

By email to:

Lucy Thatcher, London Borough of Richmond-upon-Thames
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Our ref RES004/0001

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

1 February 2024

Dear Ms Thatcher

Notice of intention to appeal for non-determination of applications at the Stag Brewery, Mortlake, Richmond-upon-Thames

We act for Reselton Properties Limited.

Please find enclosed formal notice of our client's intention to appeal against the non-determination of two applications at the above site: 22/0900/OUT and 22/0902/FUL.

Our client regrets that the need to appeal has arisen. Following the Mayor of London's direction to refuse permission for two earlier applications in 2021, the applications have been re-designed to overcome the Mayor's concerns relating to height, massing and visual impact, the impact on heritage assets and the effect on the amenities of neighbouring properties. These design choices were made with the support of the London Borough of Richmond-upon-Thames ("LBRuT").

LBRuT has resolved to grant permission for the revised applications. Its independent consultants have twice robustly interrogated the viability of the proposed development and have reached the conclusion that it simply cannot support any greater quantum of affordable housing. Our client has agreed to accept a profit well below market norms in order to bring the scheme forward to provide homes for Londoners, a new secondary school and a new heart for Mortlake on what is currently an under-used previously-developed site with only a meanwhile permission. LBRuT agrees with our client that the proposed development would deliver its aspirations for the site.

Notwithstanding, the Greater London Authority ("GLA") has consistently indicated its opposition to the proposed development on the basis that it would not provide enough affordable housing. Our client has written to Jules Pipe, Deputy Mayor for Planning, Regeneration and Skills in an attempt to overcome this impasse without any meaningful progress. GLA officers have met our client's viability consultant and, in those discussions, their queries regarding viability were all responded to. Subsequently, our client and their planning consultants met with the Head Case Officer for the GLA where it was indicated that the level of

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affordable housing was too low and that there would be many months of further delay and the outcome would most likely be to direct refusal.

The GLA has not notified our client or (to the best of our client's knowledge) notified LBRuT of any legitimate, evidence-based objection to the proposed development, but in the circumstances in which the GLA has indicated that it will not grant permission (or allow LBRuT to do so expeditiously), our client has no choice but to lodge appeals for non-determination notwithstanding the LBRuT's support for the proposals.

We are instructed that in the event that the GLA seeks to appear at the appeal inquiry our client may exercise its right to claim costs if it considers the GLA's behaviour to be unreasonable, such that it results in unnecessary wasted time, expense and delay. LBRuT may also wish to consider its position as to the expenses it will incur in appearing in support of the proposals at the appeal inquiry.

Copies of this letter and the notice of intention to appeal will be circulated to the GLA and the Planning Inspectorate.

Yours sincerely

A handwritten signature in grey ink that reads "Town Legal LLP". The signature is written in a cursive, slightly slanted style.

Town Legal LLP

cc. by email to:

Grace Jack, Greater London Authority (Grace.Jack@london.gov.uk)

John Finlayson, Greater London Authority (john.finlayson@london.gov.uk)

Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk)