **NS50: Biodiverse Wildflower green roof / wall**

Prior to any superstructure works commencing on site, details (design, specifications, specifics, maintenance) of the biodiverse green with brown features roof(s) / walls shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with such details. The biodiversity roof(s) shall be:

- (A) biodiversity based with extensive substrate base (min depth 80mm);
- (B) laid out in accordance with plan approved; and
- (C) planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% native sedum coverage).

The approved scheme shall be insitu prior to the first occupation of the development.

REASON: To ensure a sustainable form of development.

47. **NS52: External tables and chairs**

No tables or chairs (or other furniture) associated to the café use within the Water Lane building shall be placed externally except within the 50m<sup>2</sup> area identified on drawing SK-223 C01.

REASON: To protect the amenities of nearby occupants and the public realm space

48. **NS53: Sample Panels of Brickwork**

Sample panels of facing brickwork showing the proposed colour, texture, face-bond and pointing shall be provided on site and approved in writing by the Local Planning Authority before the relevant parts of the works are commenced and the sample panels shall be retained on site until they are approved, and work is completed. The development shall not be implemented other than in accordance with the approved details.

REASON: To ensure that the proposed development is in keeping with the existing building(s) and does not prejudice the appearance of the locality.

49. **NS54: Materials to be approved**

The external surfaces of the development hereby approved (including fenestration), shall not be constructed other than in materials details/samples of which shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the proposed development does not prejudice the appearance of the locality and are of a high finish and quality.

50. **NS55: External Illumination**

Notwithstanding what is shown on the submitted drawings, no external illumination shall be installed, other than in accordance with details which shall previously be submitted to and approved in writing by the Local Planning Authority and thereafter constructed and maintained in accordance with these details. Such details to include:

- a) locations of external lighting
- b) design of lighting columns
- c) technical specifications
- d) horizontal and vertical lux plan
- e) spectrum of proposed lighting prior to implementation.
- f) Timings
- g) Measures to reduce spillage
- h) Phasing and implementation programme
- i) Review process – to allow for this to be adjusted if found to be a hazard to river safety once installed.

The details must accord with:

- a. the recommendations of the BSG Ecology Ecological Appraisal (dated 12 July 2021 and updated 2 August 2021).
- b. the CIBSE guide LG6 and ILP/BCT Bat guidance note 8;
- c. Drawings 1486-SAC-CAL-Dialux External Lighting Proposed (-1) Sheet SAC A1H and 1486-SAC-CAL-Dialux External Lighting Proposed (0) Sheet SAC A1H

There shall be no upward lighting or lighting onto the open sky, buildings, trees and vegetation, or potential roost features. No external illumination shall be delivered other than as per the approved details.

REASON: To protect/safeguard the amenities of the locality, nature conservation interests and river safety

#### 51. NS56: Specified Details Required – on buildings

The development hereby approved shall not be carried out other than in accordance with detailed drawings (scale of not less than 1:20) and samples as applicable; that shall have been previously submitted and approved in writing by the local planning authority. The approved details shall be retained as approved for the lifetime of the development. The details shall show:

- a) Fenestration / reveals
- b) Section through façade treatment (to show reveal depth)
- c) Railings
- d) Roof
- e) Any roof plant, louvres, enclosure
- f) Balconies / Balustrades
- g) Blinds / awnings to the south elevation of the Water Lane building
- h) Lighting

REASON: To ensure that the proposed development is in keeping with the existing building(s), off-site heritage assets, does not prejudice the appearance of the locality and in the interests of highway and pedestrian safety.

#### 52. NS57: Mechanical Services Noise Control

Before any mechanical services plant including, but not limited to, heating, ventilation and air conditioning (HVAC) and kitchen extraction plant to which the application refers is used at the premises, a scheme shall be submitted to and approved in writing by the local planning authority which demonstrates that the following noise design requirements can be complied with. The mechanical services plant shall be installed only in accordance with the approved scheme and shall thereafter be maintained and retained as approved:

- a) The cumulative measured or calculated rating level of noise emitted from the mechanical services plant including heating, ventilation and air conditioning (HVAC) and kitchen extraction plant to which the application refers, shall be 5dB(A) below the existing background noise level, at all times that the mechanical system etc operates. The measured or calculated noise levels shall be determined at the boundary of the nearest ground floor noise sensitive premises or 1 meter from the

facade of the nearest first floor (or higher) noise sensitive premises, and in accordance with the latest British Standard 4142; An alternative position for assessment /measurement may be used to allow ease of access, this must be shown on a map and noise propagation calculations detailed to show how the design criteria is achieved.

- b) The plant shall be isolated on adequate proprietary anti-vibration mounts to ensure that vibration amplitudes which causes re-radiated noise do not to exceed the limits detailed in table 4 detailed in section 7.7.2 of BS8233:2014 Guidance on sound insulation and noise reduction for buildings and to prevent the structural transmission of vibration and regenerated noise within adjacent or adjoining premises, and these shall be so maintained thereafter.
- c) A commissioning acoustic test and report shall be undertaken within 2 weeks of mechanical services commissioning, to demonstrate that the requirements of parts (a) and (b) above have been achieved, or any necessary mitigation. The results of the test shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To safeguard the amenities of neighbouring residents.

### 53. NS58: Event Strategy

1. Prior to any events taking place, an Events Management Plan, shall be submitted to and approved in writing by the Local Planning Authority. No events shall take place unless in accordance with the approved Events Management Plan. The Plan shall detail:
  - a. community consultation strategy,
  - b. Frequency of events
  - c. Hours of use
  - d. Details of amplified sound
  - e. Confirmation of noise limits
  - f. Measures to minimise noise levels
  - g. Mitigation measures to reduce impact on ecological receptors
  - h. Control and management of noise during sound checks, rehearsals and events
2. Events (setting up, rehearsals, sound checks, actual events and packing up / closing down) shall not take place other than between the hours of 07:00 hours and 23:00 hours.
3. Crowds shall be dispersed by 23:00 hours on any event day
4. No more than 12 cinema / concert events shall take place in any 12 month period.
  - a. If 1-3 concerts / cinema events take place in any 12 month period, the noise levels shall not exceed 106.3dBA at 1m from the stage / screen
  - b. If 4-12 concert / cinema events take place in any 12 month period, the noise levels shall not exceed 85.3dBA at 1m from the stage / screen

REASON: To protect the amenities of nearby occupants and ecological receptors.

### 54. NS59: Event space servicing

Prior to any events taking place within the public realm, a servicing plan for such activities shall be submitted to and approved in writing by the Local Planning Authority. This shall include, means of access, hours of access, management, and how this will be coordinated with the general Servicing and Delivery Plan for existing and future residents and businesses. The events shall not take place other than in accordance with the approved event space servicing scheme.

REASON: To accord with the terms of the application, to ensure the development does not prejudice highway and pedestrian safety, and to maximise the public realm value.

55. **NS60: Heritage Scheme**

Prior to the removal of any heritage elements (WWI Triptych, location map, information board, memorial bench, art work and lido pool edge tiles), as identified in drawing 'Strategies Heritage elements – existing and proposed', a scheme including details of their storage and any proposed relocation within the application site or elsewhere shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented as approved and shall thereafter be retained as approved in perpetuity.

REASON: To produce a scheme for the retention of locally valued features currently contained within the public realm.

**Prior to occupation**56. **NS61: Flooding:**

Prior to the occupation of any of the buildings hereby approved, the new flood defence wall, constructed in accordance with the approved details set out in condition titled (Environment Agency condition 2) shall be completed. It shall thereafter be maintained and retained as first constructed.

REASON: To minimise flood risk and to comply with the submitted site specific FRA.

57. **NS62: Environment Agency Condition 5**

No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

REASON: To reduce risk to controlled waters. Should remediation be deemed necessary, the applicant should demonstrate that any remedial measures have been undertaken as agreed and the environmental risks have been satisfactorily managed so that the site is deemed suitable for use. To comply with the National Planning Policy Framework paragraph 170.

58. **NS63: Contamination 2:**

Prior to any occupation of the buildings hereby approved:

- a. any remediation works approved as part of the remediation strategy have been conducted in full and in compliance with the approved strategy. If during the remediation or development work new areas of contamination are encountered, which have not been expected, then the additional contamination should be fully assessed in accordance with part 1 (b, c) above of this condition and an adequate remediation scheme shall be submitted to and approved in writing by the Local Planning Authority and fully implemented thereafter;
- b. a verification report, produced on completion of the remediation, has been submitted to and approved in writing by the Local Planning Authority. Such report shall include
  - i) details of the remediation conducted and
  - ii) results of verification sampling, testing and monitoring and iii) all waste management documentation showing the classification of waste, its treatment, movement and disposal to demonstrate compliance with the approved remediation strategy.



REASON: To protect human health and water quality

59. **NS64: Open Space Delivery**

An open space phasing plan including all areas of open spaces, hard landscaping, soft landscaping and play provision (as identified on pages 'Strategies Open Space / Open Space Calculations' within the submitted Landscape and Public Realm Strategy) must be submitted to and approved by the Local Planning Authority prior to the commencement of development. The open space phasing plan must provide that all areas of open space, landscaping and play provision must be provided as early as practicable and in any case, no later than prior to occupation of any building within the development. The open space phasing plan may provide for soft landscaping or planting to be carried out or completed post-occupation where required or appropriate, such as to comply with best practice with regard to carrying out new planting within planting seasons. The development shall not be implemented other than in accordance with the approved details and shall be maintained as such.

REASON: To ensure the necessary replacement of the existing Public Open Space and to ensure a satisfactory form of development.

60. **NS65: Street furniture details:**

Prior to the first occupation of the development hereby approved, details (including design, location, materials, resilience to flooding, manufacturers product design / care information) of all street and public realm furniture shall be submitted to and approved in writing by the Local Planning Authority. This shall include, but not be limited to:

- a) Bins
- b) Cycle stands – designed to London Cycle Design Standards, provision of 54 (including oversized bicycle types)
- c) Benches / seating
- d) Bollards, barriers, gates
- e) Railings
- f) Storage container
- g) Waterside lifesaving equipment
- h) Suicide prevention measures in line with the Tidal Thames Water Safety Forum (which includes the PLA, RNLI and emergency services – CCTV / signage.)
- i) Water fountains

The development shall be carried out in accordance with the approved details and in any event all be insitu prior to the occupation of any part of the development and thereafter maintained only as approved.

REASON: To ensure that the proposed development does not prejudice the appearance of the locality and are resilient in a flood environment

61. **NS66: Listed Boatstore:**

Prior to the occupation of the development thereby approved, a scheme for a plaque to identify the listed boatstore on the western boundary shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be implemented other than in accordance with the approved scheme, the plaque shall be retained as approved.

REASON: To enhance the public realm.

62. **NS67: Urban Greening Factor**

Prior to the first occupation of the development hereby approved, confirmation that the development achieves an urban greening factor score of 0.32 (for the whole site) or 0.38 (excluding existing carriage ways) shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the development meets the greening and biodiversity aspirations of the Local and London Plan and complies with the terms of the application

submission.

63. **NS68: Wider planting scheme**

Prior to the first occupation of the development hereby approved, a scheme for wider planting within the Twickenham Riverside Ward (to offset the loss of tree cover on site) shall be submitted to and approved in writing with the Local Planning Authority. The development shall not be implemented other than in accordance with the approved scheme. [see informative]

REASON: To ensure the loss of onsite trees are appropriately mitigated

64. **NS70: Thames Path**

Prior to the occupation of the development hereby approved, the Thames Path National Trail shall be reinstated and thereafter maintained at all times. [see informative]

REASON: To preserve the Thames Path National Trail.

65. **NS71: Moorings**

Prior to occupation of any part of the development hereby approved, the moorings, as shown on the drawing 'Embankment Area – Mooring Points' (ref: TRS-HAL-01-B1-DR-A-SK-245-CO2-221011) within the Mooring Survey Report, shall be insitu and thereafter maintained as approved.

REASON: To protect the river related uses.

66. **NS72: Navigation risk assessment**

Prior to the installation of the floating ecosystem and moorings, the navigation risk assessment (NRA) approved by Port of London shall be submitted to the Local Planning Authority. (The applicants are advised a further mooring survey should be undertaken to assist with assessing the impact on the area within the NRA)

REASON: To ensure a safe form of development and to ensure the development does not unduly impact on recreational / leisure use of the river.

67. **NS73: Biodiverse Floating Ecosystems**

Prior to the first occupation of any part of the development hereby approved a scheme detailing the biodiverse floating ecosystem shall be submitted to and approved in writing by the Local Planning Authority. The details submitted to include

- A. details of the structure (and frame during low and high tides / floods).
- B. specification of the floating eco-structure and substrate material and depth.
- C. details on how litter will be prevented from entering the tidal Thames.
- D. proposed planting plan, written specifications (including cultivation and establishment); details of the quantity, density, size, species, position (all species should be of native or non-native plants of known value for wildlife and include examples pollinator plants and those which attract night flying insects).
- E. confirmation that no fertilisers or herbicides will be used.
- F. proposed planting programme.
- G. full maintenance details including name of responsible body and a rolling 5 year management plan in perpetuity (Landscape and Ecology Management Plan (LEMP)). (The litter removal should be monthly unless otherwise agreed in writing with the local planning authority and a middle semi-wild aesthetic is preferred)
- H. Details / mitigation measures to minimise the amount of plant debris/ stop litter from entering the river.
- I. 3 year monitoring programme to determine that the Floating Ecosystems have fulfilled their required remit.

The development shall not be implemented other than in accordance with the approved scheme.

The scheme shall be fully installed and planted as approved prior to the first occupation



of any of the buildings hereby approved, unless otherwise agreed in writing by the Local Planning Authority. Thereafter the scheme shall be maintained as set out in the approved scheme.

REASON: To ensure that the proposed development does not prejudice the appearance of the locality and to preserve and enhance nature conservation interests.

68. **NS74: Delivery of river related uses**

Prior to the occupation of any part of the development hereby approved, the boat store, ramp to river and associated pontoon, shall all be provided and be ready for use by the general public. Where these remain the responsibility of the applicant or freeholder of the development they shall be maintained to an accepted standard for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON: To accord with the terms of the application and ensure delivery of the river related activities.

69. **NS75: Cycle parking – Water Lane**

Prior to the occupation of the Water Lane building hereby approved, a scheme detailing the siting, design (to be in accordance with the London Cycle Design Standard) and provision of 39 cycle spaces within the Water Lane building shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be first provided before first occupation of the building and shall be retained as approved thereafter.

REASON: In the interests of air quality and to promote sustainable forms of travel.

70. **NS76: Vehicle parking**

The parking spaces as outlined in drawing 'General Arrangement Plan 6975\_100 F' and as allocated in the Transport Assessment (September 2022) shall be provided as approved prior to the first occupation of the buildings hereby approved; shall always be available for vehicle parking and retained as such for the lifetime of the development.

REASON: To accord with the terms of the application.

71. **NS77: Car parking permits**

Prior to the occupation of any of the commercial or residential units hereby approved, a scheme shall be submitted to and approved in writing that demonstrates all commercial and resident occupants are excluded from obtaining permits within the CPZ and in any Council managed car park and will be excluded for so doing in the future.

REASON: To ensure the development does not result in unacceptable on street parking pressure to comply with the terms of the application and submitted TA.

72. **NS78: Car Club membership**

Prior to the occupation of any of the residential units hereby approved, a scheme confirming all residential units will have the option to access 3 years of car club membership from date of occupation shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied other than in accordance with the approved scheme.

REASON: To ensure the development does not result in unacceptable on street parking pressure to comply with the terms of the application and submitted TA.

73. **NS79: Residential Travel Plan**

a. Prior to the occupation of any of the residential units hereby approved:

- i. a scheme detailing the monitoring arrangements of the Travel Plan shall be submitted to and approved in writing with the Local Planning Authority. The

development shall not be occupied other than in accordance with the approved scheme.

- ii. a scheme detailing the survey methodology for residents / visitor travel surveys shall be submitted to and approved in writing by the Local Planning Authority.
- b. Within 6 months of the residential use commencing, a travel plan based on the results of a resident / visitor travel survey shall be submitted to, and approved in writing by, the Local Planning Authority. This shall contain clear objectives, targets, actions and timeframes to manage the transport needs of staff and customer / visitors to the development, to minimise car usage and to achieve a shift to alternative transport modes.
- c. Following approval by the Local Planning Authority, the applicant shall then implement these actions to secure the objectives and targets within the approved plan. The travel plan (including surveys) shall be annually revised and a written review of the travel plan submitted and approved by Council by the anniversary of its first approval and yearly thereafter for 5 years

REASON: In order to comply with the objectives of national and local Planning Policies which promote sustainable development with particular regard to transport

#### 74. NS80: Commercial Travel Plan

- a. Prior to the occupation of any of the commercial units hereby approved:
  - i. a scheme detailing the monitoring arrangements of the Travel Plan shall be submitted to and approved in writing with the Local Planning Authority. The development shall not be occupied other than in accordance with the approved scheme.
  - ii. a scheme detailing the survey methodology for staff and customer / visitor travel surveys shall be submitted to and approved in writing by the Local Planning Authority.
- b. Within 6 months of the commercial use commencing, a travel plan based on the results of a staff, customer and visitor travel survey shall be submitted to, and approved in writing by, the Local Planning Authority. This shall contain clear objectives, targets, actions and timeframes to manage the transport needs of staff and customer / visitors to the development, to minimise car usage and to achieve a shift to alternative transport modes.
- c. Following approval by the Local Planning Authority, the applicant shall then implement these actions to secure the objectives and targets within the approved plan. The travel plan (including surveys) shall be annually revised and a written review of the travel plan submitted and approved by Council by the anniversary of its first approval and yearly thereafter for 5 years

REASON: In order to comply with the objectives of national and local Planning Policies which promote sustainable development with particular regard to transport

#### 75. NS81: Commercial refuse waste management

- 1. Prior to the first occupation of the development hereby approved, a commercial refuse and waste strategy and management plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied other than in accordance with the approved scheme. (The applicants are advised, with respect to commercial waste, shared commercial waste storage facilities are acceptable providing that a unified collection service from it is provided and protected by covenants attached to the leases)
- 2. Refuse and waste collection vehicles shall only access the Embankment between the hours of 7am-10am, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To accord with the terms of the application, to ensure the development does not prejudice highway and pedestrian safety, and to maximise the public realm

value.

76. **NS82: Noise management plan**

At least 8 weeks prior to the commencement of use of the southern commercial unit on the ground floor of the Wharf Lane building (public house / restaurant), a Noise Management Plan (NMP) shall be submitted to and approved by the Local Planning Authority. The NMP shall include as a minimum, written details of the following;

1. Details of the measures to be taken to control excessive patron noise including the prohibition of singing, chanting or similar within the external areas adjoining the commercial units
2. In the event of complaint, the mechanism by which such complaints are logged, investigated and actions taken recorded.
3. Documentation of an annual review of the NMP
4. The NMP shall be made available upon request by the Environmental Health Department in the event of complaint.

The development shall not be occupied other than in accordance with the approved scheme which shall be managed and maintained for as long as the unit remains in a commercial use.

REASON: To protect the amenities for existing and future residents.

77. **NS84: Noise protection scheme**

1. The building envelope of the development to which the application refers shall be constructed so as to provide sound attenuation against externally generated transportation noise sources so as to achieve the internal ambient noise levels detailed in the table below. The measured or calculated noise levels shall be determined in accordance with the latest British Standard 8233:2014 Guidance on sound insulation and noise reduction for buildings. Any works which form part of the scheme shall be completed in accordance with the approved details before the dwellings are occupied and shall thereafter be retained as approved.
2. Internal noise levels should be achieved with windows open for rapid ventilation purposes. Where this cannot be achieved alternative means of ventilation and cooling will be required. Where whole house ventilation is provided then acoustically treated inlets and outlets should ideally be located away from the façade(s) most exposed to noise (and any local sources of air pollution).

Situation		Location	07:00 – 23:00 hrs.	23:00 – 07:00 hrs.
<b>Resting</b>		Living room	35 dB LAeq, 16 hour	-
<b>Dining</b>		Dining room/area	40 dB LAeq, 16 hour	-
<b>Sleeping (daytime resting)</b>		Bedroom	35 dB LAeq, 16 hour	30 dB LAeq, 8 hour
<b>Sleeping</b>		Bedroom	-	45 dB LAMax (several times in any one hour)

3. The measured or calculated noise levels Activity shall be determined in accordance to the latest British Standard 8233:2014 Guidance on sound insulation and noise reduction for buildings.

REASON: To ensure a suitable standard of accommodation.

78. **NS85: Mechanical Services noise control**

1. The maximum cumulative measured noise emissions from Building Services Plant shall be no greater than or equal to the emissions limits given in Table 5.1 of the

Noise Assessment undertaken by Tetra Tech Reference 784-B023999 dated August 2021 and reproduced below.

BSP Location	Noise Emission Limit - Sound Pressure Level (Cumulative)	
	Daytime	Night-time
Plant Room Louvres	57.5 dB(A) at 1m OR 52.6 dB(A) at 3m	57.5 dB(A) at 1m OR 42.5 dB(A) at 3m
Outdoor Area	63.5 dB(A) at 1m OR 53.9 dB(A) at 3m	-

2. A commissioning acoustic test and report shall be undertaken within 2 weeks of Building Services Plant being in first use, to demonstrate that limits given above have been achieved. The results of the test shall be submitted to and approved in writing by the LPA.
3. If the commissioning acoustic test identifies the limits are not achieved, the plant shall be operational until a scheme for further mitigation to enable such limits to be achieved is submitted to and approved in writing by the Local Planning Authority and thereafter implemented and retained as approved.

REASON: To ensure the development does not cause unreasonable noise pollution.

79. **NS86: Commercial kitchen extraction system odour control condition.**

Prior to the first use of the gastro pub / restaurant / cafe, details of a scheme for the extraction and treatment of fumes and odours generated from cooking or any other activity undertaken within the gastro pub/restaurant premises shall be submitted to and approved in writing by the local planning authority. Any equipment, plant or process approved pursuant to such details shall be installed prior to the first use of the premises and shall be operated and retained in accordance with the approved details and operated in accordance with manufacturer's instructions.

REASON: To prevent undue odour pollution.

80. **NS87: Commercial kitchen extraction system noise control**

- A. Before the kitchen extraction plant to which the application refers is first used at the proposed pub/restaurant/cafe, a scheme shall be submitted to and approved in writing by the local planning authority which demonstrates that the following noise design requirements can be complied with and shall thereafter be retained as approved
- B. The cumulative measured or calculated rating level of noise emitted from the kitchen extraction plant to which the application refers, shall be 5dB(A) below the existing background noise level, at all times that the mechanical system etc. operates. The measured or calculated noise levels shall be determined 1 metre from the facade of the nearest second floor noise sensitive premises, and in accordance with the latest British Standard 4142; An alternative position for assessment /measurement may be used to allow ease of access, this must be shown on a map and noise propagation calculations detailed to show how the design criteria is achieved.
- C. The plant shall be isolated so as to ensure that vibration amplitudes which causes re-radiated noise not to exceed the limits detailed in table 4 detailed in section 7.7.2 of BS8233:2014 Guidance on sound insulation and noise reduction for buildings
- D. A commissioning acoustic test and report shall be undertaken within 2 weeks of mechanical services being in first use, in order to demonstrate that parts A and C of this condition above has been achieved. The results of the test shall be submitted to and approved in writing by the LPA.
- E. If the commissioning acoustic test identified the limits are not achieved, the plant shall be operational until a scheme for further mitigation to enable such limits be

reached are submitted to and approved in writing by the Local Planning Authority and thereafter implemented and retained as approved.

REASON: To ensure the development does not cause unreasonable noise pollution.

81. [NS88: Local employment agreement - operational](#)

Prior to the occupation of the commercial units hereby approved, a Local Employment Agreement for the use of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied other than in accordance with the approved scheme.

REASON: To comply with London Plan and Local Plan policies that support employment opportunities.

82. [NS89: Lift maintenance Plan](#)

Prior to the occupation of the Wharf Lane Building hereby approved a lift maintenance and management plan for the building shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied other than in accordance with the approved scheme.

REASON: To ensure appropriate fire safety and access.

83. [NS90: Secure by Design](#)

The development hereby approved shall achieve 'Secure by Design' accreditation awarded by the Design-Out Crime Officer from the Metropolitan Police Service on behalf of the Association of Chief Police Officers (ACPO). Evidence of such accreditation to be submitted to the Local Planning Authority prior to occupation of any part of the development hereby permitted.

REASON: to promote the wellbeing of the area and to ensure the development provides a safe and secure environment.

84. [NS91: Zero carbon](#)

The development shall achieve zero carbon standards in line with the strategies outlined in the Energy Statement (Skelly & Couch, August 2021). Prior to the occupation of the development hereby approved, a scheme demonstrating zero carbon standards have been met shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of energy conservation in accordance with the Development Plan

85. [NS100: Off site play](#)

No occupation of the residential units hereby approved shall take place until a scheme to deliver offsite play provision for children aged 12+ has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the necessary infrastructure in place to meet the needs of the development.

86. [NS101: Health](#)

No occupation of the residential units hereby approved shall take place until a scheme to deliver additional capacity for the primary healthcare service has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the necessary infrastructure in place to meet the needs of the development.

## Compliance

87. **NS101a: Approved Drawings**

The development hereby permitted shall be carried out in accordance with the following approved plans and documents, where applicable. [TO BE INSERTED]

REASON: To accord with the terms of the application, for the avoidance of doubt and in the interests of proper planning.

88. **NS102: Environment Agency Condition 1**

The development shall be carried out in accordance with the submitted flood risk assessment 'Twickenham Riverside, Flood Risk Assessment and SuDS Report' (Webb Yates Engineers, September 2022) and the compensatory flood storage strategy set out in drawing J3932-C-DR-2000 found within Appendix B of the aforementioned flood risk assessment. The flood storage compensation shall be fully implemented prior to commencement of works and subsequently in accordance with the scheme's timing/phasing arrangement. The flood storage compensation strategy shall be retained and maintained thereafter throughout the lifetime of the development.

REASON: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

89. **NS102a: Flood Emergency Evacuation Plan**

The development shall not be constructed and occupied other than in accordance with the Flood Emergency Evacuation Plan (J3932-C-RP-0003) and following the first occupation of the development shall be annually reviewed and updated in accordance with the Strategic Flood Risk Assessment and NPPF and taking into account 'Guidance on producing a Flood Emergency Plan', which shall be submitted to the Local Planning Authority for approval.

REASON: To minimise the risks of flooding.

90. **NS103: Vegetation Removal**

Vegetation clearance shall not be carried out other than outside of the bird nesting season (March to September inclusive). If this is not feasible, prior to any clearance, a scheme shall be submitted to and approved in writing outlining the safeguarding measures that will be undertaken to ensure ecological impacts are avoided. This shall include, but not be limited to, checking all vegetation by an experienced ecologist no more than 5 days prior to the works and an exclusion zone set up or works delayed as necessary. The development shall only be implemented in accordance with the approved scheme.

REASON: To ensure that ecological impacts are avoided or mitigated.

91. **NS104: Tree documents**

The development hereby approved shall not be implemented other than in accordance with

- Thomson Environmental Consultants, Arboricultural Survey, Project ALP001-008, dated July 2022
- Thomson Environmental Consultants, Arboricultural Impact Assessment, Arboricultural Method Statement, Project ALP001-008, dated July 2022
- Thomson Environmental Consultants, CAVAT Valuation, Project ALP001-008, dated July 2022
- Tree removal and retention plan, ALP001-008/400814/1, dated 29<sup>th</sup> June 2022
- Tree protection plan, ALP001-008/400815/1, dated 29<sup>th</sup> June 2022

REASON: To ensure a satisfactory form of development.

92. **NS105: The Embankment**

The Embankment shall be closed to vehicular traffic, with access prevented by barriers, bollards, gates (or alternative enclosure) in the locations as outlined in drawing 'General Arrangement Plan 6975\_100 F', unless otherwise agreed in writing



by the Local Planning Authority in accordance with details approved under condition titled 'Servicing and Delivery Plan'.

REASON: To ensure a high-quality public realm, which has been afforded weight during the consideration of the application.

93. **NS106: Service road gates**

Notwithstanding what is shown on the approved plans, the vehicle and pedestrian gates as shown to the south of the service road turning road adjacent to the newly formed open space and Water Lane building are not approved.

REASON: To ensure open, accessible, and high-quality public realm and to ensure appropriate vehicle access and turning.

94. **NS107: Refuse Storage**

No refuse or waste material of any description associated to the Water Lane and Wharf Lane building shall be left or stored anywhere on the sites other than within a building or refuse enclosure.

REASON: To safeguard the appearance of the property and the amenities of the area

95. **NS108: Hours of use – Public House**

A. Customers shall not be present within the premises of the public house / restaurant in Wharf Lane during the following times:

- Mon-Friday inclusive and Saturday: Before 9am; and after 23:00 hours
- Sunday: before 9am and after 22.30 hours

B. Customers shall not be present at the outside dining areas of the public house / restaurant in Wharf Lane during the following times - Before 9am; and after 21:00 hours.

A notice to this effect shall be displayed at all times on the premises so as to be visible from outside.

REASON: To ensure that the proposed development does not prejudice the amenities of nearby occupiers, or the area generally.

96. **NS109: Internal lighting:**

Sensors (PIRs) shall be used in the residential common areas (stairs, corridors and entrance lobbies) and the office to minimise light spill.

REASON: To minimise the impact on biodiversity.

97. **NS110: Water Lane corridor doors**

The corridor doors within the Water Lane building shall remain accessible at all times to all occupants of the building.

REASON: To ensure all units have appropriate lift access.

98. **NS111: Community Toilet Scheme**

Both the public house / restaurant and café hereby approved, from first commencement of use, shall be part the London Borough of Richmond Community Toilet scheme, and thereafter retain as such, unless previously agreed in writing with the Local Planning Authority.

REASON: To ensure suitable toilet provision that is accessible to the public.

99. **NS112: Fire:**

The development hereby approved shall not be constructed or occupied other than in accordance with the approved Fire Statement (Issue 03, dated 17 March 2022) and maintained as such.

REASON: To ensure a safe form of development.

## 100. NS113: Air Quality Assessment

The development shall not be implemented other than in accordance with the recommendations within the Air Quality Assessment.

REASON: To protect air quality for nearby receptors.

## 101. NS114: Music /Entertainment Noise Control

The sound energy level from music and/or entertainment noise emanating from the proposed public house / restaurant and cafe, as measured 1 metre from the façade of representative noise sensitive premises shall not exceed the following limits detailed in Table 1 below. (for assessment purposes the background noise level is assumed to be the most commonly occurring value of the twelve 5-minute measurements during the last hour of operation of the premises)

Time	Criteria
External 9am to 11pm	$L_{Aeq,5min}$ EN shall not exceed $L_{A90,T}^*$ measured at 1metre from the nearest noise sensitive façade
External 11pm to 9am	$L_{Aeq,5min}$ EN shall be at least 5dB lower than the $L_{A90,5min}$ at all times
Structurally Adjoining Living Rooms Internal 9am to 11pm	EN shall not exceed Noise Rating NR30
Structurally Adjoining Living Rooms Internal 9am to 11pm	EN shall not exceed Noise Rating NR25

REASON: To protect existing and future residents from potential noise disturbance.

## 102. NS115: Land uses – non residential

a. Non-residential units shall not be occupied other than in accordance with the following uses:

- Ground floor units fronting King Street and Water Lane – Retail (Class E(a))
- South facing ground floor unit of the Water Lane building – Café (Class E(b))
- North facing ground floor unit of the Wharf Lane building – Offices (Class E(g(i)))
- South and east facing unit of the Wharf Lane building – Public House, wine bar or drinking establishment (Sui generis (p)) and restaurant (Class E(b))

b. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order), no change of use shall be carried out to any of the non-residential uses hereby approved without prior written consent from the Local Planning Authority.

c. Any amendment to the internal partitioning of the retail units hereby approved shall require prior approval by the Local Planning Authority by way of a discharge of condition application, and only be implemented in accordance with the approved scheme.

REASON: To safeguard the amenities of the occupiers of adjoining property and the area generally.



103. **NS116: Restriction-Alterations/extn**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no external alterations or extensions shall be carried out to the building(s) hereby approved.

REASON: To safeguard the amenities of the occupiers of adjoining property and the area generally.

104. **NS117: Restriction on use of roof**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no part(s) of the roof of the building(s) hereby approved shall be used as a balcony or terrace nor shall any access be formed thereto except for the roof terraces identified within the approved plans.

REASON: To safeguard the amenities of the occupiers of adjoining property.

105. **NS118: Non-residential floor areas**

a. The development shall provide no less than 368m<sup>2</sup> of retail floor space (Class E(a)).

b. The development shall provide no less than 320m<sup>2</sup> of office floor space (Class E(g(i)))

REASON: To ensure there is no loss of retail and office floorspace at the site and to accord with the terms of the application.

106. **NS119: M4(3) / M4(2) units**

The development hereby approved shall not be implemented other than in accordance with the following wheelchair housing standards:

- Part M4(3)(2)(a) wheelchair adaptable standards – 2x1bed Affordable Intermediate units and 1x2bed Private Units
- Part M4(3)(2)(b) wheelchair accessible standards – 1x3bed and 1x2bed Affordable Rent units
- All remaining units shall meet Part M4(2)

REASON: To ensure a diverse housing choice

107. **NS120: Air Quality Neutral**

The development hereby approved shall achieve Air Quality Neutral.

REASON: To accord with the terms of the application.

108. **NS121: BREEAM**

Unless otherwise agreed in writing by the Local Planning Authority, the non-residential uses hereby approved shall achieve BREEAM Rating of 'Excellent' in accordance with the terms of the application & the requirements of the BREEAM Guide (or such national measure of sustainability for design that replaces that scheme).

REASON: In the interests of promoting sustainable forms of developments and to meet the terms of the application.

109. **NS122: Energy Reduction**

1. The energy reduction for both residential and non-residential uses shall be achieved in line with the strategies outlined in the Energy Statement (Skelly & Couch, August 2021)

2. The residential uses hereby approved shall achieve not less than 64% reduction in Carbon dioxide emissions beyond Building Regulations requirements (2013).

3. The non-residential uses hereby approved shall achieve not less than 45% reduction in Carbon Dioxide emissions beyond Building Regulations requirements (2013).
4. Prior to the commencement of development, a scheme shall be submitted to and approved in writing by the Local Planning Authority to detail measures that will be implemented to ensure there is a robust plan for monitoring both residential and non-residential uses and annual reporting (for at least 5 years), in accordance with the London Plan Be Seen layer of the energy hierarchy. The development shall not be implemented other than in accordance with the approved scheme.

REASON: In the interests of energy conservation in accordance with the Development Plan.

110. **NS123: Water consumption**

The dwelling(s) hereby approved shall not be occupied other than in accordance with the water consumption targets of 105 litres or less per person per day, and 5 litres or less per head per day for external water use.

REASON: In the interests of water efficiency in accordance with the Councils sustainability policies.

111. **NS124: Ecological mitigation**

The development shall not be constructed other than in accordance with the recommendations as set out in the Ecological Impact Assessment.

REASON: To ensure no unacceptable harm to biodiversity value.

13. **INFORMATIVES RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED**

1. **IL01 Reason for granting**

The proposal has been considered in the light of the Development Plan, comments from statutory consultees and third parties (where relevant) and compliance with Supplementary Planning Guidance as appropriate. It has been concluded that there is not a demonstrable harm to interests of acknowledged importance caused by the development that justifies withholding planning permission.

2. **IL02 NPPF APPROVAL**

In accordance with Section 4 of the National Planning Policy Framework, Richmond upon Thames Borough Council takes a positive and proactive approach to the delivery of sustainable development, by:

- Providing a formal pre-application and duty officer service
- Providing written policies and guidance, all of which is available to view on the Council's website
- Where appropriate, negotiating amendments to secure a positive decision
- Determining applications in a timely manner - In this instance the application was amended following negotiations with the Council to ensure the scheme complied with adopted policy and guidance, and the application was recommended for approval and referred to the first available Planning Committee, where the agents / applicants had an opportunity to present the case

3. **IL03 Principal Policies**

Where relevant, the following have been taken into account in the consideration of this proposal:

- **London Plan (2021):** GG1; GG2; GG3; GG4; GG5; SD6; SD7; D1; D2; D3; D4; D5; D6; D7; D8; D10; D12; D13; D14; H1; H4; H5; H6; H7; H10; S1; S2; S3; S4; S5; S6; E1; E2; E10; E11; HC1; HC6; G1; G3; G4; G5; G6; G7; SI1; SI2; SI4; SI7; SI12; SI13; SI16; SI17; T1; T2; T3; T4; T5; T6; T6.1; T6.2; T6.3; T.5; T7; T9; DF1
- **London Borough of Richmond Local Plan (2018):**

- LP1 2,3,4, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 34, 36, 37, 39, 40, 41, 44, 45
- **National Planning Policy Framework Sections (NPPF) (2021):**
- **Twickenham Area Action Plan (2013):** 6.1; 6.2; 6.3; 6.4; 6.5; 6.6; 6.7; 6.8; 7.5; 7.5.2; 7.5.3; 7.5.4; 7.5.5
- **Supplementary Planning Documents** - Air Quality; Affordable Housing; Buildings of Townscape Merit; Design Quality; Development Control for Noise Generating and Noise Sensitive Development; Planning Obligations; Refuse and Recycling Storage Requirements; Residential Development Standards; Shopfronts; Small and Medium Housing Sites; Sustainable Construction Checklist; Transport ; Twickenham Village Plan

#### 4. IL04 Advertisements

The applicant is advised of the need to obtain separate consent under the Town & Country Planning (Control of Advertisements) Regulations 1992 for any advertisements requiring express consent which it is to display on these premises.

#### 5. IL05 CIL Liable

The applicant is advised that this permission results in a chargeable scheme under the Borough's and the Mayor of London's Community Infrastructure Levy. The applicants are advised:

1. For the estimate provided, demolition credit has been given for the existing Kings Street buildings, however demolition credit has not been given for the additional buildings (including the café and lido) that intend to be demolished, as the floorplans do not show the internal face of the external wall and details required to measure the GIA accurately. Revised drawings will be required, which are proper scaled floor plans showing these details, as has been provided for the King Street building, if the Council is to consider these demolished buildings in the CIL calculation. However, it is noted these buildings have been described as 'vacant' on the CIL Form. (Additional information. Demolition credit can only be given if the buildings have been in lawful use for a continuous period of 6 months within the last 36 months of the first permit date)
2. There is insufficient information with regards to the retail units and kiosk proposed within the Wharf Building and what type of goods will be sold. It has been presumed they are to be used as 'comparison retail' *A comparison unit is a shop or store selling wholly or mainly goods which are not every day essential items. Such items include clothing, footwear, household and recreational good, and therefore fall under the standard charge of £0 in the Richmond CIL Charging Schedule. However, if they are intended to be used as 'convenience retail' A convenience unit is a shop or store where the planning permission allows selling wholly or mainly everyday essential items, including food, drinks, newspapers/magazines and confectionary. – such as a supermarket/corner shop, then they will be charged at a rate of £150 per sqm.*

#### 6. IL06 Damage to the public highway

- a) Care should be taken to ensure that no damage is caused to the public highway adjacent to the site during demolition and (or) construction. The Council will seek to recover any expenses incurred in repairing or making good such damage from the owner of the land in question or the person causing or responsible for the damage.
- b) BEFORE ANY WORK COMMENCES you MUST contact Highways and Transport, London Borough of Richmond upon Thames, 44 York Street, Twickenham TW1 3BZ (Telephone 020 8891 7090 ask for the Streetscene inspector for your area or email [highwaysandtransport@richmond.gov.uk](mailto:highwaysandtransport@richmond.gov.uk)) to arrange a pre commencement photographic survey of the public highways adjacent to and within the vicinity of the site.

- c) The precondition survey will ensure you are not charged for any damage which existed prior to commencement of your works. If you fail to contact us to arrange a pre commencement survey then it will be assumed that any damage to the highway was caused by your activities and you will be charged the full cost of repair.
- d) Once the site works are completed you need to contact us again to arrange for a post construction inspection to be carried out. If there is no further damage then the case will be closed. If damage or further damage is found to have occurred then you will be asked to pay for repairs to be carried out.

## 7. IL07 Noise Control – Building Sites

- a) The attention of the applicant is drawn to the requirements of section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise and vibration on construction and demolition sites.
- b) An application, under section 61 of the Act for prior consent to the works, can be made to the Environmental Health Department. Under the Act the Council has certain powers to control noise from construction sites. Typically, the Council will limit the times during which sites are permitted to make noise that their neighbours can hear. For general construction works the Council usually imposes (when necessary) the following limits on noisy works:
  - Monday to Friday 8am to 6pm
  - Saturdays 8am to 1pm
  - Sundays and Public Holidays- No noisy activities allowed.
- c) Where developments include foundations works require piling operations it is important to limit the amount of noise and vibration that may affect local residents. There are a number of different piling methods suitable for differing circumstances. Guidance is contained in British Standard BS 5228 Noise control on Construction and Open Sites - Part 4: Code of Practice for noise and vibration control applicable to piling operations. Where there is a risk of disturbance being caused from piling operations then the council under section 60 Control of Pollution Act 1974 can require Best Practicable Means (BPM) to be carried out. This may entail limiting the type of piling operation that can be carried out. The types of piling operations which are more suitable for sensitive development in terms of noise and vibration impact are;
  - Hydraulic Piling
  - Auger Piling
  - Diaphragm Walling
- d) Applicants should also be aware of the guidance contained in:
  - British Standard 5228;2009- Noise and vibration control on construction and open sites.
  - Development Control for Noise Generating and Noise Sensitive Development Supplementary Planning Document (SDP) - development\_control\_noise\_generation\_noise\_sensitive\_development\_spd\_adopted\_september\_2018.pdf (richmond.gov.uk)
- e) Any enquiries for further information should be made to the Commercial Environmental Health Team - Contact Environmental Health - London Borough of Richmond upon Thames

## 8. IL08: Contributions to satisfy condition

The applicants are advised to satisfy the requirements of conditions titled:

- a. 'Zero carbon', a financial contribution of £123,892 will be required (Residential: £45,614; Commercial: £78,278)
- b. 'Off site play', a financial contribution of £6026 will be required.
- c. 'Health', a financial contribution of £33,650 will be required.
- d. 'Community planting', a financial contribution of £64,900.90 will be required.

- e. 'Residential Travel Plan' and 'Commercial Travel Plan', a financial contribution of £5000 for each (£10,000 in total) will be required for monitoring arrangements.
- f. 'Ecological enhancements', a financial contribution towards 87m of new species rich native hedgerow.
- g. 'Black Poplar', a financial contribution towards the maintenance of the propagation.

#### 9. IL09: Archaeology:

Written schemes of investigation will need to be prepared and implemented by a suitably qualified geo/archaeological practice in accordance with Historic England Greater London Archaeology guidelines. They must be approved by the planning authority before any on-site development related activity occurs. The scope of the land and foreshore related archaeological work should include:

- i) Geoarchaeology Coring -Geoarchaeology is the application of earth science principles and techniques to the understanding of the archaeological record. Coring involves boreholes drilled into the buried deposits to record (and sample) their characteristics, extent and depth. It can assist in identifying buried landforms and deposits of archaeological interest, usually by using the results in deposit models. Coring is often undertaken when the deposits of interest are too deep for conventional digging, or when large areas need to be mapped. It is only rarely used in isolation usually forming part of either an archaeological evaluation to inform a planning decision or the excavation of a threatened heritage asset.
- ii) Geotechnical Monitoring -Archaeological monitoring of geotechnical pits and boreholes can provide a cost effective means of establishing the potential for archaeological remains to survive on previously developed land or where deep deposits are anticipated. It is usually used as part of a desk-based assessment or as in this case be part of the archaeological program of site evaluation.
- iii) Evaluation -An archaeological site evaluation involves exploratory site work to determine if significant remains are present on a site and if so to define their character, extent, quality and preservation. Site evaluation may involve one or more techniques depending on the nature of the site and its archaeological potential. It will normally include excavation of trial trenches. A site evaluation report will usually be used to inform a planning decision (pre-determination evaluation) but can also be required by condition to refine a mitigation strategy after permission has been granted.
- iv) Excavation - Archaeological excavation is a structured investigation with defined research objectives which normally takes place as a condition of planning permission. It will involve the investigation and recording of an area of archaeological interest including the recovery of artefacts and environmental evidence. Once on-site works have been completed a 'post-excavation assessment' will be prepared followed by an appropriate level of further analysis, publication and archiving.

#### 10. IL10: Environment Agency Permits:

The Environmental Permitting (England and Wales) Regulation 2016 requires a permit to be obtained for any activities which will take place: ·

- 1. on or within 8 metres of a main river (16 metres if tidal) ·
- 2. on or within 8 metres of a flood defence structure or culvert (16 metres if tidal) ·
- 3. on or within 16 metres of a sea defence ·
- 4. involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert ·
- 5. in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you do not already have planning permission.



For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

11. **IL11: Environment Agency Advice:**

- a. The Environment Agency has reviewed the Geosphere Environmental Report (report ref. 4955,GI/ SITE/PC,SG,JD,28-06-21/V4. The scope of works at the above site is accepted, in principle, as being in line with relevant guidance for the re-development of a contaminated site, with regard to issues of concern to the Environment Agency. This report is considered enough to satisfy part 1 of the recommended condition. Whilst the site is noted to lie upon unproductive aquifers, groundwater has still been identified beneath the plot according to the site investigation provided. The Environment Agency note that further investigation is proposed to confirm risks to controlled waters/particularly the groundwater beneath the eastern section where hydrocarbon was previously encountered. We look forward to reviewing the additional results once completed
- b. Piling: With respect to any proposals for piling through made ground, we would refer you to the EA guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected By Contamination: Guidance on Pollution Prevention". NGWCL Centre Project NC/99/73. A Piling Risk Assessment (PRA) is required to demonstrate that the chosen piling method does not result in deformation of the ground that may lead to an increase in the risk of near surface pollutants migrating to underlying aquifers. The risk assessment must investigate whether the water environment source-pathway-receptor linkages exist. Further guidance is available on the .gov web site.
- c. Disposal of soil  
Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:
  - Duty of Care Regulations 1991
  - Hazardous Waste (England and Wales) Regulations 2005
  - Environmental Permitting (England and Wales) Regulations 2010 •
  - The Waste (England and Wales) Regulations 2011 Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer.
- D. Metropolis Management Act
  - The Agency 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 Prevent of Flood) act 1879 to 1962 (the Act).
  - The Metropolis Management Act 1879 to 1962 is a series of acts passed to ensure the flood defences in London are maintained, in order to protect the city from flooding. They set out the responsibilities of Riparian Owners within the London Excluded Area. The acts place full responsibility on Riparian Owners for the renewal and maintenance of flood defences. They also grant the

Environment Agency powers to inspect flood defences, instruct Riparian Owners to carry out works, or deliver works where the Riparian Owners do not, and then reclaim the cost.

- The full act can be accessed here: <https://www.legislation.gov.uk/ukla/1879/198/contents/enacted> It should be noted that any works directly to or within 16 metres of a tidal flood defence will require a flood risk activity permit. For further guidance on permits and exemptions please visit our website at [www.gov.uk/guidance/flood-risk-activities-environmental-permits](http://www.gov.uk/guidance/flood-risk-activities-environmental-permits) or call our National Customer Contact Centre (NCCC) 03708 506 506.
- E. Enhancements: The applicant should consider further enhancements to the river wall, slipway and pontoon.

12. IL13: Indexed

The applicant is advised 'Indexed' means the contribution is multiplied by the fraction A divided by B where B represents the value of the Retail Prices Index (All Items) as at the date of the Deed and A represents the value of the same index as at the date of payment of the relevant contribution to the Council or in the event that the Retail Prices Index is no longer extant at such time as a calculation falls to be made the BCIS All-in Tender Price Index shall be used instead.

13. IL14: Port of London informative:

- The applicant is advised the proposed slipway repairs, pontoon and floating ecosystem proposals all require a river works license with the Port of London. As part of the River Works Licence (RWL), a Navigation Risk Assessment (NRA) will be required, to ensure the development does not harm the navigation, safety of the river and ecological value of the river, and to consider the impacts of the proposed pontoon would have on recreation and leisure use in the summer months, with a further mooring survey undertaken to assist with assessing the impact on the area within the NRA.
- A green technologies feasibility report would also be required alongside the submission of any future RWL application. For further information please see: <http://www.pla.co.uk/Licensing>
- With regard to the proposed slipway repairs, at this stage it appears to consist of concreting the steps. Further detail will be required on the proposed repair to ensure that these are suitable to allow the slipway to continue to be welcoming and safe amenity space for all users to interact with the river.
- As part of the river works and piling, the applicants are advised, there is a condition which applies upstream of Battersea which does not allow any percussive piling to be undertaken between 1 March and 31 October.
- Any cranes overhanging the Tidal Thames is likely to require a temporary river works licence with the PLA and the PLA licencing team contacted at [lic.app@pla.co.uk](mailto:lic.app@pla.co.uk)
- The applicants are encouraged to work with local groups with respect to the sports that can take place from the pontoon.

REASON: To accord with the terms of the application.

14. IL15: Public Realm:

- The applicants are encouraged to incorporate additional planting and screening around the parking area on The Embankment (when viewed from Water Lane and the east of the site)
- The applicants are encouraged to locate the storage container within an adjacent building, rather than within the gardens.
- The applicants are encouraged to celebrate the presence of the boathouse adjoining the west boundary of the site.

- When drawing up the necessary highway works, every effort should be made to minimise signage and road markings and other features that could diminish the quality of the public realm.

#### 15. IL16: Black Poplar:

The applicants are advised the Black Poplar propagation should be undertaken through the Richmond Biodiversity Partnership process.

#### 16. IL17: CMS / Logistics Plan

The applicants are advised when preparing the details for the CMS / Logistics plan:

- The footway and carriageway of King Street must not be blocked during construction. Temporary obstruction during the construction must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians or obstruct the flow of traffic.
- All vehicles associated with the works must only park / stop at permitted locations and within the time periods permitted by existing on-street restrictions.
- There must be close coordination with stakeholders including the operational boatyards on Eel Pie Island to ensure that access routes, phasing and timescales are clearly identified.

#### 17. IL18: Thames Water Informatives:

- Thames Water requests the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water.
- Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.
- There are public sewers crossing or close to your development. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.
- A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk).
- To east and within the site are easement and wayleaves. Thames Water will seek assurances that it will not be affected by the proposed development. The applicant should contact Thames Waters Developer Services team.
- Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development
- There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>
- If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for



improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](http://thameswater.co.uk/buildingwater).

18. **IL19: Marine Management Organisation Informative:**

- **Marine Licensing:** Works activities taking place below the mean high water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009. (It is down to the applicant to take the necessary steps to ascertain whether their works will fall below the Mean High Water Springs mark). Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river to the extent of the tidal influence. Applicants are advised to refer to the MMO's online portal to register for an application for marine licence <https://www.gov.uk/guidance/make-a-marine-licence-application>
- A **Wildlife licence** is required for activities that that would affect a UK or European protected marine species.
- **Environmental Impact Assessment:** With respect to projects that require a marine licence the EIA Directive (codified in Directive 2011/92/EU) is transposed into UK law by the Marine Works (Environmental Impact Assessment) Regulations 2007 (the MWR), as amended. Before a marine licence can be granted for projects that require EIA, MMO must ensure that applications for a marine licence are compliant with the MWR. In cases where a project requires both a marine licence and terrestrial planning permission, both the MWR and The Town and Country Planning (Environmental Impact Assessment) Regulations <http://www.legislation.gov.uk/uksi/2017/571/contents/made> may be applicable. If this consultation request relates to a project capable of falling within either set of EIA regulations, then it is advised that the applicant submit a request directly to the MMO to ensure any requirements under the MWR are considered adequately at the following link

19. **IL20: Dust Management Plan**

The applicants are advised the Dust Management Plan should include the following details:

- measures to reduce emissions in a timely manner and record the measures taken;
- how exceptional incidents that cause dust and/or air emissions will be recorded,
- How and when regular site inspections to monitor compliance will be carried out
- The siting of machinery and dust causing activities away from receptors, as far as is possible;
- solid screens or barriers
- how site runoff of water or mud will be avoided
- the use water-assisted dust sweepers on the access and local roads,
- how effective water suppression is used during demolition operations; •
- ensure there is an adequate area of hard surfaced road between the wheel wash facility and the site exit
- confirmation:
  - site fencing, barriers and scaffolding clean using wet methods; •
  - materials that have a potential to produce dust will be removed from site as soon as possible, unless being re-used on site.
  - soft strip inside buildings before demolition;
  - seed or fence stockpiles will be covered to prevent wind whipping;
  - no idling vehicles;
  - there will be an adequate water supply on site for effective dust/particulate matter suppression/mitigation, using non-potable water where possible and appropriate;

- no bonfires and burning of waste materials at the Site;

20. [IL21: Highway matters](#)

For the avoidance of doubt, when considering condition NS22, double yellow lines must be laid along the Embankment to the east of the barriers, to ensure sufficient space for turning.

21. Private Amenity Space Water Lane Building

Where private amenity space is provided on the north elevation to the residential units of the Water Lane building consideration should be given to any further works that might enhance the air quality in the Air Quality Focus Area such as to ensure future residents are able to enjoy this outside space and make use of opening windows without suffering adversely from poor air quality (see paragraph 8.99 of the officer report).