

# **I. STATEMENT OF EVIDENCE Janine Fotiadis-Negrepontis**

## **2. Introduction**

3. My name is Janine Fotiadis-Negrepontis. I have been a Trustee of the Twickenham Riverside Trust since October 2020. I have a background in journalism, more specifically investigative journalism. I was raised in the north east of England, later Hertfordshire, Leicestershire, East London, Leeds then on to Athens for several years and finally to Twickenham's Riverside.
4. That was over a decade ago. Since then our family has been embedded in the local community. I have campaigned on several local issues regarding public open space, and it is through this work in the community that I came to be a Trustee of the Twickenham Riverside Trust in October 2020. I have a particular interest in environmental issues.
5. My family spends much of our free time on the river with friends; swimming, paddleboarding, canoeing. On land, accompanied by our dogs, my daughter and I map local wildlife, observe changes, report new sightings or concerns.
6. I live on a road called Riverside. Riverside is a continuation of Twickenham's Embankment. It runs from Church Lane to Marble Hill Park, parallel and at times directly next to the river Thames. It is the road that, for example, runs between the two areas of open space that make up York House Gardens in which the very house in which this Public Inquiry is taking place is situated.

7. Life is anything but quiet on Riverside. My house overlooks the 17<sup>th</sup> century White Swan Pub. This pub is arguably the heart of the road called Riverside. It is bustling with activity throughout the warmer months and is one of the several areas along Twickenham's wider riverside, to include the Embankment, that gives the public direct access to the river.
8. This access is via what is known locally as the "White Swan Beach." This is a wide gradual slope leading down to the river, with gravel providing a natural "non-slip" surface.
9. Next to the White Swan Beach, there is also Ferry Cottage Slipway. Vehicles can reverse into this area with larger craft, as well as allowing canoes and so forth to be launched.
10. But the Beach is by far the most popular of these two adjacent river access areas. It is a safe access point into the water for families because it is both shallow and sheltered. It works very well for inexperienced river users or for cross generational groups. This is very much in contrast to using a pontoon to get on or off a paddleboard, or into and then out of a canoe or kayak.
11. Flotillas of paddleboarders and canoeists regularly drag their craft up the beach to enjoy the facilities of the pub. It is very much a destination on Twickenham's riverside.

12. The Church Lane slipway and the Water Lane slipway are also both popular areas where people can get close to the river, not only to get on and off their various craft, but also to paddle in the river or to experience the many river birds from close up.
13. As well as the river users, Riverside is popular with walkers and cyclists. The 18<sup>th</sup> century tradition of “promenading” is very much alive and well, as visitors having joined the towpath at Richmond Bridge travel along the river’s edge to Twickenham’s Embankment. There is activity outside my house literally from first light well into the evening. It is a pleasure to witness daily life on this unique and vibrant thoroughfare.
14. I would now like to read the Summary of my Proof of Evidence on Environment policy considerations, drawing also on some elements from my broader text and from other Evidence submitted by the Trust.
15. The Summary is Document S-2 W2.2 and the Proof of Evidence is Document W2.1.

16. **Background**

17. The Council declared a Climate Emergency in July 2019 listing new development as a major threat to the local environment and asserting that ‘open spaces and conservation areas’ within the borough would be given protection ‘to ensure’ that ‘biodiversity and ecosystems’ were maintained, stating that:

18. “There is considerable evidence that there has been a decline in biodiversity on a global, national and local scale over the years”.
19. The Trust is concerned that the Scheme does not provide the protection that the Authority has promised and also that it fails to comply with a range of national and local planning and environmental policies calling for the preservation of the environment, green spaces and biodiversity.
20. In this context, the refusal to undertake an Environmental Impact Assessment on the impact of the proposed redevelopment is both incomprehensible and unacceptable, in view of the sensitive location of the Scheme and the foreseeable environmental damage.
21. In my evidence to the Planning Committee in November – in document S-2 WI.01.20 – I said that the Scheme purports to meet the minimum environmental standards needed under planning law:
- (1) that the scheme will be Air Quality Neutral and
  - (2) that it achieves a 10% net gain in biodiversity.
22. Both are required but neither will be realised.
23. It should be recalled that the Open Space and Environment objectives in the RIBA design brief stated that:

24. “Biodiversity of the site is to be considered with ecology and wildlife encouraged”

25. and that:

26. “Proposals should follow Council policy guidance about the trees and look to retain the large trees at the rear of the site”.

27. With no Environmental Impact Assessment to highlight the Scheme’s shortcomings – a requirement for new developments significantly greater in scale than the previous use and for sensitive sites – the planning application was a master lesson in Greenwashing pushed by a Council which declares itself a trailblazer of the green agenda.

28. **Environmental damage**

29. Significant environmental damage will result from the Scheme.

30. Before I detail the environment damage, let us have a look at some photos of the existing Diamond Jubilee Gardens. All of the photographs I am about to show have already been submitted in Evidence by the Trust and can be found in the following documents:

**W1.1.01 TRT Open Space on the Scheme**

**W1.1.02 TRT response to the Authority’s case for using s19(1)**

## **W1.2.21 Planning Committee Presentation**

### **[IMAGES]**

31. Let us start by focusing on the loss of trees and 100 metres of native hedgerow. Unfortunately, we've been here before just relatively recently on Twickenham's wider riverside.
32. In 2017 this Council approved the removal of 285 trees from nearby Marble Hill public Park to facilitate the Marble Hill Revived Scheme. 285 existing trees deemed incongruous to the aesthetics of a reproduction Georgian Garden needed to go. The arboricultural report read almost identical to the one which accompanies this Twickenham Riverside scheme; low value trees, small girth diameter, self-seeded, unhealthy etc etc... Since that tree clearance I haven't heard the dawn chorus of song-thrush in Marble Hill, I no longer stumble across protected stag beetles in search of a mate, there's no trace of foraging badgers and hedgehogs and the flocks of green woodpeckers are long gone.
33. Much like Marble Hill, new trees will also be planted on Twickenham's Riverside, but not as many as are to be lost. And while the people and wildlife patiently wait for new trees to establish over the passage of several decades the void will be filled with increasingly harmful omissions, increased temperatures, amplified noise and acoustics.

34. And how long will the public have to wait until the new trees become established to match the height and width of the canopy currently provided by the trees in the present Gardens?
35. More detailed evidence has been given on this aspect on pages 44-46 of document S-2 W1.01.2 Evidence on the Trust's response to the Authority's case for using s19(1) of the Acquisition of Land Act 1981 and I would like to bring forward an extract from that here:
36. "We address in several places the impact that the loss of trees and hedgerows will have on the Existing Open Space. However, in terms of equality of advantage, the loss is as indisputable as it is upsetting. 66 healthy and established trees are to be felled to facilitate this Scheme. 23 of these are on the Diamond Jubilee Gardens, with just a single riverside tree resolutely remaining as a powerful symbol of what will have been lost.
37. "In open space terms, the trees and hedgerows serve multiple purposes:
- I. The trees provide **a beautiful and verdant backdrop** to the open space within the Gardens. The Authority proudly heralds the Wharf Lane Building as a suitable 'bookend' to Twickenham Riverside but ignores the fact that we already have several magnificent living 'bookends' that provide a much more fitting, healthy and beautiful destination at the end of a riverside journey from Richmond to Twickenham. Trees which they are proposing to

chop down.

2. In health terms, through carbon-capture, the trees help **clean and improve the surrounding air quality** – which is essential given the proximity of the open space to so much traffic and airplane pollution. By contrast the Wharf Lane Building will just add to such pollution.
3. The trees help to **cool the open space** in summertime (and reduce the ambient temperature) by providing dappled shade, whilst allowing the prevailing breeze to filter across the open space (rather than being impeded by the proposed Wharf Lane Building).
4. **Noise dampening quality of trees:**  
Bringing such large new buildings onto the riverside open space will inevitably amplify the noise in the public open space (particularly as the pub livens up during the afternoon and evening). As most garden-owning homeowners know, trees are remarkably good at dampening neighbourly noise. The existing open space already benefits from this through the protection provided by the hornbeams against the noise from the rear of the King Street properties. The Scheme will remove this protection whilst at the same time increasing both the noise and the means of amplification to the new open space.
5. They help promote a **sense of well-being** in those who occupy the Gardens, particularly those who do not have their own gardens or outdoor



space. The **mental health benefits** of open space and in particular green spaces is well documented – and (as the pandemic taught us) increasingly important in such challenging times.

6. The row of mature hornbeams creates an **attractive and extremely effective screening** (both visually and in terms of noise) from the rear of the commercial and residential premises in King Street. Without them, the aspect would be very different. If the Scheme goes ahead, members of the public visiting the new open space will be faced with the prospect of the Wharf Lane Building to one side (obscuring the current views of the trees in the neighbouring Thames Eyot canopy), the Water Lane Building to the other and the unscreened view of the rear of the King Street buildings at the rear. So the only pleasant view visible to the public will be those towards the riverside itself.
7. The felling of so many trees will inevitably create **a loss of habitat** for the many birds and other creatures who depend on them.
8. **The felling of the avenue of 16 mature pleached plane trees:**  
The felling of these charming trees, which inhabit a prominent riverside location and flank each side of the pétanque courts, will be a significant loss. They were deliberately planted in the part of the Gardens which directly overlook the River Thames so as to provide welcome dappled shade (against lovely riverside views) throughout the spring, summer and autumn months for visitors to the Gardens. The proposed replacement pétanque trees will

be younger and take many years to provide a similar size or canopy. They will also be planted in the shadow of an overbearing 5-storey building and we have real concerns as to how they will thrive with such limited access to sunshine. The enjoyment of shade from these new trees will be less impactful, given that it will itself be overshadowed by the Wharf Lane Building.

9. The felling of the **rare black poplar tree** at the entrance to the Gardens. This significant tree was planted by HRH Princess Alexandra in 2012, to commemorate the Queen's Diamond Jubilee and to celebrate the opening of the Gardens to the public. It is a much-loved community asset whose balsam scented leaves provide a sensory experience for visitors to the Gardens. Significantly it is a wonderful example of an endangered species. Black poplars are the most endangered native timber tree in Britain, with only 600 individual female examples (of which this is one) remaining in the wild. Here, I would like to add that this particular example is in direct contradiction with the RIBA competition brief, since the Scheme will be building on this area at the expense of this very rare tree.

38. "The Authority has already acknowledged that it will not be putting back as many trees or hedgerows into the Scheme as already exist at Twickenham Riverside. This is detailed in the pre-planning officer's report from November 2022.

39. “As a consequence, the planning permission for the Scheme imposes the following conditions which need to be complied with in order to offset the loss of trees and hedgerows at Twickenham Riverside:
1. Payment of a financial contribution of **£64,900 towards ‘community planting’**
  2. Payment of a **financial contribution towards ‘ecological enhancements’** comprising 87 metres of new species rich native hedgerows
  3. Payment of a **financial contribution towards the maintenance of the propagation of seeds** to compensate for the felling of the black poplar.
40. “As stipulated in the Authority’s planning report, these financial contributions will help pay for the planting of trees and hedgerows elsewhere in the ward within which Twickenham Riverside sits. However, as the Authority concedes, none of this new planting will take place within the Scheme or therefore benefit visitors to it.
41. “The fact that the Authority is unable adequately to replace the lost trees and hedgerows within its Scheme (and instead has to plant elsewhere) is a clear and obvious detriment compared to the existing open space and represents a significant reduction in the quality of the open space to be provided by the Scheme.”

42. There ends the extract.
43. I am aware that Evidence has been highlighted during the Inquiry relating to the assessment of the condition of the trees, intended to justify the Scheme on the grounds that around 40 are considered to be in in categories C and U – ie trees either of lower quality or with a life expectancy in their context of only ten years. However, this skates over the fact that all but one tree other than those on King Street will go. It dismisses the CAVAT report in October 2022, which gives a combined public amenity valuation for 70 trees within the site of £271,019 (CAVAT Valuation Twickenham Riverside, 3.3.5). Most importantly, over 80% of the most valuable trees are those in the existing Gardens, which are the subject of the CPO.
44. The Trust's clear impression regarding the Scheme's insistence on removing so many trees is that it is not so much driven by an assessment of the health or value of those trees as by the need to remove them in order to facilitate the Scheme's design and specifically the location and construction of the Wharf Lane Building.
45. Finally, on trees and in passing, the Trust is hugely disappointed with the position of both the Authority and the individual councillors on this core issue.
46. The Authority, because this action is so contrary to its policy of a "Greener Borough".

47. The councillors, because – unlike in another planning application just last week on St Margarets business park, where the planning officers recommended approval for the removal of just 4 (imagine, just 4...) of 11 trees on another local development site – they have not stood up to be counted when faced with the removal of so many trees in this treasured, riverside, public open space.
48. In the St Margarets case last week, councillors voted overwhelmingly (8 to 1) AGAINST the planning officer's recommendation for approval for the removal of the trees.
49. **Other environmental elements relating to the Scheme land**
50. Having focused on the trees, I want also to pick up on some other environmental aspects relating to the future functioning open space. These stem from a comparison in Mr Bannister's evidence of Map S – LBR 2B (16) – with Map T – LBR 2B(17); and from the Council's Core Document on Public Realm Strategy in CD 4.07 Part 2.
- 51.
52. My first point relates to the **soft landscaping or 'planted areas'** on the two maps. **[IMAGE]**
53. Map S shows the existing planted areas amounting to 1240 m<sup>2</sup>, but – as you have heard and as will be raised again by the Trust – this increases closer to 1400 m<sup>2</sup> if you include the soft landscaping on the raised area of Jubilee Gardens (which is excluded from Map S). That figure is almost one-third larger than the 1050 m<sup>2</sup> in Map T.

54. Let us look too here at CD 4.07 Part 2, particularly at the visual on p3 which shows the Ecology and Net Gain Strategy. **[IMAGE]**
55. And now at p10 of CD 4.07 Part 2 which shows in green the disparate areas of **soft landscaping** on the upper 'gardens' and the riverfront. **[IMAGE]**
56. Pp 11-14 show a range of very beautiful planting proposed on the terraces and then the upper 'gardens'. **[IMAGES]**
57. All of this new planting in the soft landscaping beds proposed in the images of planting plans we have just seen can be achieved in the existing soft landscaped areas, both in the existing Diamond Jubilee Gardens and in the Embankment-level Jubilee Gardens.
58. Any suggestion that NOTHING can thrive on site because of poor planting conditions is simply not true. The various planting beds in the existing Gardens thrive, as the Inspector will see on the site visit.
59. Of course, maintenance is a critical and fundamental factor in the upkeep of public gardens and it could be argued the existing planting beds could be better maintained.
60. The Authority is setting itself a significant maintenance challenge with its proposed planting.

61. In contrast to the planted areas, particularly with the placing of the main events space in the Scheme on the Embankment which will remain accessible to vehicles for parts of the day, the **hard surfaces** in the Scheme (931 m<sup>2</sup> according to Map T) are much greater in size than the hardstanding in the existing Gardens (507 m<sup>2</sup> according to Map S). Taken with the circulation areas, they are more than double.
62. Which brings me to the frequent condemnation in the Authority's evidence of the use in the existing Gardens of the **artificial grass**, or all-weather surface as we prefer to call it. Others have already pointed to the benefits of that year-round surface, compared to the reality of trying to keep natural grass in good condition through both hot summers and wet and muddy winters. Richmond Riverside is constantly having to be returfed and temporarily fenced off. Again a maintenance challenge for the Council.
63. The all-weather surface lawns were introduced into the Gardens after a grass lawn (which had been returfed at least twice) had failed to flourish because of the way in which the pool had been filled in. The all-weather-surface, being artificial, has brought many benefits in terms of its year-round usage. However, if the Authority wishes to reinstate grass in this area, with better groundworks, this would be entirely possible. It is certainly not necessary to CPO the Trust's land to achieve that objective.

64. **Consequences of the environmental damage on public health and biodiversity**

65. The environmental losses will directly impact the amenity of the public gardens and the Embankment. The loss of extensive tree canopy within a busy area of public realm will result in the wholesale removal of dappled shade, visual amenity will be greatly reduced, as will the filtration capacity of harmful airborne toxins deriving from the 32,000 vehicular movements on King Street (an Air Quality Management Area – AQMA). The tree felling will additionally result in the loss of a green buffer between the service road which lies adjacent to the Gardens.
66. A further serious consequence of the tree removals in tandem with the introduction of tonnes of manmade materials is the ‘Urban Heat Island Effect’. The Wharf Lane and Water Lane Buildings will only add to the heat through the impact of that effect and of the various air-conditioning units, extractor units and similar infrastructure that will be installed as part of the development. Temperatures will rise in the immediate locality at a time when global temperatures are rising year on year.
67. This takes an alarmingly short-sighted approach to tackling the climate crisis.
68. London experienced a heatwave in 2003 that killed at least 600 people and its impact was exacerbated by the ‘Urban Heat Island Effect’. Cooling the urban environment through the use of green infrastructure, as part of a package of



measures to combat climate change, will have important health and social benefits’.

69. Furthermore, the wholesale loss of habitat will be detrimental to the local wildlife. Existing foraging lines are to be completely severed and feeding opportunities utterly depleted.

70. **Mitigation proposals**

71. Mitigation proposals are woefully inadequate and fail to compensate the wildlife and the public in any meaningful way.

72. They can be summarised as follows:

73. the introduction of **limited green roofs** on a handful of outbuildings (to include bin storage)

74. a planting programme that will see a **reduction of trees** to the site

75. new trees will be small specimens with **insignificant canopy** and none of the distinct benefits that existing trees bring.

76. New planting will take **many years to establish**, and meanwhile there will be a shortfall of habitat, foraging opportunities, natural shade, pollution filtration, green buffer and more.

77. It is proposed to introduce a **small float with plants – marketed as an eco-system**. This seems to be merely an add-on in order to meet the required biodiversity net gains, which can't otherwise be achieved on the site because of the volume of building. However, this won't mitigate against the habitat losses on shore or meet the needs of the existing wildlife.

In practice, this is uncharted territory on this busy stretch of the Thames and this planting is unlikely to become established owing to local stresses on the river. (In my full submission, I referenced the Thames Water abstraction/sewage plans, which will also have an unknown impact.)

78. The c100m of native hedgerow to be uprooted will not be mitigated on site due to 'site constraints', namely overdevelopment.
79. There is a statutory requirement that new developments must result in a minimum 10% net gain in biodiversity. Where "significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused". (NPPF 179 (a))
80. The Council has been left scrambling 1) to mitigate against the proposed environmental damage, and 2) to deliver the statutory 10% net gain in biodiversity.

81. The London Plan states that “[...] all development takes place within a wider environment and green infrastructure should be an integral element and not an ‘add-on’”.
82. There is an expectation on developers to incorporate, where possible, existing trees into new schemes. Controversially, as the Riverside Scheme progressed through the design stages, more and more trees were earmarked for removal. Little to no effort was made to ring-fence trees for safeguarding from the outset of the process.
83. Biodiversity mitigation hierarchy works on the basis that development plans will try and aim for as little biodiversity loss as possible through 1) Complete Avoidance, 2) Minimisation where possible, 3) Restoration of areas within the development site, and 4) Offsetting, either onsite or offsite.
84. The Scheme is marketed as being ‘neutral impact’ with a 19% net gain in biodiversity.
85. The Trust does not accept these claims and pressed the Council to undertake a Full Environmental Impact Assessment in view of the sensitive location of the Scheme and of the very foreseeable environmental damage. But this was refused.

86. On close inspection, this Scheme fails to meet the even minimum threshold set out. It neither off-sets onsite nor offsite adequately. It is hard to imagine a scenario where a private developer would be granted planning permission for a scheme that involves the removal of around 70 established trees from a semi-urban area, where they are much needed and enjoyed, within a conservation area, adjacent to the river Thames (greenbelt), within public gardens and other areas of public realm.
87. **Implications for Planning and Environment Policy**
88. Finally, the scheme is contrary to the National Planning Policy Framework, the 25-year Government Environment Plan, the London Plan 2021 and the London Environment Strategy.
89. Additional to these policies, the wholesale removal of trees conflicts with the Council's local policies and strategies, to include: London Borough of Richmond's Tree Policy (21 February 2023), Climate Emergency Strategy 2019-2024, Air Quality Action Plan 2019-2024, the Local Plan 2018, Parks Strategic Principles 2011 and the Biodiversity Action Plan.
90. The mass felling of amenity trees undermines the borough's new Tree Policy, which recognises the need to safeguard existing trees while enhancing tree stock for current and future generations. The policy seeks to halt adverse impact on public health, wildlife and social and economic wellbeing by giving clear protection to existing trees.

91. Over 3,000 members of the public have to date signed the Trust's petition to safeguard the trees on the Diamond Jubilee Gardens.

## [IMAGES]

### 92. **Conclusion**

93. In conclusion, I pick up on what I told the Planning Committee in November (which is in document S-2 WI.2.20):
94. "23 mature trees are to be axed from the Diamond Jubilee public Gardens. Irreplaceable community assets and habitats destroyed, in direct contravention to this borough's own tree policy. The extensive canopy of these 23 natural lungs works hard to combat pollution arising from the 32,000 vehicular movements along King Street, daily. Smaller trees with far less filtration capacity are no substitute.
95. "This application desperately seeks to conclude that the scheme has a neutral impact on our local environment and public health, but no amount of greenwashing can hide the truth.
96. "The introduction of two-way traffic along Water Lane will harm residents, existing and new. Pollutant concentrates at the site are expected to exceed the 1-hour and annual objectives, compounded by the blanket removal of 66 large trees from the site as a whole and introducing the brutish Wharf Lane Building. There's nothing neutral about this scheme.

97. “Two years ago, this council voted to remove waterfront parking on the Embankment, but – to the detriment of this community’s health and well-being, and to the detriment of our local environment – it did not act. Poor air quality was retained on the Riverside in a ploy to mitigate against the serious cumulative harm that this Scheme will cause.
98. I will end my Statement of Evidence by repeating what I’ve said about the onsite biodiversity net gains. There aren’t any. Our riverside will be so heavily constrained by overdevelopment that the green gains associated with the Scheme can only ever exist on paper within this Authority’s own greenwashed reports.
99. These proposals are destructive and harmful – NOT neutral. They will trigger the ‘Urban Heat Island Effect’ on our riverside, reduce air quality, cause unacceptable levels of dust, damage our community and nature, spew light, and cause noise pollution.