

PH/CO/DP4410
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Dear Mr Goodby

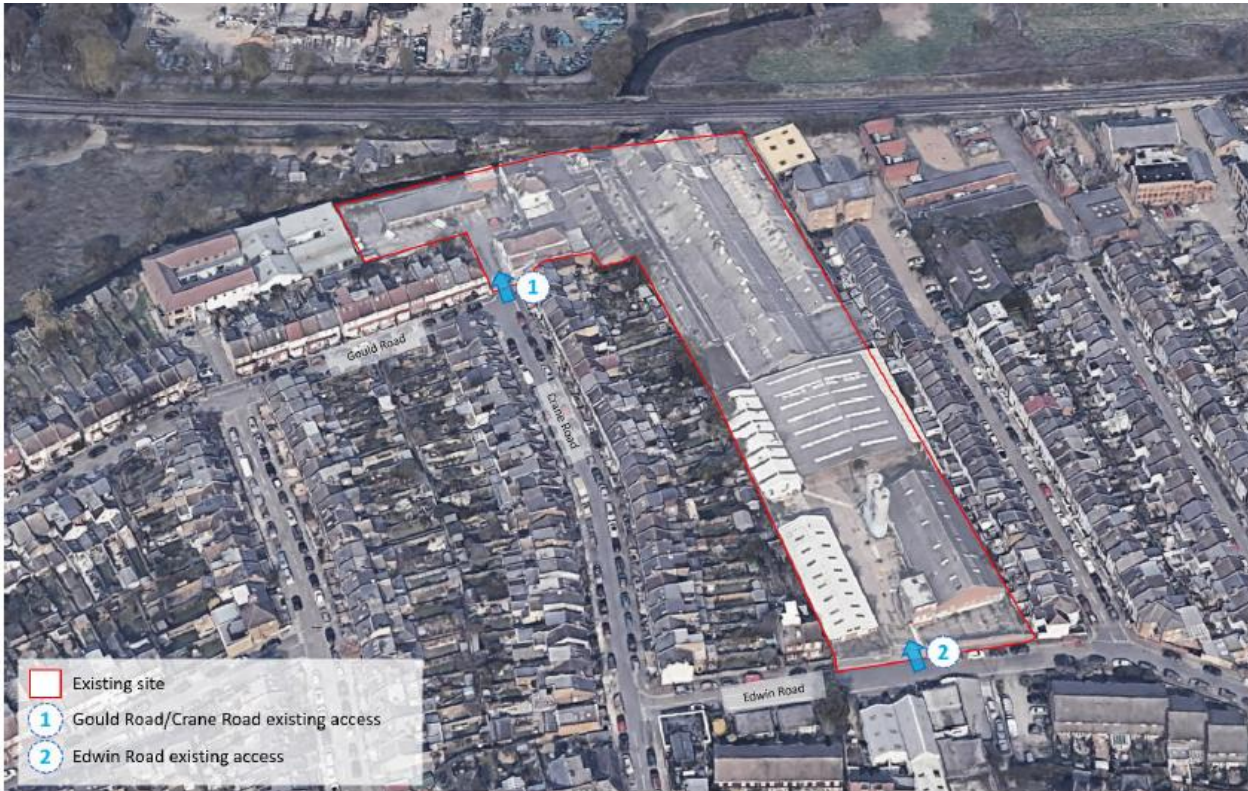
GREGGS BAKERY, GOULD ROAD, TWICKENHAM, TW1 6RT
PLANNING APPLICATION REFS. 22/2556/FUL AND 22/2557/FUL
EA REF. SL/2022/122209/01-LO1 AND SL/2022/122210/01-LO1

We write on behalf of the applicant, London Square Developments Ltd, in response to your comments dated 06 October 2022, in relation to the above planning applications. The design and consultant team have reviewed your comments and we clarify the points raised in turn below. This should be read alongside the Flood Risk Assessments (prepared by Waterman Group) and Ecology Report (prepared by Richard Graves Associates) submitted with these applications and the revised Biodiversity Net Gain Reports (prepared by Richard Graves Associates) provided as part of this response.

The Site and Proposals

The existing Site is dominated by buildings and hardstanding, specifically a single industrial unit, open-sided sheds, production and office buildings, related car parking area and one end of terrace house. As a result, the Site is subject to minimal greening and vegetation at present and has low ecological value. The River Crane corridor lies adjacent to the Site, however is currently brightly lit at night as part of the current measures required to maintain site security and has no public access. Up until recently, the site would also have been subject to high levels of noise disturbance and additional light trespass from the factory as a result of the bakery operation.

The proposed development seeks to protect and enhance the wildlife corridor created by the river to the north of the Site, by avoiding excessive light, enhancing the riverside edge landscape, providing nesting opportunities for bird life and roosting opportunities for local bats.



Above: Existing Site

Planning History

It should be noted that these applications follow a previous planning application by the Applicant to LB Richmond in 2019 (LPA Ref. 19/0646/FUL) on the Site for the following development:

‘Demolition of existing buildings (with the retention of a single dwelling) and redevelopment of the site to provide up to 116 residential units and 175 sqm of commercial floorspace; landscaped areas; with associated parking and highways works and other works associated with the development’.

During the determination period to the above application, an initial objection was issued by Ajit Gill of the Environmental Agency (‘EA’) in April 2019 (See Appendix 1). The reasonings for the objection related to the following:

- A significant loss of riparian semi-natural habitat within 8m of the River Crane and contrary to policy LP15 of the Richmond upon Thames Local Plan.
- The lighting is encroaching on the river corridor and channel. Light spill could be better prevented through the use of a natural corridor as a screen for the river.
- No natural corridor to the River Crane, therefore increased risk of roadside runoff into the watercourse and the prevention of improving the Biological element status of the Water Framework Directive.

In addition to the above, the following comments were received by Friends of the River Crane Environment (FORCE):



- Overshadowing of the river corridor is caused by larger buildings towards the riverside
- Light and noise pollution into the river corridor should be mitigated.
- Playspace should be increased to relieve pressure on neighbouring amenity spaces
- Requested contribution to The Lower River Crane Restoration Vision for improvements to the river

The Applicant liaised with the EA between April – July 2020. Through these conversations, the following amendments were agreed:

- Enhanced landscaping at river edge with additional tree planting, low level wall and planting designed to reduce light-spill and retain dark corridor.
- Reduction in parking to the rear of the site to provide improvements to the riverside area and enhanced playspace including greatly enhanced river edge treatment with extension of boardwalk and spaces of seating, play and walking.
- Parking and hardstanding reduced to lower the risk of roadside runoff.
- It was confirmed that there was limited opportunity to remove the existing concrete wall in this location and for naturalisation. Instead, it was agreed that a buffer zone of 5m around the watercourse would be incorporated into the scheme and this would be secured by planning condition, including detailing of any in channel enhancements which could be incorporated.
- The Applicant agreed to a financial contribution secured via S106 for in-river channel improvement works off site to the value of £50,000.

The Applicant received supportive comments from the EA and following these amendments and commitments, led to the removal of the objection (Appendix 2).

Whilst the above application was later refused by the Council, the reasons for refusal were unrelated to ecology or environmental matters.

The current applications replicate the principles of the refused application with the key changes as follows:

- Residential Scheme LPA Ref. 22/2556/FUL
 - o Retains the previous design, landscaping and quantum of land uses and seeks to increase the level of affordable offering across the site.
- Mixed-Use Industrial Scheme LPA Ref. 22/2557/FUL
 - o Retains the previous design and landscaping to the rear and incorporates an industrial unit to the front of the site

Both applications retain the same approach to the river corridor as that agreed as part of discussions to the refused planning application. Specifically, the retention of the 5m buffer zone, reduction in parking, enhancement to river edge and playspace and the Applicant continues to commit to a financial contribution to in-river channel improvement.

The objection received by the EA in October 2022 appears to repeat those received in April 2019, which are considered to have been historically agreed through the amendments which have been maintained as part of these submissions.



We appreciate that there may have been a change of personnel who have not been party to those original discussions and therefore we set out our response and previous resolutions below which we would be happy to discuss with you via a call or meeting.

Response

Restoration of the River Crane

The Crane Valley Partnership's Vision for the Lower River Crane Landscape introduces initial design ideas and identifies opportunities for projects to restore the lower stretches of the River Crane. The intention of the vision is to reconnect people with the hidden natural environment, create inspiring natural landscapes and to promote the natural ecology of the River Crane and its surroundings. This visioning strategy includes an assessment of potential improvements to the river and immediate surrounding area. The entire river is deemed appropriate as a restoration / re-modelling opportunity in the wider area surrounding the Greggs Site, however the area adjacent to the River Crane in the Applicants ownership is not specifically identified for river bank channel improvements or for naturalisation (which is identified further up and down stream).

It is considered that the proposals reflect the objectives of River Crane Vision by enhancing the Sites biodiversity value, providing natural habitat along the river edge and providing public access to the river edge. The proposals will be beneficial as the current site of nearly 100 m along the watercourse is entirely private buildings and hardstanding with no green infrastructure. There is no opportunity to alter the river frontage of private development to the west of the Greggs site, with developed frontage immediately to the north. There is an opportunity to provide additional green infrastructure within the site, reducing (when considering the northern bank of the river) the gap in green infrastructure / wildlife corridors to approximately 15 m between the end of the proposed green corridor and the start of the nearby Mereway Nature Park.

As agreed in 2020, the proposals do not seek to alter the river bank in this location and instead look to offer a payment in which to support improvements further up and down stream as identified within the Vision as being more appropriate and of greater value. Although initially an 8m buffer zone was previously requested under the refused application, both the Council's Ecologist and the EA agreed that a 5m buffer would be appropriate if this took a natural/unlit approach. It was noted by Richmond and the EA that the introduction of green soft surfacing servicing wildlife habitats along the riverside would be a significant improvement and would enhance the biodiversity of the Site.

The site would continue to offer the 5m green buffer zone (at least 8m from the river bank to the nearest proposed dwellings) and the Applicant remains willing to have this conditioned as part of any planning approval. The proposals will continue to provide enhancements by opening up the area fronting the river to provide a river walkway, landscaped area and incidental playspace. These proposals both respond to the aspirations of the Twickenham Village Planning Guidance, but also contribute to improvements and enhancements to the river environment providing public access to the River Crane and biodiversity enhancements in accordance with Local Plan Policy LP18 and the River Crane Vision. In contrast, removing the existing river wall would limit public access and enjoyment of this space and negatively affect the proposals' viability and feasibility as much of the northern part of the site would be taken up by a sloping river bank.



The Applicant recently met with the London Borough of Richmond Ecology Officer, Tasha Hunter on Site on 25th October 2022 in which the removal of the existing concrete wall and naturalisation of the bank was deemed inappropriate and it was agreed that off-site river improvements would be much more practical.

The proposals for both schemes will also continue to deliver the following on site improvements as recommended within the Phase 1 Habitat Survey Report and as recommended by Friends of the River Crane Environment (FORCE):

- River corridor kingfisher and Sand martin nest tunnels; and
- River corridor native hedgerow.

Riparian Habitat

Your objection sets out that there will be a significant loss of riparian semi-natural habitat within 300m of the River Crane. Richard Graves Associates have confirmed that there is approximately 90 m of riverfront (along one bank) under the control of the applicant which has negligible riparian semi-natural habitat affected by the proposals (an image of the existing riverside habitat is provided below). The river stretch fronting the site is channelised with vertical piled sheet metal or concrete sides with limited terrestrial ruderal vegetation overhanging the wall such as bramble and buddleia. As such, the adjacent riparian habitat offers negligible potential water vole *Arvicola* amphibious burrowing habitat or kingfisher *Alcedo atthis* / sand martin *Riparia riparia* nesting habitat.

However, it is acknowledged that these species are known to frequent other sections of the river and are likely to utilise the river adjacent to the site as commuting or / and foraging habitat. It is also acknowledged that the river corridor adjacent to the site could provide a dark corridor with restricted human disturbance but is currently brightly and unsympathetically (to wildlife) lit at night as part of the measures required to maintain site security. Up until recently, the site would have been subject to levels of noise disturbance and additional light trespass from the factory as a result of the existing Bakery operation.

An Exterior Lighting Assessment Supplementary Report has been prepared by Desco, in consultation with the Project Ecologists, and is enclosed for your reference. This sets out that illuminance from the proposed development do not significantly impact the river 'Dark Corridor' and improve upon the existing conditions.



Photo 1: View of Exiting Riverside Habitat showing channelised with concrete sides with limited terrestrial ruderal vegetation



Photo 2: Existing Greggs Factory Lighting Spill Directly onto River Crane

NPPF and Richmond Local Plan Policy

The proposals will protect and enhance the borough's biodiversity and will therefore meet the aims of Policy 15, particularly part 5 which seeks to achieve this by "enhancing wildlife corridors for the movement of species, including river corridors, where opportunities arise". The proposals will also meet the requirements of paragraphs 170 of the NPPF which requires development to conserve and enhance the natural environment by minimising impacts on and providing net gains for biodiversity. The proposals will improve the existing biodiversity measures across the site and should therefore be supported in accordance with paragraph 175 of the NPPF which sets out that the local planning authority should apply various principles including "development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

Water Framework Directive

It is acknowledged that hard surfaces adjacent to river corridors have the potential to cause a deterioration of water quality, however the proposed drainage strategy mitigates the risk and provides an improvement over the existing situation in line with the CIRCA SuDS Manual. Following liaison with the EA in 2019-2020 reduced the hard standing and parking provision adjacent to the river and further increasing ecology and



soft landscaping ensuring the existing condition is greatly improved. Please refer to the Flood Risk Assessment submitted with the planning application for full details of the drainage strategy.

Waterman Group have confirmed that existing drainage records indicate that in the current situation there are surface water outfalls to the River Crane, however there does not appear to be any petrol interceptors or other forms of treatment present within this existing network.

As set out within the FRA the pollution hazard level (as set out in the CIRIA SuDS Manual) for surface water runoff from the roofs is classed as 'very low' and from the parking and highways is 'low'. The incorporation of green roofs, and permeable paving across the development's highways and parking areas would provide an appropriate level of treatment to surface water runoff prior to discharge to the River Crane. As a result it is considered likely that the quality of surface water runoff discharged to the River Crane is likely to improve as a result of the development.

Furthermore, Waterman are aware of the requirements for a flood risk activity permit for any works within 8m of a main river. Prior to any works taking place we would submit the relevant forms, details of works etc. to the EA for approval, along with the relevant fee.

Biodiversity Net Gain Reports

The biodiversity net gain reports and calculations have been revised using metric 3.1 and to include the river element and are contained as an attachment to this email. Off-site enhancement of the same river is proposed, as the detail of exactly what may be implemented are not yet determined an assumption has been used in the calculation which calculates that a significant net gain can be delivered by funding or contributions to funding of enhancement elsewhere on the River Crane.

Summary

We hope the above adequately responds to your comments raised and that the proposals can be supported on this basis. We would welcome the opportunity to discuss the proposals for both applications further and to discuss the historic of the site and previous discussions with the EA.

Yours faithfully

DP9 Ltd.

DP9 Ltd.



Appendix 1 – EA Objection 2019



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Ms Joanne Simpson
London Borough of Richmond upon
Thames
Planning Department
Civic Centre (44) York Street
Twickenham
Middlesex
TW1 3BZ

Our ref: SL/2019/119116/01-L01
Your ref: 19/0646/FUL

Date: 12 April 2019

Dear Ms Simpson

Demolition of existing buildings (with the retention of a single dwelling) and redevelopment of the site to provide up to 116 residential units and 175 sqm commercial floorspace; landscaped areas; with associated parking and highways works and other works associated with the development.

Gould Road, Twickenham, TW2 6RT.

Environment Agency position

We **object** to the proposed development, due to its impacts on nature conservation and Water Framework Directive Requirements. We recommend that planning permission is refused. Specifically, the submitted planning application and associated documents indicates a significant loss of riparian semi-natural habitat within 8m of the River Crane and contrary to various policy units stated below.

In addition, a flood risk activity permit under the Environmental Permitting (England and Wales) Regulations 2016 is required for the proposed development which is unlikely to be granted for the current proposal.

Water Framework Directive

The Thames River Basin Management Plan (RBMP) states that the water environment should be protected and enhanced to prevent deterioration and promote the recovery of water bodies. Based on the information submitted with this application, there is a significant risk that the development may prevent achievement of good ecological status. Natural river corridors can provide a filtering effect on runoff to 'clean' runoff before it enters the watercourse. By not providing a natural corridor to the River Crane, there is an increased risk of roadside runoff into the watercourse, causing a deterioration to water quality. Natural river corridors provides habitat for many riverine animals including fish, invertebrates and macrophytes through the provision of refuge areas and diversity of available habitat. Lack of provision of a natural river corridor here may prevent the improvement in status of the Biological element of the current WFD classification (currently at poor [fish] and moderate [invertebrates and macrophytes]).



Therefore the proposed development does not meet the requirements of the Water Framework Directive unless the provisions of Article 4.7 of the Water Framework Directive can be met.

Richmond Local Plan

Additionally, Richmond Upon Thames Local Plan policy LP 15 states 'The Council will protect and enhance the borough's biodiversity, in particular, but not exclusively, the sites designated for their biodiversity and nature conservation value, including the connectivity between habitats.' With particular reference to point 5 of Policy 15 'enhancing wildlife corridors for the movement of species, including river corridors, where opportunities arise;' Within the submitted Phase 1 Habitat Survey Report further habitat improvements for the site are suggested. This includes the provision of in channel enhancements on the river. These suggestions however are not seen within the submitted information for the proposed development.

Consultation with Friends of the River Crane Environment as part of the applicant's community involvement indicated that there is support for more improvements to the river channel and corridor. This includes in channel improvements as well as improving the river corridor to provide habitat for river species.

The plans proposed as part of this scheme make note of a sensitive lighting plan that is suitable for light sensitive species such as bats that are known in the area. We support the plan to use such lighting schemes however we feel that the lighting is still encroaching on the river corridor and channel. Light spill could be better prevented through the use of a natural corridor as a screen for the river.

The River Crane Partnership, comprising of London Borough Hillingdon, London Borough Hounslow, Groundworks South, London Wildlife Trusts and others have created an ambitious River Crane Vision. This includes plans for the stretch of river included within this scheme. These plans include in river enhancements and providing a river corridor for the possible spread of protected species, the water vole (*Arvicola amphibius*) (protected under the Wildlife and Countryside Act 1981, as amended). The proposed scheme submitted as it stands, may provide a barrier to such improvement works.

Our objection is supported by paragraphs 170 and 175 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity.

Overcoming our objection

To overcome our objection, an amended scheme should contain plans for the creation of a natural corridor formed as part of the walkway, setting back car parking further. The scheme could also include consideration to proposals by Crane Valley Partnership and the Friends of the River Crane Environment as well as those included in the Phase 1 Habitat Survey Report including in channel river enhancements. Planting schemes should be of native species and include a long term management plan.



Yours sincerely

Mr Ajit Gill
Planning Advisor

Direct e-mail Ajit.Gill@environment-agency.gov.uk



Appendix 2 – EA Response 2020



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London Borough of Richmond upon
Thames
Planning Department
Civic Centre (44) York Street
Twickenham
Middlesex
TW1 3BZ

Our ref: SL/2019/119116/05-L01
Your ref: 19/0646/FUL
Date: 10 July 2020

Dear Sir/Madam

DEMOLITION OF EXISTING BUILDINGS (WITH THE RETENTION OF A SINGLE DWELLING) AND REDEVELOPMENT OF THE SITE TO PROVIDE UP TO 116 RESIDENTIAL UNITS AND 175 SQM COMMERCIAL FLOORSPACE; LANDSCAPED AREAS; WITH ASSOCIATED PARKING AND HIGHWAYS WORKS AND OTHER WORKS ASSOCIATED WITH THE DEVELOPMENT.

GOULD ROAD, TWICKENHAM, TW2 6RT.

Thank you for consulting us on the above application.

We have reviewed the updated documents/drawings and consider that they satisfactorily addresses our earlier concerns.
Subject to the conditions below, we therefore withdraw our previous objection, dated 17/06/2020.

Environment Agency position

Development that encroaches on watercourses can have a potentially severe impact on their ecological value. The riparian zone is particularly important for foraging and migrating species, such as bats, along the river corridor and should be protected from the built environment.

Networks of undeveloped buffer zones might also help wildlife adapt to climate change and will help restore watercourses to a more natural state as required by the river basin management plan. This is particularly important in urban areas where creating space for wildlife can help to mitigate water quality issues as well as providing areas of high biodiversity.

The proposed development will therefore be acceptable if a planning condition is included requiring a scheme to be agreed to protect a 5 metre wide buffer zone around the watercourse.



Condition

The development shall be carried out in accordance with the following drawings and documents:

- A3164 1005 – P7 - Jun 2020
- RGA133 Greggs – 2019 BAT ACTIVITY SURVEY REPORT v4 - Jun2020
- RGA133 Greggs – EXTENDED PHASE 1 HABITAT SURVEY REPORT – Jun 2020
- 1823 – Greggs Twickenham – Measuring Planes at 0.05m – 5 metre buffer zone

Condition

No development shall take place until a scheme for the provision and management of a 5 metre wide buffer zone alongside the River Crane has been submitted to, and approved in writing by, the local planning authority. Thereafter, the development shall be carried out with the approved scheme. Any subsequent variations shall be agreed in writing by the local planning authority, in which case the development shall be carried out in accordance with the amended scheme. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping. The scheme shall include:

- plans showing the extent and layout of the buffer zone.
- details of any proposed planting scheme (for example, native species).
- details demonstrating how the buffer zone will be protected during development and managed over the longer term including adequate financial provision and a named body responsible for management plus production of detailed management plan.
- details of in channel enhancements should be located primarily along the stretch of river adjacent to the site and any agreement with FORCE or the Crane Valley Partnership should reflect that enhancements are taking place within the boundary of the site prior to elsewhere within the river.
- Details of any footpaths proposed within the buffer zone, which should be of permeable materials.
- Details of the lighting plan providing a dark corridor to the river and buffer zone where levels shall not exceed 2 lux.

Reason(s)

Land alongside the River Crane is particularly valuable for wildlife and it is essential this is protected. This is evidenced by the bat survey submitted detailing foraging bats along the river corridor as well as notes that stag beetles and kingfishers were identified during the survey. Providing an adequate buffer zone within the development will provide further habitat for these protected species and support the development in greening this urban area.

Natural river corridors can provide a filtering effect on runoff to 'clean' runoff before it enters the watercourse. By not providing a natural corridor to the River Crane, there is an increased risk of roadside runoff into the watercourse, causing a deterioration to water quality. Natural river corridors provides habitat for many riverine animals including fish, invertebrates and macrophytes through the provision of refuge areas



and diversity of available habitat. The provision of a natural river corridor here may support the improvement in status of the Biological element of the current WFD classification (currently at poor [fish] and moderate [invertebrates and macrophytes]). This approach is supported by paragraphs 170 and 175 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused.

This condition is also supported by legislation set out in the Natural Environment and Rural Communities Act 2006 and Article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity.

Informative:

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Decision notice request

The Environment Agency requires decision notice details for this application in order to report on our effectiveness in influencing the planning process. Please email kslplanning@environment-agency.gov.uk with any decision notice details.

Please do not hesitate to contact me if needed.

Yours sincerely



Mr Randeep Dhanjal
Planning Advisor

Direct e-mail kslplanning@environment-agency.gov.uk

