

DOCUMENT LBR2A

THE LONDON BOROUGH OF RICHMOND UPON THAMES

TOWN AND COUNTRY PLANNING ACT 1990 – SECTIONS 226(1)(a) AND 226(3)(b)

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

ACQUISITION OF LAND ACT 1981

THE LONDON BOROUGH OF RICHMOND UPON THAMES (TWICKENHAM RIVERSIDE)
COMPULSORY PURCHASE ORDER 2021
AND
APPLICATION FOR A CERTIFICATE PURSUANT TO SECTION 19 AND SCHEDULE 3
OF ACQUISITION OF LAND ACT 1981

PROOF OF EVIDENCE ON BEHALF OF THE ACQUIRING AUTHORITY

DOCUMENT LBR2A

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CONTENTS

	Page
1. INTRODUCTION.....	1
2. QUALIFICATIONS AND EXPERIENCE	1
3. SCOPE OF EVIDENCE.....	1
4. THE SCHEME LAND AS IT EXISTS AT PRESENT.....	2
5. THE OBJECTIVES SET OUT IN THE RIBA FULL DESIGN BRIEF	5
6. THE RESPONSE TO THESE OBJECTIVES IN THE DESIGN COMPETITION SCHEME.....	7
7. THE DEVELOPMENT OF THE SCHEME FOLLOWING THE DESIGN COMPETITION	9
8. DETAILS OF THE SCHEME AS SUBMITTED FOR PLANNING APPROVAL.....	15
9. HOW THE SCHEME MEETS THE OBJECTIVES.....	19
10. A COMPARISON OF THE QUALITY OF OPEN SPACE	20
11. A REVIEW OF THE OBJECTIONS RAISED REGARDING DESIGN MATTERS	31
12. CONCLUSION.....	36
GLOSSARY.....	38

1. **INTRODUCTION**

- 1.1 This Proof of Evidence has been prepared on behalf of the London Borough of Richmond upon Thames (the 'Council'), the Acquiring Authority, in respect of the Modified Order.
- 1.2 My name is Chris Bannister. I am a Director of Hopkins Architects. I have been responsible for the detailed design of the Scheme following the Design Competition win in 2019.
- 1.3 References to **CD[x]** are to the Core Documents. In addition to the Core Documents listed in section 15 of the Statement of Case, the Council has also submitted new Core Document **CD 4.7** (Public Realm Strategy (October 2022)) which supersedes the Public Realm Strategy in **CD 3.12**.
- 1.4 The Council has also produced a new standalone document, "**LBR5**", together with related appendices, which includes details of the Design Team's engagement with the Trust and other key stakeholders in designing the Scheme. This Proof of Evidence relies upon and includes references to **LBR5**. I have also produced a standalone set of Appendices to support this Proof of Evidence and these are referenced **LBR2B(1)** to **LBR2B(18)**.

2. **QUALIFICATIONS AND EXPERIENCE**

- 2.1 I have two degrees in Architecture (BA(Hons) and B.Arch) both from Manchester University and I am a registered member of the Architects Registration Board (ARB) and the Royal Institute of British Architects (RIBA). After joining Hopkins Architects in 1992 I became a project Director in 1999 and a Director in 2002. Projects I have worked on have included Portcullis House at the Houses of Parliament, The new National Tennis Centre in Roehampton, the Olympic Velodrome for the London 2012 Olympics and more recently the completion of 100 Liverpool Street in the City of London.
- 2.2 The evidence which I have prepared and provide in this Proof of Evidence is true and has been prepared and given in accordance with the guidance of my professional institution. I confirm that the opinions expressed are my true and professional opinions.

3. **SCOPE OF EVIDENCE**

- 3.1 This Proof of Evidence is made in support of the Modified Order which was made by the Council the Section 19 Application as it relates to the Revised Open Space Plan (**CD 4.2B**).
- 3.2 References to defined terms in my Proof of Evidence are to those included in the Statement of Case, unless a footnote has been included confirming that a defined term corresponds to a definition in the Glossary at the end of this Proof of Evidence.
- 3.3 My evidence includes:-
 - 3.3.1 The Scheme Land as it exists at present

- 3.3.2 The objectives set out in the RIBA Full Design Brief (**CD 3.1**)
- 3.3.3 The response to these objectives in our winning Design Competition scheme
- 3.3.4 The development of the Scheme following the Design Competition
- 3.3.5 Details of the Scheme as submitted in the Planning Application
- 3.3.6 How the Scheme meets the objectives of the RIBA Full Design Brief
- 3.3.7 A comparison of the quality of existing open space and future open space by reference to the following areas of open space:
 - (a) The Lost Open Space
 - (b) The Exchange Land
 - (c) The Existing Functioning Open Space
 - (d) The Future Functioning Open Space

The above defined terms have been amended since their inclusion in the Statement of Case, in discussion with the Trust. These amended definitions are included in the Glossary at the end of my Proof of Evidence.

- 3.3.8 A review of the objections raised regarding Design Matters
- 3.3.9 Conclusions

4. THE SCHEME LAND AS IT EXISTS AT PRESENT

- 4.1 Located in the heart of Twickenham, the Scheme Land is bounded by King Street and the back of the King Street Parade to the north, Water Lane to the east, the river to the south and Wharf Lane to the west. The Scheme Land is comprised of commercial properties on King Street (1, 1A, 1B, 1C), a private car park to the rear and land to the south and west that was part of the former Twickenham Lido. This includes the Gardens¹, part of the former lido site, that are open to the public and the majority of which are managed by the Trust.
- 4.2 The history of the Riverside area of Twickenham dates back to the 1650s when Richmond House was built. The villa occupied a four-acre piece of land along the River Thames between King Street, Water Lane and Wharf Lane. Richmond House was demolished in 1927 and part of the site was sold for the development of commercial buildings. In 1935 Twickenham Lido opened on the remaining land where Richmond House once stood.

¹ Revised definition of the “Gardens” included in the Glossary to this Proof of Evidence.

- 4.3 The open-air swimming pool was closed for refurbishment in 1980 but never reopened. There followed numerous attempts to redevelop the Scheme Land all of which failed for various reasons. Section 5 of the Proof of Evidence of Mr Paul Chadwick includes a summary of the previous unsuccessful redevelopment proposals. The site of the old pool was derelict until 2005 when a garden area on part of the Scheme Land. This garden area was later extended to create the Gardens which opened in 2012.
- 4.4 The Gardens were created by filling in the old pool structure and consists of two artificial grass areas located between two parallel hedges of approximately 1.4 to 1.8 metres in height (see **photo 1 in Appendix LBR2B(1)**). At one end is a fenced play area containing a number of pieces of play equipment and at the other end is a large paved area. Adjacent to this there is a gravelled area for playing pétanque and a small café. Due to the remains of the existing swimming pool below ground level there is limited capacity for the Gardens to support significant areas of natural planting due to the shallow planting depths and large parts of it are covered in paving.
- 4.5 The purpose of the linear hedges is unclear – on the original artist sketches they were shown as low wave form hedges but over the years they have been allowed to grow taller and now stand about 1.8 metres tall preventing views across the Gardens and dividing the space into a series of linear strips or rooms without a lot of connection between them. The play area is also surrounded by a hedge which visually separates it from the rest of the Gardens (see **photo 2 – Appendix LBR2B(1)**).
- 4.6 On the north west side of the Gardens there are a series of large trees that, along with a metal fence, form the boundary with the service road to the rear of the King Street properties. To the south west the Gardens are separated from Wharf Lane by a rather unattractive retaining wall consisting of concrete blocks alternating with string courses of brickwork and topped by a metal fence (see **photo 5 – Appendix LBR2B(1)**). The wall sits at the back of the pavement with no space for planting to soften its appearance.
- 4.7 To the south east, the boundary of the Gardens is formed by a high brick retaining wall that separates the Gardens from the Embankment and forms part of the Environment Agency flood defence system (see **photo 3 – Appendix LBR2B(1)**). To the North East a painted timber hoarding separates the Gardens from an area of scrub land with self seeded trees, a number of redundant structures and a vacant car park that backs onto Water Lane. It is currently not possible to establish a visual connection from the Gardens through to Water Lane.
- 4.8 The main entrance to the Gardens is located in the western corner at the junction between Wharf Lane and the service road that runs behind the King Street Buildings. This entrance is gated allowing the Gardens to be closed off out of hours. There is another entrance from the Embankment but this requires two flights of stairs to be negotiated so is not very suitable for people arriving with a buggy or wheelchair, or for those with impaired mobility. A service gate that is normally locked is located at the end of the service road. Anybody approaching the Gardens from the Water Lane end of the

Scheme Land currently has to travel the length of the Embankment and negotiate the steps or walk up Wharf Lane and go in through the main entrance.

- 4.9 As well as the Gardens the Existing Designated Open Space also comprises a small piece of land (plot 48) located in the south east corner of the Scheme Land (see Map A **CD 4.3A**). This piece of land provides a small area of seating that is raised up above street level but it can only be reached by a flight of steps and is otherwise isolated and separated from the rest of the Existing Designated Open Space by the remains of various unoccupied and derelict buildings (see **photo 7 & 8 – Appendix LBR2B(1)**).
- 4.10 Whilst the Existing Designated Open Space does look out over the river and the Embankment, it is separated from it by a significant change in level created by the large retaining wall and a long linear car park that sits at Embankment level. Whilst there are some small gaps between the cars to allow people to access the Embankment, these are not wide enough to stop it looking like a continuous line of cars when looking along the river, creating a visual, psychological and physical barrier between the river and the Existing Designated Open Space (see **photo 4 – Appendix LBR2B(1)**).
- 4.11 The Existing Designated Open Space has been subject to antisocial behaviour, criminal damage, substance misuse and other issues over the years, in part because the Existing Designated Open Space is underused, next to vacant buildings and badly connected to its surroundings which does not allow for natural surveillance.
- 4.12 The Twickenham Riverside Embankment sits on the Thames Path that makes its way west along the north bank of the river but when it reaches the Thames Eyot site, just to the west of the Gardens, it hits the blank wall of the existing boathouse and people are required to walk up Wharf Lane and along the main road if they wish to carry on further up river. There is currently nothing to act as a destination point and the abrupt move away from the river feels unfortunate.
- 4.13 At the top end of Water Lane there are three retail units with office use above that, located in a building constructed in the 1960s that is of little architectural merit (see **photo 9 – Appendix LBR2B(1)**). It relates poorly to its neighbours in King Street and does little to enliven Water Lane, presenting a largely blank façade (see **photo 10 – Appendix LBR2B(1)**).
- 4.14 In 2014 the Council bought the King Street units and private car park to the rear, (see **photo 12 – Appendix LBR2B(1)**), that adjoins the former swimming pool site, opening up new possibilities for the comprehensive redevelopment of the Scheme Land.

Summary

- 4.15 The existing Scheme Land is a collection of spaces that lack cohesion and do not make the most of their location on the edge of the river Thames. Surrounded by roads on three sides and raised up above the Embankment the existing Gardens have limited accessibility and the existing buildings on the site are of low architectural merit and do not fit well with the surrounding streetscape. Several have been derelict for many years and detract from their riverside setting.

5. **THE OBJECTIVES SET OUT IN THE RIBA FULL DESIGN BRIEF**

- 5.1 As part of the Invitation to Tender (ITT) the RIBA Full Design Brief (**CD 3.1**) was issued to all the competition teams in June 2019 and set out the Council's aspirations and visions for the regeneration of the Scheme Land.
- 5.2 The key themes in this document were centred around making the "riverside a destination", improving the link between the river and the town and creating a new "Heart for Twickenham".
- 5.3 The Key objectives set out in the RIBA Full Design Brief can be summarised as follows:-
- 5.3.1 An exemplar in high quality design, delivering a compelling contribution to the architectural heritage of Twickenham. Whilst not prescriptive on design, the brief required proposals to take account of the Scheme Land's surrounding buildings and environment, reflecting the riverside location, enhancing the character of the area and offering a distinctive design solution. Any proposals must create a cohesive townscape and public realm that recognises the importance of the river and seeks to provide activities that draw people to the Scheme Land from surrounding areas.
 - 5.3.2 Strengthen the green character of Richmond upon Thames by enhancing the public realm through careful design. Public open spaces should be improved, offering hard and soft landscaping that is accessible to all and takes full advantage of the river views. The design should create a focal point for the town that accommodates activities and events. Open spaces should provide continuity of access between the town and the river and create attractive and lively public spaces.
 - 5.3.3 Provide a creative solution and riverfront experience which prioritises people over cars. This includes taking parking away from the riverside part of the Embankment to create a shared use environment for pedestrians and cyclists. Carefully consider vehicular circulation and servicing retaining access and serviced requirements of Eel Pie Island.
 - 5.3.4 Create an exciting destination for residents and visitors that champions the river and makes a significant contribution to the town by providing a mixed use scheme which draws people of all ages from the town towards the river. The designs must optimise the river setting and provide a focal area (town square or similar) for Twickenham that can facilitate outside events and promote river related activities.
 - 5.3.5 Should provide residential uses, achieving a minimum of 50% affordable housing, taking into account existing site uses and relevant planning policy. Designs should also consider other uses, making the most of the riverside location.
- 5.4 The objectives were aligned with the Local Planning policy including the Local Plan (**CD 2.4**) and in particular the Twickenham Area Action Plan 2013 (**TAAP**), (**CD 2.5**), which identifies the Scheme Land as an opportunity area and details how the future use and appearance of the area is critical to

the success of Twickenham as a visitor and tourist destination. It explains that a comprehensive approach is required to ensure better connections between the Riverside and the Town.

5.5 Whilst it was clear from the brief that some development would be needed to help fund the comprehensive development of the Scheme Land, the ITT did not require a specific quantity or type of building but instead a range of possible uses were mentioned along with a reference to the key objectives of the TAAP:-

- 5.5.1 Retail frontage along King Street and residential above;
- 5.5.2 Provide new specialist retail, leisure and community uses;
- 5.5.3 Create new open space to provide for a wide range of open uses;
- 5.5.4 Maintain the Embankment as a working quay;
- 5.5.5 Improve the environment of the Embankment including reduction in car parking / upgrade areas of open space, create a pedestrian priority;
- 5.5.6 To link the existing service road to Water Lane;
- 5.5.7 Improve the Water and Wharf Lane links from the town centre;
- 5.5.8 All new uses to take account of unique riverside setting / create a destination on the riverside with high quality facilities/events.

5.6 Reference was also made to the Local Plan requirements to provide an appropriate housing mix and to avoid a loss of retail and office floor space.

5.7 A key part of the RIBA Full Design Brief was to re-provide the Gardens, the majority of which was leased to the Trust in 2014 on a 125 year lease. The Existing Trust Lease Area² is shown on Map K (CD 4.3K).

5.8 It was highlighted in section 2.3 of the RIBA Full Design Brief that the Trust's charitable objectives are not limited to a particular piece of land but rather refer to a mission to:-

- 5.8.1 preserve, protect and improve for the benefit of the public the riverside and its environs at Twickenham;
- 5.8.2 provide facilities there for public recreation and community activities; and
- 5.8.3 advance the education of the public in the history and environment of the area.

² New definition of Existing Trust Lease Area is included in the Glossary to this Proof of Evidence and has now replaced the definition "Existing Trust Management Area".

- 5.9 It was also stated that the development of the Scheme Land represented an exciting opportunity for the Trust to advance its objects within an enhanced space with improved facilities for visitors and provided scope to widen the range of events and activities the area could host.
- 5.10 Open space and the environment were key issues identified in the ITT which sought to "Strengthen the green character of Richmond upon Thames by enhancing the public realm through careful design". In order to achieve this it was stated that the Council had committed to the removal of parking from the Embankment and required that:-

"The design should recognise, protect, and enhance the beauty and biodiversity of the riverside. Public open spaces should be improved, offering hard and soft landscaping that is accessible to all and takes full advantage of the river views. The design should create a focal point for the town (eg town square or similar) that accommodates activities and events. Open spaces should provide continuity of access between the town and the river and create attractive and lively public spaces responding to people and their needs whilst also building on and adding to the existing commercial and cultural life in the town. The design will champion green over grey and the re-provision of the Diamond Jubilee Gardens is paramount and must meet the requirements set."

Summary

- 5.11 The key themes in the RIBA Full Design Brief were centred around making the "riverside a destination", improving the link between the river and the town and creating a new "Heart for Twickenham". Public open spaces should be improved, offering hard and soft landscaping that is accessible to all and takes full advantage of the river views. The design should create a focal point for the town that accommodates activities and events and should provide residential uses, achieving a minimum of 50% affordable housing, taking into account existing site uses and relevant planning policy. Designs should also consider other uses, making the most of the riverside location.
6. **THE RESPONSE TO THESE OBJECTIVES IN THE DESIGN COMPETITION SCHEME**
- 6.1 The main starting point for the Competition design was the idea of making the Riverside a destination that people would want to go to and that would create a new "Heart for Twickenham". To achieve this the aim was to put the new open space at the centre of any scheme and weave a series of new uses around it to add life and vitality to the area making it somewhere that people from miles around would want to come to as it was an exciting place to be.
- 6.2 The RIBA Full Design Brief was clear that there would need to be an appropriate amount of residential accommodation (50% of which would need to be affordable) provided along with the re-provision of an equivalent area of retail and office space (to that already existing on the site) – both of which were also necessary to comply with the Local Plan requirements. To these a number of complementary uses should be added that would help to create a destination point and draw people of all ages from the town towards the river.

- 6.3 After investigating a number of options it was decided to split the design scheme into three distinct elements. The first element, the new open space, sat at the centre of the scheme with the existing hornbeam trees along the service road providing a mature green backdrop to the open space. This space naturally extended all the way to the river where a car free embankment would allow the provision of the new Events Space. A new café at the upper level of the open space with a community room above overlooked the gardens, playground and the river and provided a destination point for residents and visitors.
- 6.4 The second element comprised a new building down Water Lane that linked the new scheme to King Street and signalled that something new was happening. New retail occupied the whole of the ground floor and opened out onto Water Lane with the aim of bringing the buzz of the adjacent Church Street down towards the Gardens. Above the retail there were two levels of residential accommodation proposed.
- 6.5 The third element was a new building along Wharf Lane that would act as a backdrop to the Gardens and would contain, at ground floor level, a nursery and community workspaces around a new glass roof covered external space known as the Winter Garden. These spaces, along with a pub situated at the river end, would act as a destination for visitors, pulling them through the Gardens and helping to provide activity and natural surveillance of the open space. Three to four levels of residential accommodation were proposed above the ground floor of the building providing additional residential units to deliver against the Council's housing targets as set out in the Local Plan (LP34)(**CD 2.4**). A boathouse was also proposed at the lower ground level that would encourage engagement with the river and help fulfil the requirements of the brief and the aspirations of the TAAP (See image of the competition winning scheme in **Appendix LBR2B(2)**).
- 6.6 In order to address the existing unsatisfactory diversion of the Thames Path, the Design Team inserted a gently sloping path that started at the bottom end of Water Lane that rose up to the upper levels of the Gardens where people could either decide to stay and enjoy the views, the Winter Garden space and the pub or, carry on into the upper part of Wharf Lane. By doing this it made the Gardens equally accessible to people approaching from either the west or the east and helped to create more of a destination point for people using the Thames Path.
- 6.7 The new Open Space was laid out to take advantage of the varying levels across the Scheme Land in order to create variety and allow different activities to happen at the same time. Large scale terraced steps were also suggested to allow people to sit and interact with activity on the embankment to bring vibrancy and life to the waterfront. By removing the imposing retaining wall and introducing a number of different levels and different routes, to transition between the different levels, the new design scheme proposals would significantly enhance the connectivity between the Gardens and the riverside making both more accessible.

Summary

- 6.8 The competition scheme responded to the brief by putting the new open space at the heart of the scheme and placing a new building at each end that would add life and vitality to the area, making it somewhere that people from miles around would want to come to as it was an exciting place to be. The new open space was laid out to improve accessibility across the site and improve connectivity with the Embankment to bring vibrancy and life to the waterfront.
7. **THE DEVELOPMENT OF THE SCHEME FOLLOWING THE DESIGN COMPETITION**
- 7.1 Following the announcement that Hopkins had won the Design Competition and the appointment of the design team, work started on RIBA Stage 1 in April 2020.
- 7.2 The Design Team held meetings with the Trust at the beginning of June 2020 and again at the start of July, to explain in more detail the Team's initial design proposals and to discuss and review the Trust's thoughts and requirements for the new open space. The main areas of interest were the pétanque pitches, the play area and the opportunity for putting on events in the Gardens. LDA Design, the Council's landscape architects, developed a series of slides to show their initial concepts on these aspects and these were developed in more detail for subsequent meetings to help the detailed discussion and assist with developing the design with the Trust. A copy of the presentation that was delivered to the Trust at the meeting in June 2020 is at **LBR5 Appendix 32** and a copy of the slides that were presented to the Trust at the meeting in July 2020 are at **LBR5 Appendix 36**.
- 7.3 Given the need to maintain flood storage capacity on the Scheme Land along with re-providing open space that was no less in area or quality to the existing Gardens, it was clear from the start that there was not a lot of flexibility in terms of the site layout.
- 7.4 In order to maximise the use of the Scheme Land the Design Competition scheme was based on the Wharf Lane building extending out over the top of the flood defence wall on stilts, in order to preserve the flood storage capacity below, whilst maximising the size of the building above. The Design Team were aware that a buffer zone was required to the "top of bank" and that this should be 16m for tidal and 8m for fluvial River Thames but nowhere was there a definition of what this meant and it was assumed that this was a reference to the normal river bank. As flooding was a key issue for the Scheme Land, the Team had endeavoured to make contact with the Environment Agency to review the proposals during Stage 1 in April and May 2020 but without success. In the end it was not until the end of June 2020 that contact was established and it was the end of July before a meeting was possible with the Agency's technical team.
- 7.5 At a meeting with the Environment Agency technical team on 30 July 2020 it became clear that the Environment Agency did not consider building out over the top of the flood defence wall on stilts, an acceptable approach. In their view building over the flood zone was the same as being "in" the flood zone and furthermore that the 8 to 16 metre buffer was required to the dry side of the flood defence wall and that no permanent structure should be located within this zone.

- 7.6 Analysis of the Environment Agency's requirements with the need to maintain or exceed the flood storage capacity on a level for level basis and the need to maintain existing gradients on Wharf and Water Lanes, showed that this would significantly reduce the developable area down to a small part of the Scheme Land adjacent to the service road, with a 16 metre wide strip of land around it left over for the open space which would not have provided a high quality solution. The impact of the 16 metre exclusion zone on the design of the scheme is shown on the plan at **Appendix LBR2B(3)**.
- 7.7 Furthermore, the existing levels on Wharf and Water Lanes, which cannot be altered due to the need to tie in with the existing levels on adjoining properties, meant that the potential flood area extended far up into the Scheme Land and applying the 16 metre exclusion zone meant that the majority of the land acquired by the demolition of 1, 1A, 1B and 1C King Street, would also not be available for redevelopment.
- 7.8 Even if the exclusion zone was reduced to 8m, it was clear that the Design Competition scheme could not be made to work in its current form. The impact of the 8 metre exclusion zone on the design of the scheme is shown on the plan at **Appendix LBR2B(4)**.
- 7.9 The implication was that the strategy needed a thorough review. I and the other members of the Design Team went back and looked at the other competition schemes and it was clear that none of those would have met the requirements of the Environment Agency.
- 7.10 We re-examined the fundamental constraints of the Scheme Land and the strategic aims of the RIBA Full Design Brief and ultimately concluded that the original design strategy was still the most appropriate i.e. placing the new open space at the centre of the scheme, retaining the existing Hornbeam trees along the service road to act as a backdrop to the new open space, with a new building at each end to provide activity and a degree of natural surveillance of the open space.
- 7.11 The Design Team realised that by retaining the terracing of the grass lawns and the ramp towards the eastern corner of the Scheme Land, we not only retained better access for people approaching along the river, but also gained valuable flood storage capacity that could be used to justify extending the flood defence wall out towards the river, at the western end of the site and locating the Wharf Lane building closer to the river in keeping with the original Design Competition aim.
- 7.12 The need for the exclusion zone was explained by the Environment Agency as being required to allow for future maintenance of the flood defence wall. The engineers, Webb Yates, reviewed what might be required to carry out maintenance work on the reinforced concrete flood defence wall proposed and concluded that a reduced distance of 4 metres could be justified.
- 7.13 The scheme buildings were reviewed against this proposed 4 metre exclusion zone and its impact can be seen on the plan at **Appendix LBR2B(5)**. In Water Lane it was clear that the building would have to be reduced to almost half the original width in order to get the levels to work and to try and avoid a retaining wall along the edge of the road. Whilst this significantly reduced the area of the building, it did have the beneficial effect of allowing level access via a widened open space from King

Street to the upper level of the new open space facing the river, that would improve the accessibility of the new open space and the increased width of the street would also significantly improve the visibility of the Eel Pie Island bridge and the river from King Street and London Road.

- 7.14 To maintain the provision of open space within Flood Zone 1 the Wharf Lane building has reduced in size. The competition scheme had located a "Winter Garden" at the centre of the Wharf Lane building. This was a glass covered external space that could be used to hold exhibitions, displays or other ad hoc activities. Whilst it was an important part of the competition scheme it did not generate an income, had a large cost implication and was not contributing to the Future Designated Open Space. It was concluded that its removal would go some way towards redressing the loss of developable area on the Scheme Land.
- 7.15 A meeting was held with the Environment Agency on 26 August 2020 to discuss the revised proposals and it was agreed that a reduced exclusion zone of 4 metres would be acceptable to the Environment Agency, given the constraints of the Scheme Land. The flood storage calculations had not been carried out, (due to the length of time that it took to calculate the volumes involved), but it was agreed that these would need to be provided to demonstrate the volumes were equal or improved. The requirement from the Environment Agency was that the flood storage was assessed on a level by level basis which meant that for every 200mm vertical rise in level, the flood storage in the new scheme had to be equal or greater than the flood storage in the existing condition, for that same vertical rise in level.
- 7.16 Assessing the flood storage is extremely difficult due to the complex three dimensional nature of the problem and it requires a three dimensional model to be designed and built to enable the volumes to be calculated, a process that takes 7 to 10 working days to complete for each iteration.
- 7.17 When the first calculations were completed it was clear that the scheme was significantly short of the amount of flood storage needed, particularly at the lower levels. This was a challenge because the Scheme Land has a significant number of vertical retaining walls that change from high to low level. The proposed scheme however was trying to maintain as much area out of the flood zone as possible but was looking to gently terrace down from the upper level, in order to make it as accessible as possible which was causing a loss of flood storage at the lower levels. The possibility of lifting the levels to reduce the frequency of flooding of the Embankment had been previously considered but this was not possible, due to the lack of anywhere to recover the flood storage lost from this level.
- 7.18 In order to address the shortfall of flood storage at the lower levels it was necessary to increase the area of the open space at the lower level which, as a consequence, reduced the area of the Scheme Land available above the flood level. As the aim was to retain the existing area of open space above the flood level this meant that we needed to find some additional way to reduce the footprint of the buildings.
- 7.19 The competition scheme had three buildings, the two residential buildings on Wharf Lane and Water Lane and a café pavilion building that sat in between the two. This pavilion building was only two

storeys in height with a café on the ground floor and a multi-purpose community room on the upper level. During the development of the scheme during Stage 2, questions had been raised by the Design Team about how this space would operate and who would look after and maintain it. In order to reduce the overall built footprint but increase the amount of residential accommodation in the revised scheme, the decision was taken to move the pavilion further east and amalgamate it into the end of the Water Lane building. The café now occupied the whole of the southern end of the Water Lane building, the community room was omitted and the residential accommodation on the upper floors expanded to cover the whole of the southern end. The end was articulated to express a double gable form which was similar to that of the original Water Lane building in the competition scheme.

- 7.20 As set out in Mr Chadwick's Proof of Evidence (**Document LBR1A**) meetings were held with the Trust on 28 September 2020 and the Stakeholder Reference Group on 30 September 2020 to take them through the refined proposals following the meetings with the Environment Agency. A copy of the presentation given to the Trust at the meeting on 28 September 2020 is at **LBR5 Appendix 38** and the minutes of the meeting on 30 September 2020 is at **LBR5 Appendix 39**.
- 7.21 Concern was expressed by some over the loss of the Winter Garden space however, it was explained that this was necessary in order to maintain the area above the flood level for the replacement open space and to retain as much as possible of the revenue generating elements of the scheme that would help to fund the improvements to the open space.
- 7.22 Comments were made at the meetings over the 'podium' that was created by the need to take the flood defence wall around the outside of the Wharf Lane building and that it was reducing the amount of open space on the Embankment. A diagram was produced that showed that the open space on the Embankment within the new scheme was almost identical in area to the competition scheme.
- 7.23 Comments were also made about the blank retaining wall that formed the flood defence wall around the end of the Wharf Lane building. It was explained that the existing Gardens were currently surrounded by blank retaining walls and whilst we would like to be able to do something about it, the placement of any form of accommodation within the flood zone, even a small kiosk, was not acceptable to the Environment Agency.
- 7.24 Following the stakeholder meetings outlined above a request was made by individuals who were on the original RIBA Competition Design Panel, to have a separate meeting with the Design Team, without the Council present to have a more detailed review of the revised proposals.
- 7.25 A meeting was held with Brian Waters and Henry Harrison (members of the RIBA Design Panel) and members of the Design Team and myself on 15 October 2020 to review the scheme proposals. We took Mr Waters and Mr Harrison through the strategy in terms of approach to the Scheme Land arrangement, from first principles. Everyone agreed that the approach of having the main part of the new open space in the middle and a building at each end was the correct strategy. There was however disagreement about how this should be developed. There was a more positive discussion on the need to create more river activity and the possibility of providing boathouses on the

Embankment. Following the meeting a scheme was developed to place a water compatible boathouse against the flood defence wall with a seating terrace above. This was eventually agreed as being acceptable to the Environment Agency on the basis that it was designed to be removable, to allow access for maintenance to the wall behind.

- 7.26 The next iteration of the flood storage calculations showed that there was still a significant issue with the amount of flood storage at the lower levels and further refinement of the levels would need to be carried out. We also needed to reappraise the road connection between the service road and Water Lane given the new criteria with regard to flooding.

- 7.27 The connection between the service road and Water Lane was originally set out in the TAAP (**CD 2.5**) and the aim of it was to provide a route for large vehicles servicing Eel Pie Island to exit out onto King Street via Wharf Lane, (this is easier than exiting out via Water Lane) and avoid the need for them to cross over the Embankment which is how service vehicles exit at present.

- 7.28 The point at which the service road would naturally connect to Water Lane however was below the flood level and would cause the flood water to extend further west along the service road. When the Environment Agency exclusion zone was applied, this had a significant impact on the Water Lane building, enlarging the gap between the two parts of the building and opening up more significant views of the service road and the backs of King Street, which was not desirable from a townscape point of view.

- 7.29 The Design Competition scheme was based on the Water Lane bridging over the service road link in order to visually link the two parts of the building and provide greater continuity to the urban fabric. The increased width of service road access meant that this was no longer possible.

- 7.30 In order to try and reduce the impact we looked at trying to adjust the slope of the connection on the service road to try and get it up out of the flood level as soon as possible. The starting level on Water Lane was fixed by the need to tie into the existing levels on the other side of the street. Even going at the maximum slope, it was not possible to lift it up quickly enough to prevent it affecting the building and causing a dip in what would otherwise be a level approach to the Scheme Land from King Street. The engineers were also concerned about safety issues with large vehicles needing to turn on the ramp and crossing over the public circulation route into the Scheme Land.

- 7.31 In order to allow the removal of the service road link alternative options were investigated based on allowing two way circulation on Wharf and Water Lanes. Due to restrictions on the junction of Wharf Lane with King Street, it is only suitable for access by smaller vehicles but larger vehicles can exit via this route. Water Lane is suitable for access by large vehicles but questions were raised about its suitability of use for exit for very large vehicles. In order to resolve these issues it was proposed that a restricted route was allowed across the Embankment for large vehicles coming down Water Lane to exit via the Embankment and Wharf Lane. In order to preserve the Embankment for the use of pedestrians, it was proposed that the use of the route by vehicles was restricted to be between the hours of 7am and 10am in the morning, with access controlled by means of lockable bollards at

each end of the Embankment. The Restricted Vehicular Access Route is shown on Map D (**CD 4.3D**).

- 7.32 The new arrangements are better than those set out in the TAAP. Although there are some limited vehicle movements across the Embankment in the Scheme, there are also significantly less conflicts elsewhere. The TAAP envisaged all service traffic to Eel Pie Island exiting via the service road which would have involved crossing over the pedestrian approach to the Scheme, in both Wharf and Water Lanes throughout the whole day. In the Scheme all traffic, (except for large vehicles early in the morning), would go back up Wharf or Water Lane and only cross over a pedestrian route at the junction with King Street which they would have had to do with the TAAP proposal anyway. As a result there would now be step free access down both Wharf and Water Lanes into the Future Functioning Open Space without the need to cross vehicle routes.
- 7.33 In January 2021 the Scheme went out to public consultation. Whilst some comments were received about the loss of the Winter Garden space from the competition scheme, the general reaction was positive with 73% of respondents agreeing that the proposed development achieved the ambition of high-quality open space and pedestrianised priority on the river frontage (see Statement of Community Involvement **CD3.13**).
- 7.34 There were a number of comments about the height and bulk of the buildings however, it should be noted that the height of the buildings in the Scheme is the same as the Design Competition scheme. The length and width of the buildings, and therefore their bulk, has reduced as a result of the Environment Agency flooding requirements - the footprint of the buildings reduced by approx. 30% compared to the competition scheme. The Diagram at **Appendix LBR2B(6)** shows the changes to the design scheme competition by overlaying it with the final Scheme design.
- 7.35 Some issues, such as the removal of the parking on the Embankment, attracted both positive and negative comments with most of the negative comments focusing on the need for parking or access for Eel Pie Island.
- 7.36 There was significant support for the idea of establishing and encouraging greater activity on the river. Following the public consultation this was something that was developed in a lot more detail in consultation with local groups, with the space at the end Wharf Lane used to provide storage for paddleboards and kayaks and a pontoon being provided to give better access to the water.

Summary

- 7.37 The design development of the competition winning scheme has been affected by the need to comply with the Environment Agency's requirements around the flood defence walls and flooding issues on the Scheme Land. This has resulted in a reduction in the built form and the bulk of the buildings and an increase in the amount of Future Designated Open Space. The revised design has achieved this in a way that retains the vision of the original competition scheme but that has also improved certain aspects, such as the accessibility of the Future Designated Open Space.

8. **DETAILS OF THE SCHEME AS SUBMITTED FOR PLANNING APPROVAL**

- 8.1 The aspiration for the Scheme is to provide a new space that will enable the community to come together and accommodate existing and new gatherings.
- 8.2 To this end the Future Designated Open Space (Map C **CD 4.3C**) would be located at the centre of the proposals with two new buildings that bookend the Scheme and help to provide a base level of life and activity that will help animate the space and create a degree of natural surveillance.
- 8.3 The buildings are smaller than the original competition winning scheme and would be set further apart creating a greater sense of open space.
- 8.4 A sloping path up from the Embankment at the South east corner of the Scheme Land (**View C – Appendix LBR2B(10)**) along with a band of open space running down from King Street into the Gardens at the upper level, help to significantly improve the accessibility of the Gardens from all directions.
- 8.5 The open space along Water Lane not only provides greater visibility of the river and the Scheme Land from King Street but also provides a wider area for market stalls and outdoor seating to be provided helping to animate the route.

The Water Lane building

- 8.6 To assist with attracting people to the riverside new retail accommodation is proposed at the ground floor level of the Water Lane building. The proposal is that this would be composed of small scale retail units that continue the feel of Church Street and would suit small independent retailers. The units have been designed to be flexible modular units that could be combined together to form larger units if required. At the river end of the Water Lane building a large cafe unit is proposed that looks out over the Scheme Land and the river, the outdoor seating area of which forms part of the Future Functioning Open Space (**View B – Appendix LBR2B(9)** and Map D **CD 4.3D**).
- 8.7 Above the retail units there are three levels of residential accommodation with two entrances, one on King Street and the other three quarters of the way down Water Lane.
- 8.8 Rather than try to mimic one or other of the existing buildings I believe that the best way for the new building in Water Lane to contribute positively to the Conservation Area, is to create a high quality building that reflects the period in which it is built but is sympathetic to its environment. The aim of the Scheme is to create a link between the town and the river and encourage people down to the riverside as set out in the TAAP. To do this, I consider it is important that the building seen in King Street is visually similar to the building seen at the riverside end and given the variety in the local area I believe it is not unreasonable for some of that character to reflect its riverside location.
- 8.9 As our townscape analysis demonstrated (Design and Access Statement – part 6 **CD3.03**), there are other buildings in the immediate vicinity that do not blend in with the prevailing context, (including the

Bank building and The George Public House). In view of the RIBA Full Design Brief requirement for the building to signify change and encourage more people to use and enjoy the riverside, I believe that it is appropriate for the Water Lane building to stand out from its surroundings and provide a new landmark at the entrance into the Scheme Land and the river.

- 8.10 There are two distinct elements to the Water Lane building - a red brick base and setback 'roof' element. The red brick base is derived from the building's location in King Street and reflects the materiality of its local surroundings.
- 8.11 The zinc roof reflects the other end of the building that looks out over the river and links it to the other buildings in Wharf Lane. It also has associations with the boathouses on Eel Pie Island.
- 8.12 The red brick base also relates well in scale to the brick of the Wake & Paine building on the opposite corner of Water Lane. The setback 'roof' element reflects the slate roof on the opposite side. The separation of the building into a two storey brick base and an upper 'roof' section was also designed to help the building to relate to the smaller scale buildings on the other side of Water Lane (see **View A – Appendix LBR2B(8)**).
- 8.13 The strong pitched form of the roof makes a bold statement in the street scene and stands up to the dominant element at this end of King Street, the Barclays Bank building, although due to its light colour, overall mass and commanding position, it is the bank building that remains the dominant building.
- 8.14 The building's ridge level is similar in height to the bank parapet height but the bank is only comprised of three storeys, whilst Water Lane has four (so each of our storeys is less than those of the bank).
- 8.15 The roof, although it is only in singular format, evokes the double pitched form of the river end of the building and signals that this is the way down to the Riverside. The long linear nature of the side elevation helps to draw the eye down to the Eel Pie Island bridge that is clearly visible due to the widening of Water Lane.

The open space

- 8.16 Due to the flooding issues in Water Lane the new building would be set well back from the edge of the road. This would create an area of Future Designated Open Space at the King Street end that could be used for small temporary kiosks or stalls or external seating, that could work in conjunction with the small retail units to extend the feel of Church Street down towards the river.
- 8.17 As you proceed down Water Lane towards the river the pavement splits into two, with the part adjacent to the road following the road level down to the Embankment.
- 8.18 The wider part of the Future Designated Open Space adjacent to the building stays level and provides step free access to the remainder of the upper level of the Future Designated Open Space. As you move down Water Lane the upper part of the Future Designated Open Space would reduce in width,

with the space between it and the lower pavement being occupied by a series of landscaped terraces that would accommodate the changes in level that occur. Steps located within these terraces would allow pedestrians to navigate between the levels whilst seating and trees help punctuate and animate the landscape.

- 8.19 At the south eastern end of the building the 4 metre wide path would round the corner into the upper level of the Future Designated Open Space and the visitor would be presented with a panoramic view across the Future Functioning Open Space towards the river with Eel Pie Island in the background (**View B - Appendix LBR2B(9)**).
- 8.20 The space then would widen to allow external seating to be located outside the café at the end of the Water Lane building and a series of steps would provide a connection back down to Water Lane.
- 8.21 From the centre of the Future Designated Open Space a number of paths would radiate out in different directions providing access to the gastro pub/restaurant at the end of the Wharf lane building, to the entrance to the Future Designated Open Space in Wharf Lane and down the sloped path to the Embankment level at the end of Water Lane. The sloped path would provide an accessible route into the upper levels of the open space for people approaching from the east along the Thames Path (**View C – Appendix LBR2B(10)**).
- 8.22 A number of activity spaces would be provided at the upper level. Two pétanque courts would be located underneath a number of pleached London Plane trees with a number of fixed bench seats for spectators to use. A large children's play area, (see the area marked "K" on Map N (**Appendix LBR1B(6)**)) would contain a number of pieces of play equipment including a large tree house and climbing wall. Three large grass lawn areas would be provided at different levels with access off from the sloped path and would provide space for informal play and relaxation.
- 8.23 The upper levels of the Future Designated Open Space (**View D - Appendix LBR2B(11)**) look down on the Events Space on the Embankment – part of which lies within the Future Highway Land (Map J **CD 3.4J**). Timber seating terraces would transition between the two levels on two sides and would provide space for people to sit and watch the Events Space or activity on the river. The dimensions and proportions of the Events Space have been scaled to accommodate a wide variety of temporary events including concerts and markets. External lighting, power and water would be provided around the perimeter of the space.
- 8.24 Trees and planting beds screen the Events Space from the vehicle service bays for Eel Pie Island that sit adjacent to the bridge across the river. The slipway that sits adjacent to the bridge at the bottom end of Water Lane would also be resurfaced as part of the works.
- 8.25 A line of trees would follow the edge of the river and would help to define the river promenade whilst allowing views through to the river from the main part of the Future Designated Open Space.
- 8.26 At the western end of the Embankment a floodable boathouse for kayaks and paddleboards would be located underneath the seating terrace for the gastro pub/restaurant. A layout space for

paddleboards would be provided underneath the trees and a bridge link would provide access down onto a pontoon that would float alongside the river wall and provide easy access to the water. The kayaks and paddleboards would be stored in a series of separate lockable lockers allowing the boathouse to potentially be used by a number of different local groups.

- 8.27 The Embankment is designed to allow limited access across the Events Space for large vehicles from 7am to 10am with access controlled by lockable bollards at both ends – the Events Space is shown outlined in red on Map D (**CD 4.3D**), which also shows that part of the Events Space which sits within the Future Highway Land.

The Wharf Lane Building

- 8.28 The Wharf Lane building sits on the podium at the upper Scheme Land level in order to keep it above the flood level. A basement is provided to the Wharf Lane building but it is set back 4 metres from the flood defence wall, (as agreed with the Environment Agency as detailed in section 7 of this Proof) and does not have any openings below the flood level in order to minimise the risk of it being affected by a flood.
- 8.29 The building would be rectangular in shape with five storeys on the western edge reducing to four storeys on the eastern edge adjacent to the public realm. It should be noted that the top storey on each element would be contained within the pitched roof volume of the building, and as a result the four-storey element would look similar in appearance to a three-storey building with a pitched roof on top.
- 8.30 A single storey gastro pub/restaurant is proposed at the southern end of ground level, with an outdoor terrace that overlooks the river– this outdoor seating area would form part of the Future Functioning Open Space and is annotated on Map D (**CD 4.3D**). The gastro pub/restaurant is intended to act as a focal point that will help to draw people through the Future Designated Open Space and help make it a lively and exciting place to be. The toilets that serve the pub would be accessed via the entrance lobby to the pub and the Planning Permission (**CD 4.30**) includes a condition which would require the these to function as public toilets and be kept open even when the pub is shut.
- 8.31 The northern end of the building would contain managed office space with an entrance at the northern end of the building on the Service Road.
- 8.32 The upper levels of the building would contain residential apartments that would be accessed via two lobbies on the Wharf Lane side of the building. Each apartment would have an outdoor balcony space that would help to animate the façade of the building.
- 8.33 The Wharf Lane Building would be very much part of the river scene and as such takes inspiration from the wharf type buildings along the stretch of the river, particularly those on Eel Pie Island. This is evident in the simple form of the buildings, the long linear roofs and modular nature of the facades (see **View E - Appendix LBR2B(12)**).

8.34 At the competition stage the building's facade was primarily made up of timber panelling and glass with timber brise soleil but concerns over fire spread, in multi-tenanted residential buildings, has led to a reassessment of this and the upper levels would now be composed of brick cladding with a fine precast concrete being used to articulate the ground floor level.

9. **HOW THE SCHEME MEETS THE OBJECTIVES**

9.1 The design proposals for Scheme Land would provide a comprehensive redevelopment of the underused site that combines together townscape and public realm elements to create an exciting destination that should help to reinvigorate the area and provide a focal point for the town.

9.2 The new open space would be placed at the centre of the Scheme where it would be accessible via step free routes to people approaching the site from each of the three principal directions.

9.3 The open space would be extensively landscaped with a wide variety of trees, plants and real grass to help improve the biodiversity of the site and create an attractive and lively place for people to congregate. The open space would be configured to provide a variety of different spaces that can be used by different people in different ways. Three tiered grass lawns with grass banks in between would provide space for people to lie in the sun or play on a hot summer's day. There would be two pétanque courts located underneath pleached London Plane trees that would provide space in the shade to play a quiet game of pétanque, whilst the kids play on the climbing frame in the adjacent play area. The café and gastro pub terraces would provide space to sit and enjoy a coffee or meal whilst watching the activity on the river or people strolling along the Embankment.

9.4 Sitting in the middle of the open space would be the Events Space which would provide a large flat area suitable for hosting a small local market or fair with the seating steps on two sides providing the perfect place to sit and watch a local dog show or cinema screening.

9.5 With all of these spaces interconnected both visually and physically it should be an exciting place to be and help draw people in from the surrounding areas.

9.6 Not only would the proposals improve the quality of the open space on the site but they would also increase the quantum with the amount of Functioning Open Space increasing by 35% from 4445 sqm (see Map B **CD 4.3B**) to 6005 sqm (see Map D **CD 4.3D**)

9.7 The boathouse located at the end of the Wharf Lane building underneath the pub seating terrace and the new pontoon located nearby, would help to meet the brief objective of promoting activities that reflect the riverside location and bring a different demographic to the area.

9.8 The widening of Water Lane would not only improve the visibility of the riverside from King Street but also of the retail units that occupy the ground floor of the building, which too would help to draw people down to the new open space by the river. The new wider open space would also allow opportunity for seating or market stalls to be located here helping to extent the feel of nearby Church Street down towards the river.

- 9.9 At the southern end of Water Lane a service area would be dedicated for deliveries to, and the servicing of, Eel Pie Island which would be separated from the central pedestrianised space by secure bollards. The slipway adjacent to the servicing area would also be renovated helping to achieve the objective of promoting river related activities.
- 9.10 The Wharf Lane building on the south western edge of the open space would contain flexible office units on the ground floor to replace and improve the existing commercial use, resulting in a net uplift to meet the objectives of policy LP41.
- 9.11 The building would also provide a gastro pub/restaurant at the southern end overlooking the river which would act as a destination point helping to draw visitors through the open space. The commercial appeal and requirement for these uses in Twickenham is supported by an independent report completed by Avison Young – commercial property agents (see **CD 4.4**).
- 9.12 The scheme would provide 45 residential units, 21 of which would be affordable achieving the 50% affordable housing requirement by habitable room. The Council has a target of delivering 1000-1050 homes in Twickenham over the Local Plan period 2015-2025. As set out in the Planning Committee Report (**CD 3.37**), the introduction of 45 residential units on the highly accessible town centre location is welcomed, which will contribute to the vitality of the town centre, assist the Borough in meeting housing need and making more intensive use of the Scheme Land as sought by policy. As well as helping to activate the area the residential accommodation will also provide a degree of natural surveillance to the open space that surrounds them.

Summary

- 9.13 The proposals provide a comprehensive redevelopment of the underused site to provide an increase in the quantum of open space along with an increase in quality of open space, greater biodiversity, better accessibility, better visibility, better interaction with the public and better connectivity between the town and the river. As a result I believe the proposals clearly meet the objectives outlined in section 5 of my Proof of Evidence based on the requirements of the RIBA Full Design Brief (**CD 3.01**), the Local Planning policy including the Local Plan (**CD 2.4**) and the Twickenham Area Action Plan 2013 (TAAP), (**CD 2.5**).

10. **A COMPARISON OF THE QUALITY OF OPEN SPACE**

Open space maps

- 10.1 As detailed in section 8 of the Statement of Case the Council commissioned Hopkins to prepare the following plans to provide clarity on the type and extent of open space, both within the existing Gardens and the Scheme:-
- 10.1.1 Map A Existing Designated Open Space (**CD 4.3A**) - this shows the existing Scheme Land that is used for public recreation, within the meaning of section 19(4) of the Acquisition of Land Act 1981, as shown coloured green and measuring 3,370sqm. On a precautionary

basis this includes the Sunshine Café and its associated outdoor seating space, which is shown outline in red on Map A.

- 10.1.2 Map B Existing Functioning Open Space (**CD 4.3B**) – this shows the Existing Designated Open Space together with existing highway within the existing Scheme Land which functions as open space but does not fall within the definition of section 19(4) Acquisition of Land Act 1981, as shown on coloured green and light green (respectively) and measuring 4,445 sqm.
- 10.1.3 Map C Future Designated Open Space (**CD 4.3C**) – this shows the future designated open space within the Scheme, within the meaning of section (19)(4) of the Acquisition of Land Act 1981 as shown coloured green and measuring 4,387 sqm.
- 10.1.4 Map D Future Functioning Open Space (**CD 4.3D**) – this shows the Future Designated Open Space together with the highway proposed within the Scheme which will function as open space but does not fall within the definition of section 19(4) Acquisition of Land Act 1981, as shown coloured green and light green (respectively) and measuring 6,005 sqm.
- 10.1.5 Map E (**CD 4.3E**) shows the Scheme Land.
- 10.1.6 Map F (**CD 4.3F**) shows the Lost Open Space, the Exchange Land and the Retained Open Space as they appear on the Modified Order Land.
- 10.1.7 Map G (**CD 4.3G**) shows the flooding contours for the Existing Functioning Open Space as shown on Map B.
- 10.1.8 Map H (**CD 4.3H**) shows the flooding contours for the Future Functioning Open Space as shown on Map D.
- 10.1.9 Map I (**CD 4.3I**) shows the existing adopted highway.
- 10.1.10 Map J (**CD 4.3J**) shows the revised adopted highway as proposed in the Stopping Up Order;
- 10.1.11 Map K (**CD 4.3K**) shows the Trust's Existing Trust Management Area overlaid on the Existing Functioning Open Space (Map B).
- 10.1.12 Map L (**CD 4.3L**) shows the Future Trust Management Area overlaid on the Future Functioning Open Space (Map D).New Open Space versus existing Open Space
- 10.2 Mr Chadwick's appendices (**Appendix LBR1B(5)** to **Appendix LBR1B(8)**) also include additional maps Hopkins were asked to produce (Maps M to P). I also provide further Maps (Q to T) that are included as my **Appendices LBR2B(14)** to **LBR2B(17)**.

A general comparison of existing versus future proposals

- 10.3 The Existing Designated Open Space (Map A **CD 4.3A**) is made up of a secure children's play area, two pétanque terrain, two areas of artificial grass, one flexible event space with hardstanding, a number of mature trees and the Council owned and run café and seating. However, as a function of being outside the flood zone entirely, the majority of the Existing Designated Space is raised up on top of a flood defence wall secured by railings, with only one accessible route from the north and one stepped access to the riverside.
- 10.4 Whilst the Existing Designated Space does look out over the river and the Embankment it is separated from it by a significant change in level created by the large retaining wall with railings and a long linear stretch of car parking spaces that sit at Embankment level. Whilst there are some small gaps between the cars to allow people to access the Embankment these are not wide enough to interrupt the view of a continuous line of cars when looking along the river creating a visual, safety and a psychological barrier between the river and the Gardens. One of the central aims of the Future Designated Open Space (Map C **CD 4.3C**) within the Scheme is to make the Scheme Land more accessible to the residents of Twickenham, especially people approaching along the riverside walkway and from Water Lane. The two main areas of the Existing Designated Space both lack accessible access to the river despite being a stone's throw away.
- 10.5 The Future Designated Open Space would remove Derelict Areas, completely re-modelling the Scheme Land and making a much better use of the space. The Scheme would open up and significantly enlarge the open space so that it can be accessed from all sides and arranged so it opens out onto the Embankment and the River Thames, achieving a total area of 4,387 sqm of Future Designated Open Space (Map C **CD 4.3C**), 1,815 sqm of which is Exchange Land, as well as other areas of landscaping and public realm.
- 10.6 The widening of Water Lane would mean that the riverside, and footbridge to Eel Pie Island would be seen from the high street (King Street) and would create a direct route from the main train station, thereby making more of the Town to river connection.
- 10.7 The Scheme provides an Events Space in the centre of the Embankment which can be used for hosting events such as markets or outdoor cinema. As can be seen on Map D, (Future Functioning Open Space), (**CD 4.3D**), part of the Events Space forms part of the existing highway but will facilitate events by the introduction of necessary traffic management orders. This area of highway is not part of the proposed Exchange Land but would form part of the Future Functioning Open Space and as such contributes to the overall improvement as compared to the Existing Functioning Open Space. The Restricted Vehicular Access Route across the Embankment is shown stippled on Map D. This area would have restricted use for vehicles between the hours of 07:00 and 10:00 and in cases of emergency. There would also be the opportunity to hold smaller events at the upper levels of the open space.

- 10.8 Part of the Future Designated Open Space is also on Water Lane, allowing for a generous pedestrianised area leading from the town centre into the Scheme Land. This space would allow for additional events and market stalls to encourage increased footfall to the area and to further improve the connection between the high street and riverside. It would link with the pedestrianised adjacent Church Street which is very popular with Twickenham residents and visitors, in particular for alfresco dining at lunch times and in the evenings. The widening of Water Lane would allow the provision of a footway that follows the slope on the southwest side of Water Lane down to the river level, as well as a level access route through the open space that connects from King Street into the upper level of the new open space overlooking the river. Given its close proximity, the Future Designated Open Space would be clearly equally advantageous in terms of its location, improved by the clear connection made between the High Street and Scheme Land.
- 10.9 The Future Designated Open Space also offers a number of different uses, appealing to all ages. It would not only replace the functions of the Existing Designated Open Space which includes a children's play area, (in the new space this will be increased with a larger variety of play equipment including sensory play elements), pétanque terrain, planting, seating and hard and soft landscaping, but it would also offer an Events Space suitable for events such as markets, concerts and open-air cinema or theatre, tiered seating overlooking the Events Space, terraced lawns for natural play opportunities, chess table, and storage for events. From all parts of the Future Designated Open Space there would be uninterrupted views of the river.
- 10.10 The Future Designated Open Space (and the Future Functioning Open Space) would also be advantageous from an accessibility point of view. The Existing Designated Open Space only has one step free access point to the north west of the Gardens, and the raised terrace seating area overlooking the river that can only be accessed by steps. The Future Designated Open Space (and the Future Functioning Open Space) can be accessed step free from all three main directions of approach, from the north east, south east and north west with accessible routes running from the Embankment, Water Lane and Wharf Lane.
- 10.11 Being a riverside location there is the need to consider flooding, and so the Future Designated Open Space provides 3,107sqm above the highest flood zone having less than a 1 in 1,000 annual probability of flooding, which includes the children's play area, pétanque terrain, chess tables and seating areas, as well as the top terraced lawn and space around the Wharf Lane building including the terrace outside the pub/restaurant. Three layers of tiered seating and the middle terraced lawn (566sqm) are within flood zone 2 having between a 1 in 100 and 1 in 1,000 annual probability of flooding. The lowest terraced lawn, the Embankment, (including the Events Space) and River Thames Path (2,314sqm) are within Flood Zone 3, having a 1 in 100 or greater annual probability of flooding. Providing open space within and above Flood Zone 1 is all at the expense of buildable area, as the Council recognises the importance of open space to the community and has ensured that public realm is at the heart of the design. The reduction in built form and extent of open space proposed above the flood plain was also agreed as part of discussions with the Trust and its agreement to consider the management of land above and within the flood plain. Further open space

is provided at lower levels. Maps G and H (**CD 4.3G** and **CD 4.3H**) show how the flood levels compare in relation to the Existing Functioning Open Space and the Future Functioning Open Space. At the request of the Trust, the Council has also produced Maps O and P which identify (respectively) the Existing Flood Zones and Future Flood Zones as they apply to the entirety of the Scheme Land. Maps O and P can be found at **Appendix LBR1B(7)** and **Appendix LBR1B(8)** to Mr Chadwick's Proof of Evidence.

- 10.12 To put this in context, historical river level data provided by the Environment Agency covering the last 8 years has been obtained recently and analysed (see the flood risk technical note prepared by Logika Consultants at **Appendix LBR2B(13)**). No river level gauge data is available for Twickenham but there is for Teddington Lock (2.2km upstream of the site) and at Richmond (3.5km downstream of the site) and the results were interpolated between the two.
- 10.13 This data has revealed that the actual frequency of flooding at the lower levels of the Embankment is more frequent than the EA modelling data might suggest, as the 1 in 5 year event is the smallest fluvial event that has been modelled by the EA. This historical data shows that there are big differences across the Embankment with the lower levels having flooded some 144 times in 8 years, (average 18 times a year), whilst the upper level of the Events Space has only flooded 19 times in 8 years (average 2.4 times a year). The data however also reveals that the majority of this flooding occurs during the winter months, with no flood water affecting the top level of the Events Space between the start of June and the end of September during those 8 years and only 8 (average 1 a year) having just reached the lower level of the Events Space. Given that the majority of events have historically taken place between June and September, it would seem reasonable to suggest that the risk of one of these summer events being affected by flooding had they been held at the new Events Space at Embankment level would have been extremely low. Moving forward there is of course a risk that things start to change in terms of timing and severity of flooding due to climate change.
- 10.14 This historical data has shown that over the period of the last 8 years no flood has occurred that would have affected anything above the top of the lower grass terrace. As such the middle grass terrace and the rest of the zone 2 level open space would have been available for events with a total flood free Future Designated Open Space area of 3,691 sqm compared to 3,118sqm for the Existing Designated Open Space. It should however be noted that should a significant flood occur it is likely that any event, even one located on flood free land, might be cancelled due to the disruption that such a flood would involve.
- 10.15 The Existing Designated Open Space has trees and areas of planting, but due to the fact it is built on the infill of an old swimming pool that closed in 1980, it has not been able to support natural grass and so artificial grass has had to be used. There are few opportunities to increase biodiversity on the Existing Designated Open Space given its shallow planting depths and large proportion of hardstanding. In the Future Designated Open Space there would be a substantial number of trees and increased biodiverse planting to provide a wide variety of habitat opportunities. The three terraced lawned areas would be able to support grass and the space includes well-considered tree

pits and deeper depths of soil. Berry producing trees are proposed where appropriate to encourage bats and support birds. The widened Future Functioning Open Space on Water Lane would retain the existing mature oak tree as well as introducing new raised planting beds and seating with perennial and herbaceous flowering.

- 10.16 The Existing Designated Open Space has been subject to antisocial behaviour, criminal damage, arson, substance misuse, littering and a number of other instances over the years, in part because the Existing Designated Open Space is underused, next to vacant buildings and badly connected to its surroundings which does not allow for natural surveillance. By placing the Future Designated Open Space at the heart of the Scheme, by providing a careful lighting strategy and passive surveillance from the new buildings and greater use of the Future Designated Open Space for a range of activities, it is expected that antisocial behaviour and other adverse incidences would reduce.
- 10.17 The Existing Designated Open Space benefits from an open aspect and therefore benefits from a lot of sunlight. Shadow studies however have shown that even the existing space is significantly affected in mid summer, from 5pm onwards, by shadows from the trees along the service road falling across the open space. The Future Designated Open Space (and the Future Functioning Open Space) will enjoy light in different areas at different times of the day. The Wharf Lane building is located to the south east of the main area of open space and sunlight shadow studies have shown that they remain unaffected by shadows from the buildings until at least 11am from March through to September. Whilst the Wharf Lane building contains accommodation that is five storeys in height this part of the building is located further away from the Future Designated Open Space and the part of the building that abuts the space, and therefore ultimately controls the shadows, is only four storeys in height. The top level of this part of the building is also totally contained within the pitched roof volume of the building, so the shadows caused by the building are effectively equivalent to those of three storey building.
- 10.18 The outdoor spaces provided at ground level within the Scheme Land have been assessed against the BRE's guidance in respect of overshadowing of amenity spaces by GIA as part of the Planning Application (**CD3.07**). All the open space areas are shown to well exceed BRE'S recommendation of 50% seeing at least two hours of sunlight on the equinox, with the main Future Designated Open Space areas achieving 100%. In the summer, when outdoor spaces are most likely to be utilised, the sunlight availability continues to be excellent with all the areas receiving direct sunlight for six hours or more. Given the above it is considered that the Scheme would offer excellent access to sunlight in all areas of amenity provided.
- 10.19 The existing Gardens have a lot of hard paved areas in close proximity that would be suitable for holding events. Looking back through the Council records however it appears that the space has not been used for a lot of events over the years. The last three years have obviously been abnormal with the Covid-19 pandemic and all the restrictions that have flowed from that and only three events occurred in 2022 with none in the two years before that. Going back to before the Pandemic however

the records only show 6 events a year taking place in 2018 and 2019 with events such as the Borough's Best Banger and the TRT Dog Show. With events such as Twickfest taking place most years in various locations around the town, including in Church Street, it is possible to envisage events such as the dog show taking place very successfully in the proposed new Events Space on the Embankment, with spectators sitting on the terrace steps to get a good view whilst other related events were also taking place on the new terraced lawns. Given that some of these events are publicly funded and put on for the benefit of local residents, it would seem sensible for them to be taking place somewhere that was more visible and accessible so they could also be appreciated by people who might not have been aware that they were on.

- 10.20 In order to provide a more detailed analysis of the Scheme some further diagrams have been provided looking at the existing Gardens compared to the Scheme (**Appendices LBR2B(14) to LBR2B(17)**). These have been drawn up in terms of the Section 19 context of the Exchange Land versus the Lost Open Space in isolation, but also looking at the Future Functioning Open Space as a totality in both the existing and proposed contexts, which is the more realistic exercise.

The Exchange Land versus the Lost Open Space

- 10.21 For this comparison I will exclude the Retained Open Space and solely assess whether the Exchange Land is no less in area and is equally advantageous to the public as the Lost Open Space.

Lost Open Space

- 10.22 Looking in detail at the Lost Open Space (Map Q – **Appendix LBRB2(14)**) it is split into a number of different types of space which are separated from each other by fences, hedges and retaining walls.
- 10.23 The largest part is the planted areas which constitute 411 sqm (30.7 % of the Lost Open Space). This is split up into five different areas. Some of this land, in particular the area to the south-west, does not enhance visual amenity.
- 10.24 The next largest area is the circulation space at 386 sqm (28.8% of the Lost Open Space). Whilst this does adjoin some of the useable space the location of fences, hedges and retaining walls mean that not a lot of it is useable in conjunction with the other areas.
- 10.25 The play area (including the circulation space around it) consists of 348 sqm (26% of the Lost Open Space) and it is separated from the rest of the Gardens by a metal fence and hedging with access provided by a single gate. The height of the hedging is such that this feels like a separate space from the rest of the Gardens.
- 10.26 The artificial grass area that forms one of the main useable areas of the Gardens is only partially located in the Lost Open Space and comprises 136 sqm (10% of the Lost Open Space)

10.27 The café which occupies 55 sqm (4%) of the Lost Open Space is a building.

The Exchange Land

- 10.28 Turning now to the Exchange Land (Map R - **Appendix LBR2B(15)**) the largest area is the Circulation area which consists of 770 sqm (42% of the Exchange Land). Whilst this is a large area it is an important part of the whole design as one of the central aims was to make the Scheme Land more accessible to the residents of Twickenham, especially people approaching along the riverside walkway and from Water Lane. The area in Water Lane that has been defined as circulation is very wide at the northern end and the aim of this was to allow things to happen outside the retail units at the top end of Water Lane, (e.g. Café seating or small market stalls etc.). The circulation space adjacent to the new café, play space and grass lawn area is flush with all three and could act as a spill over space to activity taking place in the other areas. Whilst the same could be said of the circulation space adjacent to artificial grass in the Lost Open Space, it cannot function as overspill to the play area due to the separating fence and as a result I consider that the extent of beneficial use in the Exchange Land is greater.
- 10.29 The next largest area is the grass area at 496 sqm (27% of the Exchange Land). This is significantly larger than the artificial grass area in the Lost Open Space (136 sqm) and is as also greater than the fenced off area including the play area in the Lost Open Space (348sqm), and greater than the two areas combined. The grass area in the Exchange Land is split into three distinct areas that are each approachable from either the north or the south, allowing them to be used in a number of different ways and by different groups at the same time.
- 10.30 The next largest area is the planted area which constitutes 249 sqm (13.7% of the Exchange Land). This is smaller than the equivalent part of the Lost Open Space (411 sqm). This area is split into 7 pieces and these are dispersed across the Exchange Land and are planted with new landscaping to visually enhance the open space.
- 10.31 The paved Events Space on the Embankment forms 237 sqm of the Exchange Land (13%).
- 10.32 There is 63 sqm of play area in the Exchange Land (3%) – this is only part of the play area with the rest being located on the retained land.

Lost Open Space versus The Exchange Land

Table 1 - Comparison of Areas – Exchange land versus Lost Open Space		
	Lost Open Space	The Exchange Land
Event space	N/A	237 sqm
Play space (and associated circulation and seating)	348 sqm	63 sqm
Grass lawn	N/A	496 sqm

Artificial grass	136 sqm	N/A
Planted areas	411 sqm	249 sqm
Outdoor seating areas	55 sqm (incl café)	N/A
Circulation	386 sqm	770 sqm
Total	1336 sqm	1815 sqm

- 10.33 Whilst it is difficult to compare specific uses on the Lost Open Space with those same uses on the Exchange Land, as each only forms part of the totality of Designated Open Space in each scenario, (e.g. the Lost Open Space contains the majority of the existing play space but the Exchange Land only contains a small proportion of the total play area proposed in Future Designated Open Space), a fairer way of looking at it terms of the benefit of each to the public, would be to look at the amount of useable space in total. For this I have taken the grass areas, the play areas, the paved event space and the circulation space as useable, (notwithstanding that some of the latter is not effectively useable), but excluded the planted areas and the café.
- 10.34 Taking all the useable areas of the Exchange Land (the grass area, the paved activity space, the circulation and the play space) these come to a total 1,566 sqm of useable space, which is significantly more that the useable area in the Lost Open Space, (the fenced off area including play area, the circulation space and the artificial grass) which come to a total of only 870 sqm. Even if the circulation areas were to be excluded, the Exchange Land would have 796 sqm of useable space compared to 484 sqm for the Lost Open Space.
- 10.35 Based on the above analysis it is possible to conclude that, taking each area in isolation and assessing it on its merits, the Exchange Land is not only larger in totality but also it has a significantly greater area of useable space, (80% more including circulation, 64% more excluding circulation), when compared to the Lost Open Space.

The Future Functioning Open Space versus the Existing Functioning Open Space

- 10.36 For this analysis I examine the Future Designated Open Space and how it works with the adjacent Future Functioning Open Space as a totality and compare it the Existing Designated Open Space and the Existing Functioning Open Space, to see if it is equally or more advantageous to the public which is a more realistic scenario as it takes account of the context.

Existing Functioning Open Space

- 10.37 Looking in detail at the Existing Functioning Open Space first, (Map S – **Appendix LBR2B(16)**), it is composed of three separate pieces of land which are split into a number of different types of space which are separated from each other by fences, hedges, retaining walls, road and car parking.

- 10.38 The largest part of the Existing Designated Open Space is the Gardens which are located on the upper level in flood zone 1. This contains a large area of paving (507 sqm) which could be used for events or other recreational activities.
- 10.39 There is a play area surrounded by circulation space which is separated from the rest of the Gardens by a metal fence and hedging with access provided by a single gate. The height of the hedging is such that this feels like a separate space from the rest of the gardens. For the sake of this assessment everything within the hedge has been included as part of the play area which when added to the sand pit area gives a total area of 419 sqm
- 10.40 There are two areas of artificial grass which sit in the centre of the Gardens. They are open on two sides but have high hedges on the other two sides with a path that crosses in the middle. The area of the artificial grass comes to 388 sqm.
- 10.41 The other useable areas are the pétanque courts which amount to another 126 sqm.
- 10.42 There is 1680 sqm of circulation space spread across the three separate areas of Existing Functioning Open Space. Whilst the artificial grass areas could be combined with the event space and the pétanque pitches and possibly some of the circulation space to hold events, a large part of the circulation space is separated from it by the Embankment road and car parking and would need to function separately. Some of the circulation space however does not seem to do very much. In particular the large curved arc of circulation that sits between the embankment road and the brick retaining wall to the Gardens, only appears to provide access to two benches adjacent to the brick wall before re-joining the footpath next to the highway. The isolated piece of open space to the east can also not be used with the other spaces in any meaningful way.
- 10.43 These useable areas amount to a total of 3,120 sqm or 3,205 sqm if the café space is also included. In addition to this there is 1,240 sqm of planted area giving a total area of 4,445 sqm. If the circulation space is excluded from the useable areas then the figures are 1,440 sqm, or 1525 sqm if the café space is also included.

Future Functioning Open Space

- 10.44 Turning to the Future Functioning Open Space there is an event space of 931 sqm located on the Embankment and 571 sqm of accessible grass lawns. In addition to this there is 432 sqm of play space, 287 sqm of pétanque space and 2,536 sqm of circulation space giving a total useable area of 4,757sqm or 4,955 sqm if the 198 sqm of outdoor seating space associated with the café and the pub is also included. In addition to this there is 1,050 of planted area giving a total area of 6,005 sqm. All of the main areas are located adjacent to one another and it would be possible for them to be used together, along with some of the adjacent circulation space, to host a large event or separately to host smaller events. If the circulation space is excluded from the useable areas then the figures are 2,221 sqm or 2,419 sqm if the 198 sqm of outdoor seating space associated with the café and the pub is also included.

Comparison of the Existing and the Future Functioning Open Space

Table 2 - Detailed comparison of Areas		
	Existing Functioning Open Space	Future Functioning Open Space
Event space	507 sqm	931 sqm
Play space (and associated circulation and seating)	419 sqm	432 sqm
Grass lawn	N/A	571 sqm
Artificial grass	388 sqm	N/A
Planted areas	1240 sqm	1050 sqm
Pétanque	126 sqm	287 sqm
Outdoor seating areas	85 sqm (incl café)	198 sqm
Circulation	1680 sqm	2536 sqm
Total	4445 sqm	6005 sqm

- 10.45 The Future Functioning Open Space is equivalent in size or larger in every category apart from the planted areas however, if the figures for the planted areas are added to the grass areas then the two balance albeit in the existing condition the grass is artificial grass.
- 10.46 The size of the future Events Space on the Embankment is slightly larger than the combined size of the existing artificial grass and the existing event space in the Gardens and then there are the future grass lawn areas and parts of the circulation space that could also be used in summer to provide additional space for events. Whilst the existing event space is located in flood zone 1 and the new Events Space is located in flood zone 3, the analysis of the historical flood data has shown that the vast majority of floods have historically occurred in the winter and with most events taking place in summer, this is unlikely to have a major impact on it's use, (subject to changes that may occur due to climate change). Further detail on the historical flooding context is set out in paragraphs 10.11 to 10.14 of my Proof of Evidence. Given its more accessible location, with inbuilt spectator seating, it seems reasonable to me to assume that the Events Space would attract more spectators than the existing space.
- 10.47 The Events Space also extends up to the edge of the river which gives rise to the possibility of events taking place linked to activity on the river such as Dragon boat racing. With the new pontoon and the seating terrace for the gastro pub also overlooking this area, this could give rise to interesting possibilities.
- 10.48 The total amount of useable space in the Existing Functioning Open Space is 3,205 sqm compared to a total of 4,955 sqm in the Future Functioning Open Space – this is an increase of 54%. If the

circulation space is excluded, the total amount of useable space in the Existing Functioning Open Space is 1,525 sqm compared to a total of 2,419 sqm in the Future Functioning Open Space – this is an increase of 58%.

Summary

10.49 When analysed in isolation the Exchange Land is not only larger than the Lost Open Space but it also contains more useable space, (an increase of 80% or 64% if circulation is excluded). When reviewed in context with the Scheme and the adjacent Future Functioning Open Space, it is also larger than the Existing Functional Open Space and contains more useable area, (an increase of 54% or 58% if circulation is excluded). The Future Functioning Open Space is also laid out in one cohesive development that provides better accessibility and allows all the spaces to interact with each other to provide something that is greater than the sum of its individual parts. The Future Functioning Open Space fulfils the objective to improve the link between the Town and the river and provides a "New heart for Twickenham"

11. A REVIEW OF THE OBJECTIONS RAISED REGARDING DESIGN MATTERS

11.1 A number of objections have been made to the Order (and Modified Order) and the Section 19 Application and these have been organised and set out in the Statement of Case on a thematic basis. In this evidence I address the themes raised regarding design issues, noting that the identity of the objectors who raised the points is set out in the Statement of Case, rather than responding directly to each individual objection.

Design

Proposed buildings within the Scheme

- 11.2 The key points raised in these objections are as follows:-
- 11.2.1 First, the height and scale of the proposed buildings and whether the Scheme results in overdevelopment.
 - 11.2.2 Second, whether the Wharf Lane building is necessary for the Scheme and the extent to which to which it delivers benefits.
 - 11.2.3 Third, the impact on daylight and sunlight levels experienced at Eyot Lodge and 17 Water Lane.
- 11.3 In response to the first point, the Scheme is a town centre development and has been designed to fit in with this context both in terms of height and the amount of development.
- 11.4 The Water Lane building is taller than the residential buildings on the east side of Water Lane but it is not unusual to have a difference in height in town centre locations and there are a number of examples within the immediate vicinity of the Scheme Land where there are similar differences

between adjacent buildings. One of these is at the top of Water Lane with the junction of Church Street where the Bank building on the north side of Church Street is almost twice as high as the Wake and Paine building at the end of Water Lane. Given the more civic role of the Water Lane building, which would contain retail units and a café building at the garden end, it is not considered inappropriate and/or out of keeping for the building to be taller than some of its neighbours. The height of the building has ultimately been designed in the context of the other adjacent buildings in King Street which are of a similar height to those proposed (see section in **Appendix LBR2B(18)**). The widening of Water Lane means that the building would be further away from the residential houses on the east side which also mitigates the impact of the height of the proposed building.

- 11.5 The Wharf Lane building is five storeys in height, one storey higher than the Water Lane building but reduces to four storeys on the eastern edge adjacent to the public realm. It should be noted that the top storey on each element would be contained within the pitched roof volume of the building, and as a result the four-storey element would look similar in appearance to a three-storey building with a pitched roof on top. the Planning Committee Report comments that the building successfully reflects the form of a larger wharf type/boathouses found along the river. It also notes that whilst the building extends to five storeys, neither the height nor scale appears overly excessive and have been sufficiently broken up through the different wing components and use of materials and glazing. The staggered heights of the eastern elevation would break up the scale of the building adjacent to the open space.
- 11.6 With regard to the second point the building acts as a backdrop to the Gardens and would contain, at ground floor level, new workspaces and a gastro pub/restaurant situated at the river end, which would act as a destination for visitors, pulling them through the Gardens and helping to provide activity and natural surveillance of the open space . The pub toilets are also to be made available to public using the new Open Space. Three to four levels of residential accommodation are proposed above the ground floor of the building providing additional residential units to deliver against the Council's housing targets as set out in the Local Plan (LP34)(**CD 2.4**). A boathouse is also proposed at the lower ground level that would encourage engagement with the river and help fulfil the requirements of the brief and the aspirations of the TAAP .
- 11.7 With regard to the third point a detailed daylight and sunlight report was submitted to the planners as part of the Planning application. The Planning Committee Report notes that for property 17 Water Lane "the property will meet sunlight targets. Two of the 3 windows will adhere to the VSC daylight test, with one room seeing a 21% daylight reduction (against 20% target)." This is identified in the Planning Committee Report as a harm, but the report concludes in paragraph 11.4 that "for the reasons set out in section 8 [within the Planning Report], these [identified harms] have been afforded limited weight as causing harm in this 'ordinary' planning balance." The Council is proactively engaging in negotiations in respect of all interests and rights included in the Order. With regard to Eyot Lodge the Daylight and Sunlight report carried out an initial assessment but concluded that the property complied with the relevant BRE Guidelines and did not warrant further assessment.

Proposed Open Space

- 11.8 There are three specific points raised about the Future Designated Open Space (Map C **CD 4.3C**):-
- 11.8.1 First, the layout of the Future Designated Open Space, in particular the lack of connectivity and cohesion.
- 11.8.2 Second, the reduction in the quantum of the Future Designated Open Space compared to the Existing Designated Open Space.
- 11.8.3 Third, the Scheme and open space is not equally accessible to all.
- 11.9 In response to the first point the layout of the Future Designated Open Space has been the key objective of this scheme from the start of the original competition scheme and has remained so through all the various changes that have occurred since. As has been addressed in sections 5 through to 9 above the Future Designated Open Space has been laid out so every area has a visual connection to the river and all adjacent areas and hedges, fences and other barriers have been avoided as much as possible. All the main activity areas, the play space, the pétanque space, the Events Space and the grass lawn terraces are all located in the central part of the Future Designated Open Space and although some are on different levels, they are all connected with the sloping path, steps and footpaths to allow easy access between all areas.
- 11.10 In response to the second point, the Scheme would not result in a reduction in open space, in fact there is a significant increase in the amount of Future Designated Open Space (+1,017sqm) and Future Functioning Open Space (+1,560sqm) in the new Scheme compared to the existing Gardens. Section 10 of my Proof of Evidence describes the Future Functioning Open Space in detail and its comparative superiority to the Existing Functioning Open Space.
- 11.11 In response to the third point, the Future Functioning Open Space is accessible via step free access routes from all three directions of approach, from the west down Wharf Lane, from the north down Water Lane and from the east along the Embankment. The sloping path that rises from the eastern corner at the bottom of Water Lane connects with each of the three grass terraces and provides step free access to them and the upper level of the open space.

Play Area

- 11.12 The key points raised in these objections are the following:-
- 11.12.1 First, the location of the play area in relation to the service road, including the impact of the service road in terms of air pollution.
- 11.12.2 Second, the extent to which the play area is overlooked.
- 11.12.3 Third, that there is a lack of activities for children and families.

- 11.13 In response to the first point, the new playground would be relocated to the rear of the Scheme Land to maximise the views across the Future Designated Open Space to the river and to incorporate the trees into the children's play space. It also positions the plays area centrally to the Future Designated Open Space allowing good sight lines for surveillance and drawing the children and families into the centre of the Scheme and adjacent to the cafe. The new play area would largely be positioned where the existing children's sand pit is placed. The play area proposed within the Scheme would be larger than the existing play area and would contain a greater amount of play stations with exciting features such as a treehouse and climbing wall and sensory play equipment.
- 11.14 Whilst the play area would be located near to the service road in the Scheme, there would be a fence and an area of planting including trees and hedges separating the two as well as a climbing wall providing shelter from the vehicular turning circle on. The play area is to be located in a prominent location in the Scheme and near to the eastern side. The vehicle movements on the service road would be minimal, and the new play space would be no more impacted by pollution than the existing which sits above Wharf Lane. Overall, there would be a reduction of vehicle movements on the Scheme Land and within proximity to the children's play area by virtue of the removal of car parking from the Embankment and the Restricted Vehicular Access Route.
- 11.15 In response to the second point, natural surveillance is encouraged to provide a safer space for children and young people. Whilst residents in the neighbouring residential units would have windows looking out onto the green space, planting would offer some seclusion and shade as well as attractive play opportunities. Concerns noted by children and young people using the existing play area is that it is secluded and poorly lit leading to perceptions of it being unsafe, especially after dark. The new proposed play space is better lit, incorporated into the Future Designated Open Space and central to the scheme to encourage natural surveillance of the area.
- 11.16 In response to the third point, alongside the improved children's play area which would offer an exciting range of play equipment, there will be would also be provision for incidental play across the Scheme Land. This has been designed into the Scheme via terraced/sloped lawns, such as those frequently used by families in the nearby York House Gardens, as well as sensory play in the central area, a chess table and pétanque terrain. The provision of a creates the Events Space allows for opportunities for family focused events to take place on a much larger scale such as outdoor cinemas, ice rinks and concerts. The Events Space could also be used for other activities and games. The river activity zone would also provide activities for children and families encouraging greater use of the river.

Quality of proposed open space does not compare favourably to existing open space

- 11.17 The key points raised by these objectors are the following:-
- 11.17.1 First, proximity of the Future Designated Open Space to vehicular traffic and subsequently safety concerns and pollution.

11.17.2 Second, the extent of enclosure of the Future Designated Open Space.

11.17.3 Third, the levels of sunlight experienced in the Future Designated Open Space will be reduced as a result of the Wharf Lane building.

11.17.4 Fourth, there will be fewer trees than in the Existing Designated Open Space.

11.18 In response to the first point there would be a reduction of vehicle movements on the Scheme Land by virtue of the removal of car parking from the Embankment and the Restricted Vehicular Access Route.

11.19 With regards to the second point, I think it is better for the new open space not to be enclosed. By better connecting the Future Designated Open Space to the river in the Scheme it would allow people to fully enjoy the riverside. The open nature of the Future Functioning Open Space rather than the enclosed nature of the current Gardens would make the space more accessible, larger and allows for different areas and uses.

11.20 In response to the third point and the levels of sunlight that would be experienced, the BRE guidance in respect of overshadowing of amenity spaces states that "for it to appear adequately sunlit throughout the year, at least half of a garden or amenity area should receive at least two hours of sunlight on 21 March". The Planning Committee Report (**CD 3.37**) noted in paragraph 8.131 that "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."

11.21 The Scheme would introduce built form on the western edge of the Scheme Land which will at certain times of the day provide shade, however the western edge of the space still benefits from 3+ hours of sunshine. In addition, the existing Scheme Land already benefits from a certain amount of shade from the mature treeline at the north of the Scheme Land and the provision of shade was itself part of the design brief, recognising that all residents benefit from the provision of shade in open spaces on hot and sunny days. For children, shade allows them to play for longer without overheating, it also keeps play equipment cooler to the touch and protects children from harmful UV rays. Furthermore, the pétanque terrain often used by older people, would benefit most from the shade provided by the Wharf Lane building to the western edge of the Scheme and the tree canopy.

11.22 In response to the fourth point, it is inevitable that some trees will be lost as part of the delivery of the Scheme however, it should be noted that most of those being removed have been described by the arboriculturists as being of low quality. The Scheme proposes extensive new tree planting along the Embankment, Water Lane and Wharf Lane in addition to areas of structured planting around the pétanque terrain and adjacent to the service road to the north of the Scheme Land. A total of 49 new trees would replace those being removed and planting conditions NS36, NS48, and NS68 would mitigate the risk of new trees failing by securing details of sustainable soil volumes, selection of

waterlogging resistant species and a financial contribution to support tree planting and maintenance in the wider Twickenham ward.

- 11.23 The Scheme has also provided opportunities to explore health issues with the existing tree line of pine oaks on the Embankment. The Arboricultural reports submitted as part of the Planning Application outline that these existing mature trees are struggling to thrive, independent to the Scheme. An investigation into the deteriorating health of these trees has been conditioned as part of the Planning Permission (condition NS49).

Quality of the Events Space

- 11.24 The main points raised in these objections are the following:-

11.24.1 First, the Events Space is located within a flood zone.

11.24.2 Second, the Events Space is not accessible to all.

- 11.25 In response to the first point, the Events Space, is located within the flood zone 3 but as has been demonstrated in paragraphs 10.11 to 10.14 above this should not have a significant impact on the delivery of summer events as the majority of flooding occurs during the winter months. Furthermore, an increase in the amount of land within flood zone 1 has been provided, as required by the Trust. It makes the most sense for this land use to be nearest to the river, as the hard landscaping can accommodate the flood storage required and can be brought back into use with minimal need for cleaning. The location of the Event Space by the river also allows the prospect of it being used for events more closely linked to activity on the river.
- 11.26 The Events Space would be connected to other parts of the Future Functioning Open Space within the Scheme, and there is the opportunity for events to take place in other areas, such as the upper gardens.
- 11.27 In response to the second point, the Events Space would have step free access from the east and west, being bordered to the south by the river, making it more accessible than the current event space within the existing Gardens, which has only one accessible entrance at the north-west side.

12. **CONCLUSION**

- 12.1 The proposals that have been developed by the Design Team over the last four years have responded to the brief that was set by the Council, with input from the various stakeholders, to improve the environment of the Scheme Land, linking the new open space with the river and creating a new "Heart for Twickenham".
- 12.2 The proposals were selected ahead of four other schemes as part of an RIBA run design competition for the Scheme Land. Since winning the competition the design has been modified to respond to issues raised by the Environment Agency, in regard to the flood defence structures on the Scheme

Land but throughout all this the central principles of the competition scheme have been maintained and, in some ways, strengthened by the changes.

- 12.3 The Scheme puts the new open space at the heart of the proposals whilst locating new structures at either end that will bring life and activity to the area. The link through to the centre of town has been widened which will improve visibility of the river and encourage more people to use the open space. Accessibility to the open space has also been significantly improved. Instead of being hidden behind fencing and hedges on a plateau, separated from the river by a sea of cars, the new open space sits adjacent to the river with all areas interconnected and visible raising the prospect of all sorts of new events taking place linked to activity on the river.

- 12.4 Section 9 of this document describes how the proposals meet the objectives that were set out in the Brief, the Local Plan and the Twickenham Area Action Plan.

- 12.5 In section 10 I have compared the Scheme against the existing Gardens, in terms of the Section 19 Application context of the Exchange Land, versus the Lost Open Space in isolation, but also looking at the open space as a totality, in both the existing and proposed contexts, which is the more realistic exercise. In all scenarios the future proposals have come out on top providing both more space overall but also more useable space. When the spaces are compared in terms of quality of space the future proposals have also been demonstrated to be superior to the existing.

- 12.6 On the basis of the above, although it is Mr Chadwick who addresses the overall position in respect of the Section 19 Application, I conclude that the Exchange Land is more advantageous to the public than the Lost Open Space in its quality and quantity.

GLOSSARY

"CD"	means a core document as listed in section 15 of this Statement of Case
"Derelict Areas"	Mean those areas of derelict land on the Scheme Land as shown on Plan 1 on page 56 of the Planning Committee Report
"Designated Open Space"	means any land on the Scheme Land, laid out as a public garden, or used for the purposes of public recreation, within the meaning of the definition in section 19(4) of the ALA 1981
"Design Panel"	means the panel that was established to oversee the RIBA Design Competition and evaluate the submissions
"Design Team"	means the multidisciplinary team led by Hopkins Architects that designed the Scheme
"Exchange Land"	means the Future Designated Open Space (excluding the Retained Open Space) to replace the Lost Open Space and as shown coloured green on the Revised Open Space Plan and measuring 1,815sqm. The Exchange Land is also shown in green on Map F
"Existing Designated Open Space"	means any Designated Open Space on the Scheme Land as shown coloured green on Map A and measuring 3,370 sqm. (On a precautionary basis this includes the café and the associated outdoor seating space shown edged in red on Map A)
"Existing Flood Zones "	means the flood zones as they relate to the Scheme Land Space as shown in contours on Map O which is found at Mr Chadwick's Appendix LBR1B(7)
"Existing Functioning Open Space"	means the Existing Designated Open Space and the Existing Highway Used as Open Space as shown on Map B and measuring 4,445sqm. (On a precautionary basis this includes the café and the associated outdoor seating space shown edged in red on Map B)
"Existing Trust Lease Area"	means the land edged red on Map K which is leased to the Trust pursuant to the lease dated 16 May 2014 and measuring 2,510sqm
"Gardens"	means the existing Diamond Jubilee Gardens, Twickenham TW1 3DX edged in red on Map M. This is a larger area than the Existing Trust Lease Area.

"Future Designated Open Space"	means the Designated Open Space as proposed within the Scheme as shown coloured green on Map C and measuring 4,387 sqm
"Future Flood Zones"	means the flood zones as they relate to the Scheme Land as shown in contours on Map P which is found at Mr Chadwick's Appendix LBR1B(8)
"Future Functioning Open Space"	means the Future Designated Open Space, the Future Highway Used as Open Space and the outdoor seating area as shown cross hatched, all on Map D and measuring 6,005 sqm
"Future Trust Lease/Licence Area"	means the land edged red on Map L which is the land which has been offered to the Trust by the Council as set out in the June 2021 Committee report and measuring 3,811sqm
"Lost Open Space"	means that part of the Existing Designated Open Space which will be lost in the Scheme, as shown coloured red on the Revised Open Space Plan and measuring 1,336 sqm. (On a precautionary basis this includes the café in so far as it falls within the area coloured red.) The Lost Open Space is also shown in red on Map F
"Map Q"	means the map annotated Map M at Appendix LBR2B(14)
"Map R"	means the map annotated Map M at Appendix LBR2B(15)
"Map S"	means the map annotated Map M at Appendix LBR2B(16)
"Map T"	means the map annotated Map M at Appendix LBR1B(17)
"Play Space"	means the areas of play space, associated circulation and seating within the Future Designated Open Space, shown shaded blue on Map T at Appendix LBR2B (17)
"Retained Open Space"	means that part of the Existing Designated Open Space which shall continue to be used as open space within the Scheme, shown shaded orange on the Revised Open Space Plan and measuring 1,428sqm. The Retained Open Space is also shown shaded orange on Map F
"Statement of Case"	means the Council's Statement of Case in support of the Modified Order and issued to all remaining relevant objectors on 5 April 2023