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04 December 2023

**FAO: Lucy Thatcher**

**Our ref: NTH/AKG/SOTH/J7699**

**Your ref: 22/0900/OUT and 22/0902/FUL**

Dear Lucy

**Former Stag Brewery, Lower Richmond Road, Mortlake, London  
Substitutions to Planning Application refs: 22/0900/OUT (Application A) and 22/0902/FUL (Application B)**

On behalf of our client, Reselton Properties Limited, we write to submit substitution drawings and documents to respond to the Government's intention to mandate second staircases in new residential buildings above 18 metres, in respect of the pending planning application ref 22/0900/OUT ('Application A') at the Former Stag Brewery, Lower Richmond Road, Mortlake, London ('the Site'). For the avoidance of doubt, no physical changes are proposed to a linked application ref: 22/0902/FUL ('Application B').

### **Background**

Two applications for planning permission were submitted to the London Borough of Richmond upon Thames ('LBRuT') on 11 March 2022 for the masterplan redevelopment of the Site and are currently pending determination. Consultation with statutory and public consultees has been ongoing throughout this period.

On 19 July 2023 both applications were heard at LBRuT's Planning Committee. The LBRuT's Planning Committee resolved to approve both applications, subject to the provisions set out in the Officer's Report.

On 24 July 2023 the Secretary of State made a statement confirming the Government's intention to mandate second staircases in new residential buildings above 18 metres. This followed consultation on this matter where expert bodies advocated support for this threshold.

### **Matters for Substitution**

Although no formal transition arrangements or legislation has been announced at this stage, the Applicant has taken the decision to make amendments to the scheme which will allow it to adhere to the forthcoming changes announced on the 24 July 2023 by the Secretary of State in relation to the Government's intention to mandate second staircases in new residential buildings above 18 metres.

In summary the proposed changes to the scheme relate to Application A only and comprise:

- i. Building 1 (Cinema): Three levels of office changed to residential use (creating 17 new residential units) and decrease in building height by 2.6m. The cinema floor plans remain relatively similar with changes made to accommodate the residential core, refuse and cycle stores, risers and

- extending the cinema café. The third floor has changed from glazed to bronze cladding to suit the change of use, a cycle store has been added to ground floor and recessed balconies added to accommodate the introduced residential use in this building;
- ii. Building 2: Internal layout changes only (including removal of top floor of duplex) – increase in 1 residential unit;
  - iii. Building 4 (The Maltings): Removal of residential floorspace on floor levels 6 and 7 and internal re-configuration to include only one core with two stairs and two lifts – overall decrease in 1 residential unit. Minor elevation changes to the Maltings to re-position the double height windows and change in the layout of the ground floor flexible use areas;
  - iv. Building 7: Internal layout changes only (including removal of top floor of duplex) – no change in residential unit numbers;
  - v. Building 8: Re-arrangement of internal layout to accommodate core changes (no change in residential unit mix). Mansard roof stepped out around the southern staircase to accommodate dual staircases to the 8th floor;
  - vi. Building 10: Floor to ceiling heights changed very slightly to bring building under 18m;
  - vii. Building 11: Internal layout changes only (third lift and second stair added affecting number of habitable rooms) – no change in residential unit numbers;
  - viii. Building 12: Internal layout changes only (third lift and second stair added affecting number of habitable rooms) – no change in residential unit numbers;
  - ix. Buildings 15 and 17: These buildings are in Development Area 2 and are only in outline. Changes will be internal only;
  - x. Overall increase in residential floorspace by +1,722 sqm GIA and increase in 7 private residential units (increase in 17 residential units in Development Area 1 and decrease in 10 residential units in Development Area 2). No change in affordable residential unit numbers;
  - xi. Decrease in office floorspace by -2,571 sqm GIA, increase in cinema floorspace (+149 sqm GIA), and increase in flexible use (+125 sqm GIA), including an increase of 11 sqm GIA flexible use floorspace within the High Street Zone;
  - xii. Internal re-configuration of the basements to accommodate second stairwells, changes to waste stores, partitions and enlarged sprinkler tanks to satisfy updated electric vehicle fire regulations resulting in a reduction of 15 car parking spaces across the Development;
  - xiii. Fire strategy amended, resulting in two stairs to all residential buildings over 18m in height and re-introducing connections to the basement car park for the two stair buildings. The basement car park fire strategy has also been updated to provide fire safety enhancements to account for the introduction of EV charging in the basement car park;
  - xiv. Waste strategy amended, to return the refuse and recycling stores for Buildings 2, 7, 8, 11 and 12 to the basement level. For these buildings, holding stores at ground level have been provided in Buildings 3, 8 and 12 to support the collection process. Buildings 1, 3, 4, 5, 6, 9, 10 and all buildings in Development Area 2 maintain refuse and recycling stores at ground level; and
  - xv. Landscaping updates associated with changes to ground floor entrances for Blocks 8, 11 and 12, with amendments to the length of private gardens, additional planting and steps moved.

A schedule of the physical changes made to Application A is also set out in paragraph 2.1 of the Environmental Statement (ES) Statement Addendum, prepared by Waterman IE.

### **Substitution Documents**

The documents submitted for formal substitution or as addendum documents to those previously submitted are:

Application A (ref. 22/0900/OUT)

*Letter of Conformity*

- a) Arboricultural Impact Assessment Letter of Conformity, prepared by Waterman IE (to be read in conjunction with that submitted in March 2022 and March 2023);
- b) Basement Impact Assessment Letter of Conformity, prepared by Waterman IE (to be read in conjunction with that submitted in April 2023);
- c) CAVAT Note Letter of Conformity, prepared by Waterman IE (to be read in conjunction with that submitted in August 2022);
- d) Drainage Strategy Letter of Conformity, prepared by Waterman IE (to be read in conjunction with that submitted in April 2023);
- e) Foul Sewage and Utilities Assessment Letter of Conformity, prepared by Hoare Lea (to be read in conjunction with that submitted in March 2022);
- f) Lighting Masterplan Letter of Conformity, prepared by Michal Grubb Studio (to be read in conjunction with that submitted in March 2022);
- g) Odour Impact Assessment Letter of Conformity, prepared by Waterman IE (to be read in conjunction with that submitted in March 2022);
- h) Preliminary Risk Assessment Letter of Conformity, prepared by Waterman IE (to be read in conjunction with that submitted in March 2022 i.e ES Appendix 11.1);
- i) Structural Impact Assessment Letter of Conformity, prepared by Waterman IE (to be read in conjunction with that submitted in March 2022);
- j) Open Space and Playing Pitches Assessment Letter of Conformity, prepared by Gerald Eve LLP (to be read in conjunction with that submitted in March 2022);
- k) Delivery and Servicing Plan Letter of Conformity, prepared by Stantec (to be read in conjunction with that submitted in March 2022);
- l) Sheen Lane Level Crossing Letter of Conformity, prepared by Stantec (to be read in conjunction with that submitted in April 2023);
- m) Rail Impacts Assessment Letter of Conformity, prepared by Stantec (to be read in conjunction with that submitted in August 2022);
- n) Biodiversity Net Gain Letter of Conformity, prepared by Waterman IE (to be read in conjunction with that submitted in March 2023);
- o) Protected Species Report Letter of Conformity, prepared by Waterman IE (to be read in conjunction with that submitted in September 2022);
- p) Residential and Site Wide Travel Plans Letter of Conformity, prepared by Stantec (to be read in conjunction with that submitted in March 2022);
- q) Basement Note Letter of Conformity, prepared by BNP Paribas (to be read in conjunction with that submitted in August 2022) to be submitted in due course.

*Addendums*

- r) Design and Access Statement Addendum, prepared by Squire & Partners (to be read in conjunction with that submitted in March 2022 and August 2022);
- s) Transport Assessment Addendum, prepared by Stantec (to be read in conjunction with that submitted in March 2022, August 2022, February 2023 and April 2023);
- t) Financial Viability Assessment Addendum, prepared by BNP Paribas (to be read in conjunction with that submitted in March 2022, October 2022 and June 2023) to be submitted in due course;
- u) Covering Letter, prepared by Gerald Eve LLP (to be read in conjunction with that submitted in March 2022 and September 2022);
- v) ES Addendum, prepared by Waterman IE (to be read in conjunction with that submitted in March 2022 (as amended));

- w) Retail and Leisure Statement Addendum, prepared by RPS (to be read in conjunction with that submitted in March 2022 and August 2022);
- x) Community and Cultural Facilities Assessment Addendum, prepared by Ekosgen (to be read in conjunction with that submitted in March 2022 and August 2022, prepared by Hatch);
- y) Employment Assessment Addendum, prepared by Ekosgen (to be read in conjunction with that submitted in March 2022 and August 2022, prepared by Hatch);
- z) Health Impact Assessment Addendum, prepared by Ekosgen (to be read in conjunction with that submitted in March 2022 and August 2022, prepared by Hatch);
- aa) Energy Strategy Addendum, prepared by Hoare Lea (to be read in conjunction with that submitted in March 2022, February 2023 and April 2023);
- bb) Internal Daylight and Sunlight Addendum, prepared by EB7 (to be read in conjunction with that submitted in March 2022, August 2022 and February 2022);
- cc) Updated Landscape DAS Addendum, prepared by Gillespie's (to be read in conjunction with that submitted in March 2022, August 2022 and April 2023).

*Documents to Supersede Resolved to Approve Documents*

- dd) Updated Application A Application Form, prepared by Gerald Eve LLP (to replace Application A Application Form that was submitted August 2022);
- ee) Updated VU City link to be provided separately via email;
- ff) Updated Affordable Housing Offer Note, prepared by Gerald Eve LLP (to replace Affordable Housing Offer Note that was submitted May 2023);
- gg) Updated Unit Mix Accommodation Schedule, dated 03/11/23, prepared by Squire & Partners (to replace Unit Mix Accommodation Schedule that was submitted April 2023);
- hh) Proposed Accommodation Schedule, dated 03/11/23, prepared by Squire & Partners (to replace Proposed Accommodation Schedule that was submitted April 2023);
- ii) Proposed GEA Schedule, dated 03/11/23, prepared by Squire & Partners (to replace GEA Schedule that was submitted April 2023);
- jj) Proposed GIA Schedule, dated 03/11/23, prepared by Squire & Partners (to replace GIA Schedule that was submitted April 2023);
- kk) Updated Community Infrastructure Levy ('CIL') form and Appendix 1, prepared by Gerald Eve LLP (to replace CIL form that was submitted August 2022);
- ll) Updated Planning Drawing List, dated 03/11/23, prepared by Squire & Partners (to replace Drawing Schedule that was submitted June 2023);
- mm) Updated Wheelchair Accessible Units Schedule, dated 03/11/23, prepared by Squire & Partners (to replace Wheelchair Accessible Units Schedule, dated 09 June 2023);
- nn) Updated Outline Car Park Management Plan, prepared by Stantec (to replace Outline Car Park Management Plan that was submitted March 2023);
- oo) Updated Operational Waste Management Plan (to replace Operational Waste Management Plan that was submitted in June 2023);
- pp) Facts and Figures Appendix to Town Planning Statement (to replace Facts and Figures Appendix to Town Planning Statement that was submitted in August 2023);
- qq) Updated GLA Carbon Emissions Reporting Sheet, prepared by Hoare Lea (to replace GLA Carbon Emissions Reporting Sheet that was submitted August 2022);
- rr) Updated Sustainable Construction Checklist, prepared by Hoare Lea (to replace Sustainable Construction Checklist that was submitted August 2022);
- ss) Updated Site Waste Management Plan, prepared by AECOM (to replace Site Waste Management Plan that was submitted March 2022);
- tt) Updated Housing Standards Compliance Schedule, prepared by Squire & Partners (to replace Housing Standards Compliance Schedule submitted August 2022) to follow shortly;

- uu) Revised Proposed Plans, Sections and Elevations, prepared by Squire & Partners (to replace relevant drawings as listed on Planning Drawing List dated 20 June 2023);
- vv) Playspace Plan (ref: P10736-00-003-GIL-0800), prepared by Gillespies LLP;
- ww) Updated Design Code, prepared by Squire & Partners (to replace the Design Code submitted in February 2023 and March 2023);
- xx) Updated Lighting Layout Plans and Drawing Schedule, prepared by Michael Grubb Studio (to replace those relevant drawings and Drawing Schedule submitted in February 2023);
- yy) Updated Waterfront Lighting Assessment, prepared by Michael Grubb Studio (to replace Waterfront Lighting Assessment submitted February 2023);
- zz) Preliminary QDR Report, prepared by Hoare Lea (to be read in conjunction with that submitted in August 2022);
- aaa) Revised High Street Zone Plan, prepared by Squire & Partners (to replace that previously submitted under Appendix A of the Town Planning Statement in April 2022);
- bbb) Updated Fire Strategy Planning Statement, prepared by Hoare Lea (to be read in conjunction with that submitted in August 2022);
- ccc) Updated Gateway One, prepared by Hoare Lea (to be read in conjunction with that submitted in August 2022);
- ddd) Updated Landscape Drawings and Issue Sheet, prepared by Gillespie's (to replace relevant drawings as listed on Issue Sheet dated March 2022 and August 2022);

### General Summary of Response

In terms of planning matters to consider as a result of the amendments made following the changes announced on the 24 July 2023 by the Secretary of State in relation to the Government's intention to mandate second staircases in new residential buildings above 18 metres, the key areas of review are:

1. Land use;
2. Design and Landscape;
3. Fire Safety;
4. Refuse Strategy and Trip Generation;
5. Energy and Sustainability;
6. Environmental Statement Matters; and
7. Viability.

#### 1. Land Use

##### *Non-residential land uses*

Table 1 summarises the key changes to the non-residential land use areas. Areas not quoted in the table remain as per the resolved to approve position and no changes have been made to the maximum and minimum flexible use floorspace caps set out in Table 4 of the submitted Town Planning Statement. A revised full floor area schedule has been provided by Squire & Partners (dated 3 November 2023):

| Land Use         | Resolved to Approve (July 2023) (GIA sqm) | October 2023 Substitutions (GIA sqm) | Change (+/-) |
|------------------|---|--------------------------------------|--------------|
| Flexible Uses    | 4,784                                     | 4,909                                | +125         |
| Cinema           | 1,606                                     | 1,755                                | +149         |
| Office (Class E) | 4,468                                     | 1,897                                | -2,571       |

*Table 1: Land Use area changes as a result of the Fire-Led substitutions. Areas based on Squire & Partners area schedule, dated 3 November 2023.*

The revised areas set out in Table 1 are considered to continue to meet the planning policy objectives of the site in terms of creating a new village heart for Mortlake and employment opportunities, in line with Local Plan Policies LP25 and the Site Allocation SA24.

RPS have reviewed their Retail and Leisure Statement (RLS) and provided an addendum, dated October 2023. Paragraph 29 of the addendum confirms that the changes to flexible use floorspace now proposed and the increased number of residential units are negligible and would not cause any significant adverse effects upon any town centre. Furthermore, there would be no issue in terms of the sequential test given the appropriateness of the scale of the proposed flexible use floorspace. Paragraph 30 of the Addendum goes on to confirm that the amendments do not materially affect the conclusions reached in Section 7 and 8 of the submitted RLS.

Hatch have reviewed the proposed reduction in floor areas and have concluded in the following documents that the changes do not result in any material changes to the conclusions presented in the March 2022 submissions: i) Employment Assessment and ii) Cultural and Community Facilities Assessment. Therefore, the findings presented in March 2022 remain valid and robust.

In a continuation of the previously resolved to approve position, 10% of the total proposed office floorspace will be provided as affordable workspace, in line with Local Plan Policy LP41 (Part D). The location of the affordable workspace would be confirmed post-determination of the planning application.

As a result, the assessment put forward in Section 10 of the submitted Town Planning Statement, prepared by Gerald Eve LLP, dated March 2022 remains robust and valid.

#### *Residential use*

In terms of residential unit numbers and tenure mix, Table 2 sets out the changes made:

| Resolved to Approve (July 2023) |                       |     |                                   |     |                |     | October 2023 Substitutions |                       |     |                                   |     |                |     |
|---------------------------------|-----------------------|-----|-----------------------------------|-----|----------------|-----|----------------------------|-----------------------|-----|-----------------------------------|-----|----------------|-----|
| Housing Tenure                  |                       |     |                                   |     |                |     | Housing Tenure             |                       |     |                                   |     |                |     |
| Unit Size                       | Potential Social Rent |     | Potential London Shared Ownership |     | Private Market |     | Unit Size                  | Potential Social Rent |     | Potential London Shared Ownership |     | Private Market |     |
| Studio                          | 0                     | 0   | 0                                 | 0   | 45             | 4%  | Studio                     | 0                     | 0   | 0                                 | 0   | 27             | 3%  |
| 1 bed                           | 0                     | 0   | 8                                 | 62% | 263            | 26% | 1 bed                      | 0                     | 0   | 8                                 | 62% | 271            | 27% |
| 2 bed                           | 3                     | 6%  | 5                                 | 39% | 460            | 46% | 2 bed                      | 3                     | 6%  | 5                                 | 39% | 472            | 47% |
| 3 bed                           | 44                    | 85% | 0                                 | 0   | 211            | 21% | 3 bed                      | 44                    | 85% | 0                                 | 0   | 217            | 21% |
| 4 bed                           | 5                     | 10% | 0                                 | 0   | 24             | 2%  | 4 bed                      | 5                     | 10% | 0                                 | 0   | 23             | 2%  |
| <b>Total</b>                    | <b>52</b>             |     | <b>13</b>                         |     | <b>1,003</b>   |     | <b>Total</b>               | <b>52</b>             |     | <b>13</b>                         |     | <b>1,010</b>   |     |
| *some % figures rounded up      |                       |     |                                   |     |                |     | *some % figures rounded up |                       |     |                                   |     |                |     |

*Table 2: Summary of the originally proposed and the revised residential unit numbers and tenure mix*

It is considered that the minimal increase in residential units proposed would not alter the conclusions presented in Section 10 of the Town Planning Statement, prepared by Gerald Eve LLP, dated March 2022.

The masterplan will continue to deliver a significant amount of new housing across the Site, in line with LBRuT and GLA policy aspirations. The residential provision within the Proposed Development would represent a significant delivery of housing in the plan period (up to 1,075 out of 4,110 homes) for LBRuT in the next ten-year period. This equates to a contribution up to 26.15% (previously 25.98% in July 2023) of the LBRuT's target and would account for between two and three years of the annual delivery targets that the LBRuT have set for Barnes and Mortlake under Local Plan Policy LP 34.

The small increase in residential units proposed is considered acceptable.

## 2. Design and Landscape

Squire & Partners have provided an Addendum to the Design and Access Statement (DAS), dated November 2023 and a Design Code Addendum, dated November 2023, which address the design revisions made to the proposals. Two meetings were held with LBRuT's planning officer ahead of the submission of these design amendments (3 October 2023 and 23 October 2023) to discuss the design changes across the site and specifically the revisions to the cinema building, respectively.

Gillespies LLP have also provided a Landscape DAS Addendum, dated November 2023, which addresses the areas of change in the landscape design resulting from the proposed modifications to the scheme.

The proposed fire-led modifications to the design of the Proposed Development do not change the conclusions reached in sections 12, 13 and 14 of the submitted Town Planning Statement, prepared by Gerald Eve LLP.

## 3. Fire Safety

The key changes in respect of responding to the Government announcements have been set out above and in the Fire Statement, prepared by Hoare Lea.

The Preliminary Quality Design Review and the Gateway One Form have also been updated to assess the revised design.

It is considered that the Updated Fire Strategy complies with London Plan Policy D12.

## 4. Refuse Strategy and Trip Generation

The refuse strategy has been revised due to the relocation of the refuse and recycling stores in Buildings 2, 3, 7, 8, 11 and 12 to basement level. For these buildings, holding stores at ground level have been provided in Buildings 3, 8 and 12 to support the collection process.

Furthermore, the LBRuT published an update of their Supplementary Planning Document (Refuse and Recycling: Storage and Access for New Developments) in December 2022.

Stantec have revised their Operational Waste Management Plan (OWMP) (Rev 1, October 2023) accordingly and a revised OWMP has been submitted in support of these proposed fire-led scheme amendments.

## 5. Energy and Sustainability

Prior to the submission of these amendments, Hoare Lea met with the LBRuT and their advisors, Accelor, on 25 October 2023, to discuss and agree the energy and sustainability approach taken in the application's supporting documents.

The following documents have been submitted to reflect the fire-led amendments:

- i. Energy Strategy Addendum;
- ii. GLA Carbon Emissions Reporting Sheet; and
- iii. LBRuT's Sustainable Construction Checklist.

The Energy Strategy Addendum (paragraph 1.1) sets out that the remaining documents prepared by Hoare Lea and previously submitted in respect of energy and sustainability remain valid.

## 6. Environmental Statement Matters

Waterman IE have reviewed the March 2022 Environmental Statement (ES) (as amended) considering the proposed amendments to Application A.

A further ES Addendum has been prepared by Waterman IE, dated 3 November 2023 and is submitted now in support of the amendments.

Based on their review and following further assessment, Waterman IE have concluded that the findings of the Environmental Impact Assessment presented in the March 2022 ES (as amended) are unchanged when the proposed fire-led design amendments have been considered.

## 7. Viability

BNP have reviewed the financial viability position of the scheme following the proposed fire-led design amendments and have prepared an addendum to their Financial Viability Assessment, dated March 2022.

The FVA Addendum conclusion states that the proposed fire-led amendments to the scheme mitigate some of the impact arising from the changes for example, through the conversion of the previously proposed office floorspace on the upper floors of Building 1 to residential units.

The FVA Addendum finds that profit levels have reduced since the July 2023 Committee scheme. The detail of the FVA is provided within the FVA Addendum. Separate to this and having regard to the FVA Addendum the Applicant has updated its 'Affordable Housing Offer Note', which is provided as part of this pack.

### **Next Steps**

We look forward to receiving confirmation of receipt of the substitution documents and the commencement of the re-consultation period. In the meantime, please contact Neil Henderson or Anna Gargan of this office should you have any questions.

Yours sincerely



**Gerald Eve LLP**

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