

**OPENING STATEMENT ON BEHALF OF THE TWICKENHAM
RIVERSIDE TRUST – BY MR TED CREMIN
6.6.2023**

1. My name is Ted Cremin and I am the Chair of the Twickenham Riverside Trust.
2. The Trust came into being in 2011 and one of its purposes is to preserve and protect Public Open Space on Twickenham's historic, unique Riverside, and to press for its enhancement.
3. In 2014, the Authority granted a 125-year lease to the Trust on a substantial part of the recently created Diamond Jubilee Gardens in order to protect it as Open Space for the benefit of the Public. The grant of this lease was the result of a long history of local volunteers campaigning to protect the former Twickenham Baths site from repeated proposals that promoted overdevelopment over Open Space.
4. "Enhancing Twickenham's Riverside for the benefit of the Public, now and into the future" - here the Trust shares an ambition not only with residents but also with supporters of the very Scheme that lies at the heart of this Public Inquiry. We clearly have differences on how this ambition for an enhanced Riverside should be realised, but ultimately, we are all focused on the same aim – to realise more fully the potential of this unique riverside site for the benefit of the Public, now and into the future.
5. And it is therefore with much genuine regret that despite wanting the same thing, here we all are at this Public Inquiry.
6. Several Trustee voices will be heard in this room over the course of the Inquiry. But we do not stand alone. We are here in response to what the Public has told us, indeed in response to what the Public has told the Authority, including those who support the Authority's Scheme.

7. Let us take as an example a very recent communication from Riverside Ward Councillors to residents.
8. In a large photograph on the front page of a flyer, the Riverside Ward Councillors stand in the Embankment road, parked cars to one side of them, derelict buildings behind them. “40 years of dither and delay” reads the opening paragraph. Accompanied by the much-repeated refrain: ‘Get Riverside Done!’
9. Consultation after consultation has demonstrated support for the removal of parked cars from the Embankment. The Authority approved the removal of parking from the Embankment over two years ago. The removal of Embankment parking is not contingent on any development of Twickenham’s riverside. No CPO required.
10. Consultation after consultation has demonstrated that the remaining derelict pool buildings, some of which overlook the riverside, are a constant source of frustration to the Public - as perhaps reflected in the call to arms of “Get it Done.” What is perhaps not fully appreciated is that the derelict areas make up less than 10% of the Scheme Land. And are all fully owned by the Authority. No CPO required.
11. A November 2022 petition launched by the Trust that did NOT oppose developing that part of the Scheme Land comprising the derelict buildings and the Water Lane commercial properties and rear car park, and did NOT oppose the removal of parking from the Embankment received over 2,500 signatures of support in fewer than two weeks. The number of signatures now stands at over 3,000. What this petition did oppose, however, was the construction of the Scheme’s 5-storey Wharf Lane Building on Twickenham’s riverside.
12. A petition for a “Park not Car Park” launched in 2017 similarly received over 3,000 signatures of support. “A Space for People, Not Cars. We’d like cars to be removed from Twickenham Riverside in order to create a beautiful Riverside Park.”

13. Add to this the Trust's analysis of over 600 comments - both for and against - on the Scheme's August 2021 planning application. This demonstrated most clearly that Objections were overwhelmingly tied to the construction of the Wharf Lane Building on existing Public Open Space. Meanwhile the removal of car parking was a key contributor to Approvals. Approvals for the Scheme made very little reference to buildings whatsoever.
14. The Public is being absolutely consistent: they want a Park. Not a Car Park. They want a Park. Not a Wharf Lane Building.
15. Here we have it: the shared ambition of enhanced Public Open Space on Twickenham's riverside. Loud and clear. The Trust has listened. And heard. And acted. And here we are. Opposing the Authority's Scheme that does not realise the Public's desire for a Park on Twickenham's riverside.
16. We have appealed to the Authority to rethink, to re-examine their Scheme in a post-pandemic world in which the Public values its Public Open Space more keenly than ever.
17. To be clear, the Trust shares the ambition of several of the wellbeings that the Scheme is seeking to promote - the provision of affordable housing, the removal of car parking from the Embankment, the creation of high-quality public realm.
18. Rather, the Trust will be challenging the Authority's assertion that all of the Scheme's wellbeings are realised to the extent - if, in some cases, at all - claimed by the Authority.
19. Furthermore, and of most relevance bearing in mind that this a CPO Public Inquiry, the Trust will contest most strongly that the Authority's Scheme represents the only way of delivering those wellbeings. That the wellbeings are "uniquely deliverable" by the Authority's Scheme and the Authority's Scheme alone.

20. It suits the Authority's case for it to play down the advantages of the existing Gardens and extol those of the new Scheme. Their depiction is not one we recognise as it largely pertains to the continued presence of the derelict buildings that lie outside of the Diamond Jubilee Gardens, on Authority-owned land, which it could improve at any time. This would result in improvements to access and accessibility and to connections between King Street and the Embankment. All aspects being promoted by the Authority with respect to its Scheme.
21. Within the Diamond Jubilee Gardens itself there is a well-loved café and playground, a safe and enclosed space for free play which is enjoyed every day, year-round by families, nurseries, kids playing ball games and other residents. The Gardens as a whole also offer a flexible event space which hosts multiple community events across the year, all seasons, staffed by local groups and volunteers. Some twelve events will take place this year, with one happening this very weekend.
22. Other Scheme wellbeings are over-stated, including the size of the new play space and the proposed facilities on the riverfront for river-based activities and boat storage. In practice these would be heavily constrained by the narrowing of the Embankment promenade and the confining presence of the flood defence wall. So much more could have been included with a different and more open site design in the north-west corner of the Scheme Land that is occupied instead by the Wharf Lane Building.
23. Let us return to that flyer recently circulated to Twickenham residents featuring the Ward Councillors. "40 years of dither and delay" read the opening paragraph. Except that's not the case.
24. It is, however, the narrative the Authority has chosen to promote at this Public Inquiry via its Statement of Case and Proofs of Evidence – "Twickenham Riverside, an area blighted by neglect and dereliction in the 40 years since the pool closed".
25. But it's simply not accurate.

26. Rather it completely ignores the “phased” direction of travel which has been underway for almost 20 years. The gradual delivery of wellbeings. A journey already started.
27. Over 4,500m² of Open Space has either been created or enhanced on the Scheme Land over the past 15 years at the cost of several million pounds - the Jubilee Gardens in 2005, the Diamond Jubilee Gardens in 2012, the Embankment promenade enhancements in 2014. This can hardly be said to represent 40 years of neglect, 40 years of “dither and delay.” Rather a phased, gradual enhancement.
28. Elsewhere on Twickenham’s riverside, the Promenade between Water Lane and Church Lane had already ready seen landscaping improvements, as were then continued on the Scheme Land in 2014. At night, the row of identical lampposts stretching the entire length of the Embankment from Church Lane to Wharf Lane lightly illuminates the Promenade.
29. And then in 2015 the King St units, along with the private car park to the rear of these commercial premises, were purchased by the Council. The ‘phased’ approach was able to take its next step.
30. And in 2017, the Council was granted planning consent, subject to changes required by the Environment Agency, for a 39-home development that ran from King St, alongside Water Lane, and integrated the existing Diamond Jubilee Gardens into its layout.
31. However, a change in Administration in May 2018 resulted in the planning application being withdrawn. And here we are.
32. This is not to say that the Trust did not support the 2019 RIBA Design Competition. The Trust had been in support the 2017 Scheme, how it integrated the Gardens sympathetically into its layout, how it provided accessible access from both King St and from the Embankment, with ramped landscaped access centrally placed to

connect the upper Gardens with the lower Embankment. Gradual removal of car parking from the Embankment was also being discussed, starting with a section in the middle and moving outwards, adopting a phased approach.

33. However, the new Administration was not prepared to build the 2017 Scheme, in spite of having campaigned at the May 2018 Local Elections that it would not be 'going back to the drawing board' but rather looking at increasing the percentage of affordable housing provided by the 2017 Scheme and removing the car parking from the Embankment.
34. Post election, though, the incoming Administration had a change of direction. And the Trust was bound by its Objects to support the new Administration in its ambitions to enhance Twickenham's Riverside.
35. From late 2018 onwards, the Trust was fully engaged in the RIBA Competition process, submitting its Principles for Development to the Authority, attending Stakeholder Reference Group meetings and feeding into what was to become the RIBA Design Brief. There were genuine reasons to be optimistic at what could be achieved.
36. However, fast forward to June 2020, and the Inquiry will hear how very quickly what had been envisaged as a collaboration to realise a shared ambition went very quickly - in a matter of some 19 days - from "initial designs" to a "final offer".
37. 'Getting it Done' - and we are back to the flyer again - was prioritised over 'Getting it Right'.
38. Any negotiation – in the true sense of the word – with the Trust was consistently narrowed to legal elements pertaining to the management of the Open Space rather than the amenity value of the proposed area of Open Space itself.

39. The concerns expressed by other Stakeholders, as the Scheme ‘devolved’ rather than ‘evolved’, were similarly side-lined as decision making was driven by politically motivated timescales to ‘get a spade in the ground’ rather than by objective assessment of the challenges of developing this sensitive site. And all of this as the country lurched from one National Lockdown to the next.
40. The Authority’s ‘devolved’ Scheme sees the erection the 21m-high Wharf Lane Building on Public Open Space as part of a Scheme that offers less advantageous open space in return. Certain aspects of that Open Space being less advantageous to the Public relate directly to the Wharf Lane Building.
41. 21m-high when experienced from the riverside. Let’s put this in a local context. This is 3m taller than the ‘Clock Tower’ building where King St becomes Heath Road. Taller than the tallest tower on the ‘Waitrose’ building on London Road. 7m taller than the former Barclays Bank in central Twickenham. That’s a full 50% taller. Go and stand next to these buildings. Experience them. And then carry them with you down to Twickenham’s riverside.
42. Make no mistake. This is an enormous building. The Authority has referenced the boatyard buildings on Eel Pie Island as providing local context. The Wharf Lane Building rises up from the riverside to be more than twice the height of the tallest building on Eel Pie Island.
43. The Wharf Lane Building will result in the loss of many hundreds of hours of sunlight, year-round, compared to the largely shadow-free existing Open. The vast amount of shadowing caused by placing a building right between the afternoon and evening sun and the proposed Open Space introduces premature ‘sunsets’ 365 days a year.
44. Aside from the pub/restaurant and limited additional office space, there is no case made of the economic wellbeings resulting specifically from the construction of the Wharf Lane Building. We would suppose little benefit in practice from one extra pub or restaurant or additional office space in a town with many, many restaurants and

much vacant existing office space. Yet the Wharf Lane Building is the most contentious element of the Scheme, as shown by responses to both the planning application and the Trust's November 2022 petition.

45. The case for the social wellbeings relies largely on the provision of housing, particularly affordable housing, and on the degree of improvement to the public realm.
46. The Trust has no issue with the claims relating to affordable housing, which we welcome, and which would be provided on the eastern side of the site on Water Lane.
47. In contrast, we do challenge the value of the wider provision of “new high-quality housing in a sustainable town centre location and on a brownfield site”. We note the emphasis the Authority places on the National Planning Policy Framework requirement for “substantial weight to be given to the value of using suitable brownfield site for homes”.
48. However, as the Authority finally conceded just days before the Planning Committee Meeting, that part of the land on which this additional housing is planned is not ‘brownfield’ land but existing Public Open Space.
49. As a result, several wider considerations should then have come into even greater prominence – including whether that “additional” housing is truly essential in this particular location and whether it is truly suited to its Riverside context. There has been no consideration of the practical implications of the Authority's last-minute reversal of its position on the ‘brownfield’ issue, despite the Trust's requests.
50. Moreover, no consideration has been given by the Authority – or at least made public – to the option of the Scheme without the Wharf Lane Building. The Authority has asserted that this building is required in order for the Scheme to be financially viable, but no evidence has been issued on this for analysis.

51. That raises the important questions of (1) the additional costs of that building including the cost of meeting the Environment Agency requirements, (2) the public amenity value of that building compared to that of the Gardens for which the Council is seeking the CPO, and (3) the comparative financial viability of the Scheme without the Wharf Lane building.
52. In practice, the Authority has not ‘considered, tested and assessed’ alternatives to its Scheme. Indeed, its Statement of Case only makes the merest mention of the consideration of alternatives and offers no detail whatsoever.
53. And now that it is known that the Authority has increased the value of non-recoverable funding from the taxpayer from £7.5m to over £20m, it is surely all the more prudent to consider how the wellbeings sought by the scheme could be delivered in an alternative way.
54. Driving the search for alternatives, it should not be underestimated the real and lasting harm the Wharf Lane Building will cause to Twickenham’s riverside. A riverside which is recognised in the Council’s current draft planning consultation as having “high sensitivity to change” and scoring “particularly highly for attractiveness, tranquillity, and green spaces”.
55. Green spaces on which the Scheme would have a devastating environmental impact, with 65 of 66 established trees felled, resulting in the loss of nearly 200m² of tree canopy from the Gardens alone. Every single living thing on the Scheme Land. Gone. One tree left standing. It’s going to take decades for the Riverside to recover. If indeed it ever will. No wonder the Scheme has a floating ecosystem strapped to the side of the Embankment.
56. This Scheme was meant to champion ‘green’ over ‘grey’. Yet in a Scheme Land comprising some 10,000m², there is just over 1,000m² of planting. Compared to 1,400m² on the existing Open Space. 40% more planting on the existing Open Space? One existing tree left standing? And this in a Scheme that champions ‘green’ over

‘grey’? As we will argue with respect to the quantum and quality of Open Space being provided for the benefit of the public, the environmental numbers on this Scheme don’t add up either.

57. Another area in which the Authority’s numbers don’t add up - or rather they have been made to add up in a way that ‘seeks to conclude’ - is in the area of Public Consultation. The Trust will demonstrate how support for the removal of car parking from the Embankment has been ‘repurposed’ as support for the Open Space that is being provided by the Scheme.
58. However, let us put consultation, negotiation, environmental impact, planning policy, the consideration of alternatives, and many other matters that the Trust will raise over the course of this Public Inquiry, to one side for the moment. And turn to the Authority’s use of Section 19 legislation.
59. In arguments too lengthy for an Opening Statement, especially one now starting to draw to its close, the Trust will set out in detail to this Public Inquiry why it considers the Exchange Land being offered to replace the Lost Open Space to be less advantageous to the Public.
60. We will also demonstrate that the Exchange Land is of lesser size than the Lost Open Space. In doing so, the Trust will show that the Authority has not met either of the tests it is required to meet under Section 19(1)(a).
61. The Trust also objects to the Authority’s use of Section 19(1)(aa). It is using this statutory provision in a wholly unprecedented way and has been forced to do so only because of its inability to provide sufficient replacement open space under Section 19(1)(a) leaves it with no alternative.
62. The Authority originally intended to rely solely on Section 19(1)(a) - that is that the acquired open space would be replaced by at least the same amount of equally advantageous open space.

63. However, in September 2021, a full year after having indicated in writing to the Trust that it would be using Compulsory Purchase powers and just before officially launching its CPO, the Authority, had to make a last-minute change of tack to a 'hybrid' use of Section 19(1)(a) and (19(aa). This was because they realised that the legislation prohibits the use of existing open space as part of any replacement land. And the Authority realised this because the Trust explained it to them.
64. This hastily adopted, entirely new strategy, which significantly reduces the quality of the s19(1)(a) Exchange Land, is seeking to use s19(1)(aa) in a wholly unprecedented, inappropriate and dangerous way.
65. The legislation and CPO Guidance envisage the use of s19(1)(aa) to acquire open space "to secure its preservation or improve its management". This is surely intended for circumstances where an acquiring authority needs to step in where the open space is either at imminent risk of serious deterioration or of being lost altogether. All recorded cases to date have followed this sentiment. However, here, the Authority is seeking to acquire open space that is not in any peril and whose management to date is not being challenged, not least because it is the Council which already manages the space.
66. The Trust also highlights the fundamental concern – in planning policy terms – that the floodgates could be opened with harmful consequences, if an authority were allowed to acquire land in this way. This is because it would legitimise the compulsory acquisition of privately owned open space by an authority for any new scheme requiring additional open space, regardless of the quality or diligence of the current management of the existing space. Such a decision would create a 'developer's charter' for the acquisition of open space for assimilation into reconfigured open space in a neighbouring development.

67. To close, the Trust feels that the Authority's approach has resulted in a huge, missed opportunity. We are unfortunately ending on the same note of regret with which we started.
68. There are, however, ways forward, alternatives to be considered. And the Public have spoken out in no uncertain terms as to what they could look like: remove the parking, remove the Wharf Lane Building, address the dereliction and in doing so create a true riverside park, a 'whole site solution' that represents a genuine destination and is of real and lasting benefit for generations to come.