

LBR9

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 ACQUISITION
AND SCHEDULE 3 OF LAND ACT 1981**

**REBUTTAL PROOF OF EVIDENCE ON BEHALF OF THE
ACQUIRING AUTHORITY**

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IN RESPONSE TO EVIDENCE SUBMITTED BY:

NS-134: HOWARD VIE

1. INTRODUCTION

- 1.1 This is further proof of evidence (“rebuttal”) by witnesses for the Acquiring Authority in response to the statement prepared by Howard Vie (**NS-134**).
- 1.2 This is not intended to be an exhaustive rebuttal of the contentions made in Mr Vie’s evidence. This document only deals with certain points where it is considered appropriate and helpful to respond in writing. Where specific points have not been dealt with, this does not mean that those points are accepted and that they may be dealt with further at the inquiry.
- 1.3 This rebuttal addresses points raised by Mr Vie by theme and is broken into sections, with witnesses addressing points relevant to their area of expertise.
- 1.4 The same references and abbreviations as used in the main Proofs of Evidence is used in this document.

2. DESIGN AND OPEN SPACE (Chris Bannister)

- 2.1 This section is being addressed by Chris Bannister. Details of Mr Bannister’s qualifications and experience are set out in his main Proof of Evidence (**LBR – 2A**).
- 2.2 The specific points from Mr Vie’s statement on design and open space are as follows:
 - 2.2.1 The Scheme does not have the cohesion of a clearly defined park.
 - 2.2.2 Replacement open space will be directly overlooked by a 3 storey block of flats on its edge
 - 2.2.3 Wharf Lane building will shade the proposed replacement [open space]
 - 2.2.4 Architectural context – current context is neutral but proposed is strange semi-industrial, overbearing, prefabricated 1970’s style.
 - 2.2.5 Proportion and potential – the current park has the potential to be embellished
 - 2.2.6 Reference to Scheme drawings provides.
- 2.3 In response to the first point, mentioned on page 1 of Mr Vie’s statement, although not set out in a rectangle form like the existing gardens, the various parts of the new open space all sit adjacent to each other. Unlike the existing gardens the new open space has very few visual barriers so all the areas are open and visible from one to the other which will make it more cohesive and enjoyable for people to use.

- 2.4 In response to the second point, mentioned on page 1 of Mr Vie's statement, this is a town centre site and a degree of overlooking is not unusual. The presence of residential accommodation overlooking the site would help to improve safety and security in the area.
- 2.5 In response to the third point, mentioned on page 1 of Mr Vie's statement, the outdoor communal amenity 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 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 proposed development will offer excellent access to sunlight in all areas of amenity provided.
- 2.6 In response to the fourth point, mentioned on page 1 of Mr Vie's statement, the image attached to item 4 in Mr Vie's statement is not the current proposal and appears to be a much earlier version which was subsequently developed following consultation with the planners and the Design Review Panel to provide something that responds further to the context – (see View A – Appendix **LBR - 2B(8)**).
- 2.7 In response to the fifth point, mentioned on page 1 of Mr Vie's statement, the Council launched the RIBA Design Competition, in full agreement of the Trust that the current Gardens could be included, so as to find a whole site solution to the riverside and bring about a wider regeneration.
- 2.8 In response to the sixth point, which refers to drawings provided on pages 3 to 4 of Mr Vie statements which are hand drawn and show the current Scheme and an alternative, it should be pointed out that alternative scheme is not deliverable as it would result in the loss of flood storage on site and the buildings are far too close to the flood defence wall and would not be acceptable to the Environment Agency.

3. GENERAL (Paul Chadwick)

- 3.1 The general point in this section is addressed by Mr Chadwick. Details of Mr Chadwick's qualifications and experience are set out in his main Proof of Evidence (**LBR – 1A**).

No need for CPO as the requirement for development could be met by building on the derelict part only.

- 3.2 In response to this point, mentioned on page 1 of Mr Vie's statement, this has been in part covered by Mr Bannister above when he reviews the drawings provided. However, the Council

considers that the whole Scheme Land is needed to find a comprehensive solution to the Scheme Land to help bring about the benefits of the scheme detailed in paragraphs 10.12 to 10.42 Statement of Case and Section 9 of Mr Chadwick's Proof of Evidence (**LBR – 1A**).