

Former Stag Brewery  
**DRAFT** Statement of Common Ground

On behalf of: Reselton Properties Ltd

Date: TBC

Local Planning Authority: London Borough of Richmond upon Thames

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NTH/AKG/U0019289 – DRAFT 1

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# 1 Introduction

- 1.1 This Statement of Common Ground (“SoCG”) has been prepared by Gerald Eve on behalf of Reselton Properties Ltd (“the Applicant”) and the London Borough of Richmond upon Thames (“the Council”).
- 1.2 This SoCG relates to the non-determination of the two linked applications for planning permission for the comprehensive redevelopment of the former Stag Brewery (‘The Site’) within the London Borough of Richmond upon Thames (hereafter known as the ‘Proposed Development’).
- 1.3 In accordance with the Planning Inspectorate Procedural Guide for planning appeals (March 2019), this SoCG has been agreed by both the Applicant and the Local Planning Authority, in advance of the Inquiry.
- 1.4 In accordance with Section B.9 of the Planning Inspectorate Call-in Planning applications: Procedural Guide (6<sup>th</sup> July 2020), this Statement clarifies matters that are agreed by both parties, followed by matters that are in dispute. This will ensure that the evidence considered at the Inquiry focuses on the material differences between the Appellant and the Statutory Decision maker.
- 1.5 In accordance with the Planning Inspectorate Guidance, this SoCG comprises the following sections:
- The scheme
  - The Site and Surrounding area including the planning history;
  - Description of the proposals;
  - Planning designations;
  - Planning Policy Framework;
  - Agreed matters;
  - Matters in dispute; and

- Signatures.

1.6 This SoCG should be read in conjunction with the Statement of Case and the original application documents submitted in support of the Appeals.

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## 2 The Scheme

2.1 The descriptions of development for the Appeals are:

Appeal A (ref: 22/0900/OUT)

**“Hybrid application to include:**

**1. Demolition of existing buildings (except the Maltings and the façade of the Bottling Plant and former Hotel), walls, associated structures, site clearance and groundworks, to allow for the comprehensive phased redevelopment of the site:**

**2. Detailed application for the works to the east side of Ship Lane which comprise:**

**a. Alterations and extensions to existing buildings and erection of buildings varying in height from 3 to 9 storeys plus a basement of one to two storeys below ground to allow for residential apartments; flexible use floorspace for retail, financial and professional services, café/restaurant and drinking establishment uses, offices, non-residential institutions and community use and boathouse; Hotel / public house with accommodation; Cinema and Offices.**

**b. New pedestrian, vehicle and cycle accesses and internal routes, and associated highway works**

**c. Provision of on-site cycle, vehicle and servicing parking at surface and basement level**

**d. Provision of public open space, amenity and play space and landscaping**

**e. Flood defence and towpath works**

**f. Installation of plant and energy equipment**

**3. Outline application, with all matters reserved for works to the west of Ship Lane which comprise:**

**a. The erection of a single storey basement and buildings varying in height from 2 to 8 storeys**

**b. Residential development**

**c. Provision of on-site cycle, vehicle and servicing parking**

**d. Provision of public open space, amenity and play space and landscaping**

**e. New pedestrian, vehicle and cycle accesses and internal routes, and associated highways works.”**

Appeal B (ref: 22/0902/FUL)

**“Erection of a three-storey building to provide a new secondary school with sixth form; sports pitch with floodlighting, external MUGA and play space; and associated external works including landscaping, car and cycle parking, new access routes and other associated works”**

2.2 The applications were validated by the Council on 11 April 2022 under references: 22/0900/OUT (Application A) and 22/0902/FUL (Application B).

2.3 The Applications were submitted to the GLA and a Stage 1 report was received on 20 June 2022.

2.4 The Appeals were heard by LBRuT’s Planning Committee on 19 July 2023. Both Appeal A and B received a resolution to grant, subject to the items set out in the Officer’s Report recommendations.

2.5 Appeal A was heard at LBRuT's Planning Committee again on 31 January 2024. Again, Appeal A received a resolution to grant subject to referral to the GLA and the completion of a s106 legal agreement.

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### 3 Description of the Site and Surrounding Area

- 3.1 The Site is located within the LBRuT and comprises of a single site, split in to two parts for the purposes of the Applications (A and B). The Site is: the former Stag Brewery which sits between Lower Richmond Road and the River Thames, to the north of Mortlake Green.

#### *Site Description*

- 3.2 The former Stag Brewery Site occupies a 9.25 ha site which is bounded by Lower Richmond Road to the south, the river Thames and the Thames Bank to the north, Williams Lane to the east and Bulls Alley (off Mortlake High Street) to the west. The Site is bisected by Ship Lane, which runs in a north-south direction, between the Jolly Sailor public house on Lower Richmond Road and the Ship public house on Thames Bank.
- 3.3 The Site currently comprises a mixture of large-scale industrial brewing structures dating from the late twentieth century, a number of nineteenth and early twentieth century structures, large areas of concrete or tarmac hardstanding and playing fields. The existing floorspace on Site comprises 35,402 sqm (GIA). The Stag Brewery Site was sold by AB InBev in December 2015 as it was surplus to the company's requirements and brewing operations were winding down. The Site was purchased by Reselton Properties Limited. In 2017, a major programme of decommissioning works was undertaken on Site, and this was carried out until October 2017.
- 3.4 The existing playing fields found in the South-West corner of the Site measure approximately 2.06 ha and were originally owned and used by workers of the Stag Brewery. The pitches remain in private use with no access to the general public. Through agreement with the Applicant, the playing pitches are used by Barnes Eagles for matches and training at weekends, by Thompson House School for sports and games on Tuesday afternoons and by St. Mary Magdalen School once a year for sports day. Full details of the current arrangements are included within OSPPA, prepared by Gerald Eve LLP and submitted in support of the applications.



3.5 To the east of Ship Lane, the Site is surrounded by a large wall, which blocks the ground floor from street views. To the west of Ship Lane elements of the Site are still enclosed by walls in some places, and in others (for example, along the side of the playing fields), fences mark the boundary lines instead.

3.6 To the north of the Site there is an existing towpath which runs between Ship Lane and Bulls Alley. This area forms part of the Application A boundary. The towpath is publicly accessible although at times (high tide) it is flooded to the Site edge and inaccessible.

#### *Heritage*

3.7 A small section of the Site running along Mortlake High Street and the Thames shoreline is located within the Mortlake Conservation Area. The Site is directly opposite the Mortlake Green Conservation Area to the south and the Grove Park Conservation Area to the north, on the opposite side of the river (within the London Borough of Hounslow).

3.8 Three buildings within the Site are identified by LBRuT as Buildings of Townscape Merit (BTM):

- a) The Former Maltings Building, which is located on the banks of the Thames;
- b) The Former Bottling Plant (also referred to as 'the Former Bottling Building'), which is located on the junction of Mortlake High Street and Lower Richmond Road; and
- c) The Former Hotel Building, which is located adjacent to the former Bottling building on Mortlake High Street.

3.9 Parts of the surviving boundary walls which surround part of the Site are also considered by LBRuT to contribute to the character of the Mortlake Conservation Area and form a surviving element of the pre-nineteenth century brewery. Historic gates, two memorial plaques and timber river moorings are also present on the Site.

3.10 The following listed buildings and structures are within the immediate vicinity of the Site:

- a) Thames Cottage, Tudor Lodge, Thames Bank House, Leyden House and Riverside House, all Grade II listed and all located along Thames Bank, to the north west of the Site;
- b) The garden wall to the east of number 1 to 8 Riverside House and extending behind numbers 1 to 24 Reid Court which is Grade II listed and located along the north east boundary of the Site, but not within the application boundary;
- c) The gateway (formerly to Cromwell House), located at the northern end of Williams Lane, which is Grade II listed and directly to the west of the Site; and
- d) Chiswick Bridge and attached balustrades, Grade II listed, situated to the north west of the Site

3.11 There are also a number of identified Buildings of Townscape Merit within close proximity to the Site including:

- a) The Jolly Gardeners Pub, located on the corner of Lower Richmond Road and Ship Lane;
- b) The Ship Pub, located at the corner of Ship Lane and the Thames Bank;
- c) The Old Stables, Thames Bank;
- d) 6 and 7 Thames Bank; and
- e) 1-14 Parliament Mews.

*Site Designations and Transport Rating*

3.12 The Site is subject to the following site designations, as shown on LBRuT's Policies Map (2015):

- a) Area of Mixed Use (whole Site);

- b) Other Open Land of Townscape Importance ('OOLTI') (playing fields only);
- c) Thames Policy Area (along the river edge);
- d) Mortlake Conservation Area (eastern portions of the Site only);
- e) Local view and vista/landmark (from Chiswick Bridge east along the river edge and from The Ship looking east towards the Maltings Building);
- f) Site Allocation S4: Budweiser Stag Brewery (east of Ship Lane only);
- g) Public Open Space (towpath only); and
- h) Within the Mortlake and Barnes Archaeological Priority Area ('APA').

3.13 The Site is not within any designated London View Management Framework (2012) views but is within locally designated views.

3.14 Alongside the adopted site allocation (SA24) within the Local Plan, the Site is subject to the adopted Stag Brewery Planning Brief (SBPB) (July 2011). The SBPB provides guidelines on future uses, layout and design for the redevelopment of the Site and is a material consideration in the determination of any planning application relating to the Site

3.15 In terms of accessibility, the majority of the Site has a PTAL rating of 2 (poor), with a section of the Site classified as PTAL 1 (very poor). However, as noted in the submitted Transport Assessment (TA) (paragraph 4.6.2), the PTAL 1 rating does not take into account existing bus services and it has been agreed with TfL that the PTAL rating for the whole Site should be PTAL 2. Mortlake railway station is located within a 5-minute walk to the Site and provides links to central London and Richmond. The Site is not subject to any other London Plan designations. The bus services available immediately outside the Site, including Routes 209 and 533 have been affected by the Hammersmith Bridge closure and terminate to the southside of the river. TfL are closely monitoring the situation to ensure that bus networks are fully utilised and meeting the demand of their passengers. An updated table showing the bus routes with the Hammersmith Bridge Closure is included at Table 4-1 of the TA.

### **Surrounding Area**

3.16 The Site is situated between Chiswick Bridge to the east and Barnes Bridge to the west, and within the Mortlake Village boundary, as identified by the Mortlake Village Planning

Guidance SPD (December 2015). Mortlake Village is made up of local commercial and community uses with residential use throughout. The main commercial focus is in the historic core of the village, at the eastern end of Mortlake High Street. Mortlake village centre close to the Site and comprises local shops and services and employment uses. Directly to the south of the Site sits Mortlake Green, an important local green space within Mortlake.

- 3.17 Richmond town centre and Kew are located to the east of the Site, East Sheen is to the south (and is the closest designated District Centre to the Site) and Barnes town centre is to the west of the site. Directly opposite the Site, across the River Thames, is Dukes' Meadow Golf & Tennis sports venue, which is located within the London Borough of Hounslow.
- 3.18 The context of the surrounding area is varied in terms of scale, context and materials as a consequence of gradual historic evolution. The Mortlake Conservation Area, which covers part of the Site, is described as having been derived principally from its relationship with the River Thames and is composed of three distinct sub-areas: 'Thamesbank', 'Mortlake Riverside' and 'The Village'.
- 3.19 The Mortlake Green Conservation Area is described as **"an area of late Victorian and early Edwardian buildings which have an identifiable industrial character although many are different in style"** (Mortlake Green Conservation Area Statement, page 1). The scale of the buildings within this area is from two to four storeys. The buildings consist of predominantly residential terraced houses and cottages around the Green as well as a number of buildings of social and architectural importance including the railway station, Railway Tavern on Sheen Lane and the Jolly Gardeners and Tapestry public houses that form a 'gate' to the Green on Lower Richmond Road.

### **Planning History**

- 3.20 This section provides an overview of the Site's historical development and the relevant planning applications at the Site.

### **Site History - Overview**

- 3.21 The Site has a long-standing history of industrial use, incorporating a variety of engineering operations and production processes. Most recently, these include various phases of installation, decommissioning and deconstruction of industrial equipment in situ (as well as related office, security, storage and marshalling uses).
- 3.22 The Mortlake Brewery was founded in 1487. By the end of the 19th century the brewery had expanded, particularly to the west, and much of the Site to the east of Ship Lane had been developed, with new structures including the Former Hotel Building and the Former Bottling Building.
- 3.23 At the beginning of the 20th century, a large eight and part nine storey building known as the Maltings was constructed, as well as other new and larger structures which faced the river.
- 3.24 Following the Second World War, the majority of the 19th and early 20th century buildings within the Site were demolished to facilitate the modernisation of the brewery. Only the Maltings building, Former Hotel Building and the Former Bottling Building, and parts of the former boundary walls remain.
- 3.25 Large buildings were also constructed on the part of the Site that is currently occupied by private sports fields.
- 3.26 A new bottling and packing building was constructed in the 1990s.
- 3.27 Brewing at the Site ceased in late 2015 and since this time decommissioning and deconstruction works have taken place on Site, continuing the lawful use of the Site. These works were continued until October 2017.

### **2018 Applications**

- 3.28 On 19 February 2018 three linked applications for the masterplan redevelopment of the Site (refs. 18/0547/FUL (“Application A”), 18/0548/FUL (“Application B”) and 18/0549/FUL (“Application C”) were submitted to the LBRuT after extensive consultation with the LBRuT and the general public since early 2016.

- 3.29 The Applications were considered at LBRuT’s Planning Committee on 29 January 2020 with a recommendation for approval by LBRuT officers. The Committee resolved to approve Applications A and B and resolved to refuse Application C.
- 3.30 On 4 May 2020 the Mayor of London (‘Mayor’) directed that he would act as the local planning authority for the purposes of determining Applications A, B and C. On 25 November 2020 the Applicant withdrew Application C following detailed discussions with TfL officers on an alternative highways solution which was agreed could be dealt with via a Section 278 Highways Agreement.
- 3.31 On 27 July 2021 the Mayor directed that Applications A and B be refused. The decision notices, dated 17 August 2021, set out the reasons for refusal.

#### **Other Site Planning History**

- 3.32 Key planning applications available online are referenced below. A complete planning history schedule for the Site is included at Appendix C.
- 3.33 On 17 October 1977 planning permission (ref: 77/0459) was granted for the following:  
**“Demolition of the existing sports pavilion and the erection of new building for the conditioning/storage and distribution of beer; erection of new sports pavilion incorporating flat.”**
- 3.34 On 2 May 1979 planning permission (ref: 79/0215) was granted for the following:  
**“Extension for housing compressors, yeast tanks and small office, provision of frame and cladding for housing balloon.”**
- 3.35 On 11 March 1986 planning permission (ref: 85/1292) was granted for the following:  
**“Extension to beer conditioning building for production and distribution of beer. (Amended Plan No. 100/374/6 received on 15.11.85; and additional plan 866/1A received 30.12.85).”**

3.36 On 16 March 1995 planning permission (ref: 94/3216/FUL) was granted for the following:

**“Erection of new bottling plant”**

3.37 On 13 April 1995 planning permission (ref: 95/1625/FUL) was granted for the following:

**“Erection of a bottling hall, storage and administrative building and a 6.2m high wall (in part) adjacent to the towpath”**

3.38 On 26 May 1999 planning permission (ref: 99/0786) was granted for the following:

**“Development comprising the relocation of an existing tank for the storage of sodium hydroxide used in the operations of the brewery. Extension of bounded area.”**

3.39 On 15 April 2004 planning permission (ref: 04/0134/FUL) was granted for the following:

**“Extension and alteration to roof and rear of the existing administration block with associated works including bridge link between proposed extension and Brewhouse.”**

3.40 On 12 June 2020 an application for the temporary use of the Site (ref: 19/3870/FUL) was approved:

**“Full planning application for the temporary use of the existing buildings and land for a period of 2 years for film production operations (B1 use) and ancillary activities and the associated use of the existing on-site parking spaces with access from Lower Richmond Road and Ship Lane”.**

3.41 On 24 January 2023 a further application for the temporary use of the Site (ref: 22/1860/FUL) was approved for:

**“Temporary use of the existing buildings and land including erection of temporary external film sets for a period of 5 years for film production operations and ancillary activities.”**



3.42 On 12 July 2023 an application for planning permission for the following development was submitted to LBRuT, it is currently pending determination.

**“Use of the existing buildings and land including erection of external film sets for film production operations and ancillary activities. (Refer to covering letter dated 23 August 2023 to understand how this application interacts with any future comprehensive redevelopment of the site).”**

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## 4 Description of Development

### Appeal A – Hybrid Application – Mixed Use Scheme

- a) Whilst a comprehensive development is proposed across the whole of the Application A site, the Proposed Development can be split into two distinctive land use zones:
- b) Land to the east of Ship Lane (applied for in detail) – Development Area 1; and
- c) and to the west of Ship Lane (applied for in outline) – Development Area 2.

4.1 The boundaries of Development Areas 1 and 2 are shown on submitted plan ref. JA12\_ZO\_P\_00\_008, (see Appeal Bundle).

#### *Development Area 1*

4.2 Within Development Area 1, both residential and non-residential land uses are proposed, making this area of the Proposed Development more commercial in nature. In line with the aspirations of the SBPB, a new 'green link' will bisect the eastern side of the Site, providing a large open space which would link Mortlake Green to the riverside.

4.3 The green link will terminate at the Maltings Plaza, a new large public square which has been designed to connect to the surrounding buildings, the green link and the riverside. The existing Maltings building (Building 4) would be retained and refurbished to provide flexible commercial uses at ground floor. It is proposed to introduce new large windows at ground floor level of the Maltings Building to remove the current blank frontage and help link the building to Maltings Plaza. The new buildings along the riverside would incorporate ground floor flexible uses of a range of different types. It is also proposed to provide a new riverside walk (the 'Riverside Terrace') which would extend from the Maltings Plaza along the frontage of the new buildings within Development Area 1. These works, along with the proposed works to upgrade the existing towpath and the provision of a new flood wall, would contribute to enlivening and activating the riverside space.

- 4.4 A new 'high street', to be known as 'Thames Street', would run parallel to Mortlake High Street/Lower Richmond Road. This area would provide restaurants, cafés, retail, community, leisure and office spaces and it is envisaged that many of these uses would provide outdoor seating and amenity areas. Thames Street would be fully pedestrianised, with limited vehicle access (for servicing and emergency use only).
- 4.5 To the south of Thames Street, the Former Hotel Building and the Former Bottling Building (Buildings 5 and 6) would be redeveloped behind a retained façade to provide office floorspace, flexible commercial space and a small hotel / pub with rooms. An area of community use space is also proposed to the ground floor of Building 5. The new 'Bottleworks Square' public space behind these blocks would provide an attractive and functional public space which would complement the flexible commercial and community uses.
- 4.6 A new cinema, with office floorspace above and café use at ground floor level, would be located adjacent to the proposed new green link within Building 1.
- 4.7 A 'High Street Zone' within Development Area 1 has been identified, comprising 1,965m<sup>2</sup> sqm (GIA) of the overall flexible use space (see plan ref. C645\_Z1\_P\_00\_001 Rev F). The High Street Zone should comprise a significant proportion of Class E retail use within its overall flexible use floorspace and, as such, it is proposed to set a minimum cap (50%) of High Street Zone floorspace being used for Class E retail.
- 4.8 Development Area 1 would deliver 566 residential units which would generally be delivered at first floor and above in mixed use buildings, aside from block 3 which is residential only.
- 4.9 In terms of access, pedestrian and cycle routes would be created throughout and would link the eastern and western parts of the Site to each other whilst also linking the Site to Mortlake Green and from Mortlake. A single storey basement is proposed to be constructed under Development Area 1 and car and cycle parking for the residential and non-residential uses would be located here, along with plant and refuse stores which would service this part of the Site. Access to the basement would be via Ship Lane (two-way entry/exit) and Mortlake High Street (two lane entry, left turn exit only).

- 4.10 The relevant plans for determination in respect of Application A Development Area 1 are contained within the Appeal Bundle.

#### *Development Area 2*

- 4.11 Development Area 2 is located on the western side of Ship Lane and is applied for in outline. This part of the Site would be residential in character with less activity, resulting in a calmer, quieter space.
- 4.12 Blocks 13, 14, 15, 16 and 17 would comprise private residential apartments and blocks 20 and 21 would each provide a terrace of private town houses. All residential accommodation would have amenity space in the form of private gardens for town houses and courtyard amenity space (publicly accessible) for the apartments.
- 4.13 Blocks 18 and 19 would provide up to 162 residential units, 65 of which would be affordable.
- 4.14 A single storey basement would extend under blocks 15, 16, 17 and part of block 13. The basement would provide car and cycle parking for the residential uses alongside plant. The basement would be accessed from the west of Ship Lane.
- 4.15 This portion of the Site would also deliver a significant amount of publicly accessible open space, the largest being the new community park which would be provided to the south of the new school play facilities. This park would provide playspace for children as well as amenity space for new and existing Mortlake residents.
- 4.16 The relevant plans for determination in respect of Application A Development Area 2 are contained with the Appeal Bundle.

#### **Appeal B – Detailed Application - School**

- 4.17 To the west of Building 15 it is proposed to deliver a new three storey six form entry secondary school, which would accommodate approximately 1,200 students designed in accordance with ESFA standards. Associated play facilities would be provided which include roof level informal play facilities, an indoor sports hall, an external Multi Use Games Area

(‘MUGA’) and a full sized outdoor artificial playing pitch and associated spectator spaces. The proposed external playing pitch will be a 3G surface to meet the requirements of the ESFA for intensive school use and to enable community use outside of school hours.

**Land Use - Summary**

4.18 A summary of the quantum of land uses as shown on the submitted plans for Applications A and B is set out as in Table 5 as follows:

Land Use	Proposed GIA sqm
<b>Application A – Hybrid Application (Detailed Elements, Development Area 1) – Mixed Use Scheme</b>	
Residential	566 residential units
Flexible Uses	4,909 sqm
Offices	1,897 sqm
Cinema	1,755 sqm
Hotel/pub with rooms	1,765 sqm
Basement car park	19,479 sqm
<b>APPLICATION A DETAILED ELEMENTS SUB-TOTAL</b>	<b>92,949 sqm (including residential)</b>
<b>Application A – Hybrid Application (Outline Elements, Development Area 2) – Mixed Use scheme</b>	

Residential	Up to 509 units
Basement car parking	Up to 5,532sqm
<b>Application B – Detailed Application - School</b>	
School	9,319 sqm
<b>APPLICATION B SUB-TOTAL</b>	<b>9,319 sqm</b>

Table 5: Proposed GIA Area Schedule (Squire & Partners, dated 03.11.23)

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## 5 Planning Designations

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## 6 Planning Policy Framework

6.1 The adopted Development Plan for the Site comprises:

- The London Plan 2021; and
- The London Borough of Richmond upon Thames Local Plan (2018) (as amended in 2020).

### Planning Policy

6.2 The following policies within the adopted Development Plan, are of relevance to the scheme and the key policies are highlighted in bold;

London Plan (March 2021)

- Policy GG1 Building strong and inclusive communities
- Policy GG2 Making the best use of land
- Policy GG3 creating a healthy city
- Policy GG4 Delivering the homes Londoners need
- Policy GG5 Growing a Good Economy
- Policy SD7 Town centres: development principles and Development Plan Documents
- Policy SD1 Opportunity Areas
- Policy SD10 Strategic and local regeneration
- Policy D2 Infrastructure requirements for sustainable densities
- Policy D3 Optimising site capacity through the design-led approach
- Policy D4 Delivering good design
- Policy D5 Inclusive design
- Policy D6 Housing quality and standards
- Policy D7 Accessible housing
- Policy D8 Public realm
- Policy D9 Tall buildings
- Policy D12 Fire Safety
- Policy D13 Agent of change
- Policy D14 Noise
- Policy E1 Offices
- Policy E2 Providing suitable business space
- Policy E3 Affordable workspace
- Policy E7 Industrial intensification, co-location and substitution
- Policy E9 Retail, markets and hot food takeaways
- Policy E10 Visitor infrastructure
- Policy E11 Skills and opportunities for all
- Policy H1 Increasing housing supply
- Policy H4 Delivering affordable housing
- Policy H5 Threshold approach to applications

- Policy H6 Affordable housing tenure
- Policy H10 housing size mix
- Policy S1 Delivering London's social infrastructure
- Policy S3 Education and childcare facilities
- Policy S4 Play and informal recreation
- Policy S5 Sports and recreation facilities
- Policy S6 Public toilets
- Policy S4 Play and informal recreation
- Policy HC1 Heritage conservation and growth
- Policy HC3 Strategic and local views
- Policy G1 Green infrastructure
- Policy G4 Open space
- Policy G5 Urban greening
- Policy G6 Biodiversity
- Policy G7 Trees and woodlands
- Policy SI 1 Improving air quality
- Policy SI 2 Minimising greenhouse gas emissions
- Policy SI 3 Energy infrastructure
- Policy SI 5 Water infrastructure
- Policy SI 4 Managing heat risk
- Policy SI 7 Reducing waste and supporting the circular economy
- Policy SI 12 Flood risk management
- Policy SI 13 Sustainable drainage
- Policy T1 Strategic approach to transport
- Policy T2 Healthy Streets
- Policy T3 Transport capacity, connectivity and safeguarding
- Policy T4 Assessing and mitigating transport impacts
- Policy T5 Cycling
- Policy T6 Car parking
- Policy T7 Deliveries, servicing and construction

#### LBRuT Local Plan (2018 and 2020)

- Policy SA 24 – Stag Brewery, Lower Richmond Road, Mortlake
- Policy LP 1 Local Character and Design Quality
- Policy LP 2 Building Heights
- Policy LP 3 Designated Heritage Assets
- Policy LP 4 Non-Designated Heritage Assets
- Policy LP 5 Views and Vistas
- Policy LP 7 Archaeology
- Policy LP 8 Amenity and Living Conditions
- Policy LP 9 Floodlighting
- Policy LP 10 Local Environmental Impacts, Pollution and Land Contamination
- Policy LP 11 Subterranean Developments and Basements
- Policy LP 12 Green Infrastructure
- Policy LP 14 Other Open Land of Townscape Importance



- Policy LP 15 Biodiversity
- Policy LP 16 Trees, Woodlands and Landscape
- Policy LP 17 Green Roofs and Walls
- Policy LP 18 River Corridors
- Policy LP 20 Climate Change Adaption
- Policy LP 21 Flood Risk and Sustainable Drainage
- Policy LP 22 Sustainable Design and Construction
- Policy LP 23 Water Resources and Infrastructure
- Policy LP 24 Waste Management
- Policy LP 25 Development in Centres
- Policy LP 28 Social and Community Infrastructure
- Policy LP 29 Education and Training
- Policy LP 30 Health and Wellbeing
- Policy LP 31 Public Open Space, Play Space, Sport and Recreation
- Policy LP 34 New Housing
- Policy LP 35 Housing Mix and Standards
- Policy LP 36 Affordable Housing
- Policy LP 40 Employment and local economy
- Policy LP 41 Offices
- Policy LP 43 Visitor Economy
- Policy LP 44 Sustainable Travel Choices
- Policy LP 45 Parking Standards and Servicing

6.3 The following GLA Supplementary Planning Guidance ('SPG') documents have also been reviewed and the provisions considered in the evolution of the masterplan:

- i. Housing SPG (2016)
- ii. Social Infrastructure (2015);
- iii. Play and Informal Recreation (2012) and Playspace Calculator (2019);
- iv. Planning for Equality and Diversity in London (2007)
- v. Affordable Housing and Viability SPG (2017)
- vi. London Housing Strategy (2018)
- vii. Shaping Neighbourhoods: Character and Context (2014);
- viii. Shaping Neighbourhoods: Play and Informal Recreation SPG, (2012);
- ix. Accessible London: Achieving and Inclusive Environment SPG (2014);
- x. London's Foundations SPG (2012);
- xi. Mayor's Air Quality Strategy SPG (2010);
- xii. London Regional Flood Risk Appraisal (2018) and
- xiii. The Control of Dust and Emissions During Construction and Demolition (2014).

6.4 Other GLA guidance relevant to the Applications and which has informed the proposals includes:

- i. Air Quality Positive (consultation due);
- ii. Fire Safety (consultation due);
- iii. Transport Land (consultation due);
- iv. Urban Greening Factor (consultation due);
- v. Sustainable Transport, Walking and Cycling (draft)
- vi. Circular Economy Statements (draft);
- vii. 'Be Seen' Energy Monitoring Guidance (draft);
- viii. Characterisation and Growth Strategies (draft);
- ix. Optimising Site Capacity: A Design-led approach (draft);
- x. Housing Design Standards (draft);
- xi. Public London Charter (September 2021); and
- xii. Whole Life Carbon Assessments (draft).

6.5 The LBRuT adopted the Stag Brewery Planning Brief (SBPB) in 2011.

6.6 The LBRuT have published the following relevant planning guidance documents:

- a. Affordable Housing (2014);
- b. Buildings of Townscape Merit (May 2015);
- c. Design Quality (206);
- d. Refuse and Recycling Storage Requirements (May 2015);
- e. Residential Development Standards (2010);
- f. Sustainable Construction Checklist (January 2016)
- g. Climate Emergency Strategy 2020-2024 (Jan 2020);

h. Air Quality (June 2020);

i. Transport (June 2020); and

j. Planning Obligations (June 2020)

6.7 The NPPF (July 2023)

6.8 TBC

6.9 Emerging Planning Policies

6.10 TBC

DRAFT

## 7 Agreed Matters

7.1 The following matters are agreed between the Appellant and the Council.

### The Site

7.2 The following matters with regards to the Site:

- i. The site area is 9.25ha;
- ii. The existing site is occupied on a temporary basis for film set use (Class E);
- iii. The Site is in Flood Zone 3;
- iv. The Site is in the Mortlake Conservation Area, and is directly opposite the Mortlake Green Conservation Area to the south and the Grove Park Conservation Area to the north, on the opposite side of the river (within the London Borough of Hounslow);
- v. There are no listed buildings on Site;
- vi. There are two Buildings of Townscape Merit (LBRuT designation) on Site; and
- vii. The Site is allocated for wholesale redevelopment, including the delivery of a secondary school, a new village 'heart' for Mortlake and new homes

### Pre-Application

7.3 The Applicant submitted a Statement of Community Involvement which sets out details of the pre-application engagement.

7.4 The application proposals are the result of extensive pre-application discussions with planning, design and conservation, housing, ecology and transport officers at LBRuT. The Applicant has also engaged with planning, design and viability officers at the Greater London Authority (GLA). The majority of these discussions took place prior to the submission of, and during the determination period for, the Original Applications (refs: 18/0547/FUL and 18/0548/FUL).

7.5 The Design and Access Statement prepared by Squire & Partners details the individual pre-application meetings with Officers, the GLA and the DRP, the feedback received and the design response.

7.6 Pre-application advice was sought from TfL in relation to the modelling undertaken to support the Transport Assessment, prepared by Stantec.

7.7 Those consulted throughout the design development process, for both the Proposed Development (refs 22/0900/OUT and 22/0902/OUT) and the Original Applications (refs: 18/0547/FUL and 18/0548/FUL), are:

- a) LBRuT planning, design, highways and other officers;
- b) GLA officers;
- c) TfL officers;
- d) LBRuT Councillors;
- e) Local community via public exhibitions, CLG meetings and presentations, one-on-one meetings and webinar public notification events;
- f) ESFA;
- g) Sport England;
- h) The Football Association;
- i) The Football Foundation;
- j) Network Rail;
- k) South-West Trains;
- l) The Port of London Authority ('PLA');
- m) The Environment Agency;
- n) The National Health Service;
- o) Richmond Clinical Commissioning Group;

- p) The Greater London Archaeology Advisory Service ('GLAAS')
- q) The Mortlake Brewery Community Group ('MBCG');
- r) Thames Bank, Barnes and Mortlake History Society representatives;
- s) Thomson House School parents;
- t) The Towpath Group/West London River Group; and
- u) Three Registered Providers (Paragon Asra, Richmond Housing Partnership and Thames Valley Housing Association).

7.8 On 30 September 2021 the Proposed Development was presented to LBRuT's Design Review Panel (DRP) for the first time. A second DRP was held on 2 February 2022 with formal comments received on 28 February 2022.

#### **EIA**

7.9 An EIA was submitted with the Applications. The original scoping process took place in 2017.

#### **Submitted Documents and Drawings**

7.10 The proposed plans for determination of Applications A and B are contained within the Appeal Bundle. Plan substitutions have been made during the determination period. The plans for approval have been highlighted in green.

7.11 The documents submitted in support of Applications A and B are contained within the Appeal Bundle. Document substitutions have been made during the determination period. The documents for determination have been highlighted in green.

#### **Post Submission – additional information submitted**

7.12 In response to statutory consultation comments, revisions were made to the scheme which were contained within the First Substitution Pack:

- i. Cinema height reduced and top floor set back;
- ii. Design alterations to cinema and office entrances at Building 1;
- iii. Building 10 reduced by a storey and associated loss of 9 intermediate residential units;
- iv. Total reduction of 14 units (9 in Building 10 and 5 in Development Area 2);
- v. Loss of 79 sqm GIA of office floorspace;
- vi. Total loss of 55 sqm of flexible use floorspace and loss of 90sqm of flexible use space in the High Street Zone;
- vii. Lighting strategy amended;
- viii. Revised drainage strategy;
- ix. Amended fire strategy;
- x. Amended refuse strategy;
- xi. Landscaping updates; and
- xii. Updated wheelchair accessible unit layouts

7.13 These revisions were reflected in the substitution documents and drawings submitted to LBRuT on 18 August 2022, 16 September 2022 and 3 October 2022. Consultation took place between December 2022 and January 2023.

7.14 Further amendments were made in February 2023 and April 2023 (see the Second Substitution Pack). The principle changes were i) the loss of a floor at the end of Blocks 20 and 21, resulting in the loss of a habitable room in two townhouses and ii) revisions to the

affordable housing offer following viability discussions and discussions with the LBRuT's Housing Department.

7.15 The Applications were heard at the LBRuT's Planning Committee on 19 July 2023. The Planning Committee resolved to approve both Applications.

7.16 Following the LBRuT's resolution to grant both Applications, the Government confirmed their intention to mandate second staircases in new residential buildings above 18 metres. In response, the Appellant revised Application A so that all buildings over 18 metres in height provided a second stair core. The amended designs and relevant supporting documentation were formally submitted to LBRuT on 3 November 2023 to supersede previously provided information and now form part of Application A (the Third Substitution Pack). Application B remained unchanged.

7.17 2.9 The changes required to Application A were subject to a third statutory consultation period between November – December 2023.

7.18 2.10 Application A was heard at planning committee on 31 January 2024. The Planning Committee resolved to approve the application.

### **Statutory Consultee Responses**

#### Greater London Authority (GLA)

7.19 The GLA's Stage 1 Report was received on 20 June 2022. The officer's recommendation in respect of the principle of development was as follows:

**“The comprehensive mixed use redevelopment of the site including the proposed land uses is in line with the land use objectives set out in the Local Plan Site Allocation and Planning Brief SPD and would accord with London Plan Policies H1, E7, S3, S5, G4 and SD6.”**

7.20 Consultee responses were also received from the Health and Safety Executive, Historic England (Archaeology), Natural England, the Port of London Authority, the Marine



Management Organisation, the Metropolitan Police, Sport England Achieving for Children, Environment Agency, Network Rail, TFL, Thames Water, the Clinical Commissioning Group (Application A only), and the London Borough of Hounslow.

- 7.21 LBRuT advised that Historic England (Planning) and the Secretary of State/National Planning Casework Unit did not wish to comment.

#### Principle of Redevelopment

- 7.22 It is agreed that the principle of comprehensive mixed-use redevelopment at the Site accords with planning policies and guidance at all levels, which seek to bring forward appropriate sites, in appropriate locations for residential-led mixed-use development.

#### Land Use

- 7.23 It is agreed that the proposed land uses at the Site are strongly supported by adopted and emerging national, regional and local planning policy.

#### *Housing*

- 7.24 It is agreed that the scheme would deliver up to 1,075 new homes.
- 7.25 It is agreed that the residential provision within the Proposed Development would represent a significant provision 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 26.4% in March 2022) 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.
- 7.26 It is agreed that the Site is a brownfield site, and in line with national, London Plan and local policy aspirations, the Proposed Development would deliver homes for which there is an identified need. It is agreed that the principle of the development of housing on the Site is fully supported by planning policy at all levels.

### *Town Centre Uses*

- 7.27 It is agreed that the Site is within an Area of Mixed Use (AMU), where town centre uses that serve primarily local needs will be considered acceptable. In addition, it is agreed that the Site is also subject to a Site Allocation which supports town centre uses, as does the SBPB. Therefore, it is agreed that the development of town centre uses as part of the wider masterplan is entirely appropriate in policy terms and will contribute towards meeting the stated aims and objectives of the SBPB.

### *Leisure*

- 7.28 The proposed cinema would have a positive and beneficial impact in the area, addressing an unmet demand. The cinema, along with other leisure uses has been assessed by RPS and found to have a positive and beneficial effect on local centres. Both uses would also help to deliver local employment. It is agreed that the proposed cinema is therefore in line with Policies SI14 and SI16 (London Plan) and Policy LP 18 (Local Plan).

### *Offices*

- 7.29 It is agreed that the proposed office floorspace (maximum 4,097 sqm) is in line with policy aspirations to deliver employment generating uses on the Site and deliver a strong, competitive economy. It is agreed that the proposed office provision at the Site is acceptable in planning policy terms.

### *Retail*

- 7.30 It is agreed that retail sequential and impact tests have been undertaken by RPS have demonstrated that the proposed retail uses would have a positive and beneficial effect on local centres and would complement existing provision found within the local area, rather than compete.
- 7.31 RPS consider that the nature of the retail and leisure space mean that they are unlikely to divert trade away from any other centre and they will primarily serve the new residential population generated by the Proposed Development. It is therefore agreed that the scale of

retail is appropriate for the wider masterplan and will serve newly created local needs. It is agreed that this is in line with the role of AMUs, as defined by the Glossary of the LBRuT's Local Plan and set out within Local Plan Policy LP 25 and the Site Allocation (SA 24) supporting wording, and is therefore an acceptable scale.

#### *Hotel / Pub with Accommodation*

7.32 Although the Site falls outside the five designated main centres identified by the LBRuT Local Plan for major hotel development in the first instance, it is contained in the Mortlake AMU, which local policy considers appropriate for a range of town centre uses. At up to 15 bedrooms in capacity, it is agreed that the scale of proposed pub-hotel accommodation is not considered to be comparable to 'major new hotel development', and instead represents small scale visitor accommodation at a local scale. In this respect it is noted that Site Allocation SA24 and the SBPB seek to create a new 'village heart' for Mortlake. The proposed small-scale hotel use is located amongst, and considered complementary to, the mix of flexible retail, leisure and employment generating uses proposed in the eastern portion of the main application site.

7.33 It is agreed that hotel use is supported in planning policy and is wholly appropriate for the Site.

#### *Social and Community Uses*

7.34 It is agreed that the scheme would deliver a range of social and community uses, including a school, sports facilities, community spaces and open green space. It is agreed that these facilities are being provided in response to local needs and are therefore supported at all levels of planning policy.

7.35 It is agreed that the scheme would provide flexible community uses, in line with policy aspirations for the Site. These would be delivered as part of the overall 'flexible' uses on the eastern part of the Site. It is agreed that these uses would contribute to the mix of uses being delivered on Site and help to create a new village heart for the Mortlake community.

#### *School*

- 7.36 It is agreed that, in line with the Site Allocation, the scheme would deliver a new sixth form entry secondary school which includes a new sixth form for 1,200 students.
- 7.37 In line with aspirations of the London Plan (Policy S3) and LBRuT (Policies LP 28 and LP 29), the external play pitch, indoor sports hall and MUGA would be available for community use out of school hours. The Applicant and the ESFA have committed to a Community Use Agreement which would enable local groups, teams, clubs, organisations and bodies the opportunity to use these facilities.
- 7.38 It is agreed that providing the land for the delivery of a new school which meets local need is strongly supported by the NPPF, the London Plan (Policy S3) and LBRuT's Local Plan (Policy LP 29 and Site Allocation Policy SA 24).

#### Tall building

- 7.39 It is agreed that the proposed buildings will be in line with, or lower than, the heights of the existing buildings on the Site and have been designed to step back from the Maltings buildings (a BTM). However, it is acknowledged that building heights in the wider context are varied and that the proposed buildings are, in large part, taller than those in the surrounding area. This Statement and accompanying chapters of the ES consider the assessment criteria set out in London Plan Policy D9 (C) which covers visual, functional and environmental impacts. It is concluded that the proposed buildings comply with both London Plan Policy D9, Local Plan Policy LP 2.
- 7.40 It is agreed that adopted policy specifies that tall buildings are defined as over 6 storeys, or 18 metres in height (consistent with London Plan Policy D9). The emerging LBRuT Local Plan (2021) identifies the Site as a location for mid-rise and tall buildings but at this stage carries little weight. The policy does state that any building heights of 7 storeys would be appropriate.
- 7.41 It is agreed that, given the emerging local policy carries no weight, the Site is technically not in a location where tall buildings would be acceptable. Notwithstanding this, the principle of

the Site as an appropriate location for a tall building has been considered against the criteria framework of Policy D9 (C) (see below).

- 7.42 It is agreed that the detailed assessment of the Proposed Development against the criteria framework set out to assess the acceptability of a tall building, clearly demonstrates that the scale of the buildings proposed in this development would be appropriate and compliant with Policy D9 when considered as a whole.
- 7.43 Overall, it is agreed that the Proposed Development includes buildings of appropriate heights which respect and strengthen the local townscape context in accordance with London Plan Policy D9 and Local Plan Policy LP 2. The mix of building heights proposed generally align with the guidelines set out in the Planning Brief and any divergence is justified on the merits of the scheme which exemplifies architectural design of the highest quality.

## Design

### *Design Development*

- 7.44 The proposals have been subject to extensive design scrutiny over several years, at pre- and post-application stage in respect of the Original Applications, this included a series of discussions with the LBRuT and GLA officers, other statutory and non-statutory bodies, and public consultation events.
- 7.45 It is agreed that, in line with London Plan Policy D4(D), the Proposed Development has been subject to two DRPs with the LBRuT.

### *Masterplan and Character Areas*

- 7.46 The approach to the character areas, design typology and proposed materials remains as per the Original Scheme.
- 7.47 It is agreed that the character areas respond to their context which is a key objective of policy at national, regional and local levels but also create distinctive areas to avoid homogenous development, as required by the SBPB. It is agreed that the overall design principles for

the masterplan vision ensure a coordinated and consistent approach across the Site, with the proposed scheme exemplifying the highest quality urban design.

#### *Layout*

7.48 It is agreed that the layout of the Proposed Development takes cues from the grain and pattern of terrace streets found in the Mortlake area.

7.49 It is agreed that the urban structure and layout of the masterplan creates a diversity of spaces and character areas connected by a clear framework and hierarchy of routes which provide parameters for the built form, which respond appropriately to the local context in accordance with London Plan and local planning policy and guidance, including the SBPB.

#### *Massing and Density*

7.50 It is agreed that the overall density of development and massing of buildings is appropriate to the Site's setting and surrounding built form. It is also noted that, in its comments on 28 February 2022, the LBRuT DRP gave its general support for the massing of the scheme.

#### Residential Design

##### *Residential Density*

7.51 It is agreed that in line with London Plan Policy D3, and the architects have worked closely with statutory consultees to develop a scheme which optimises site capacity and is appropriate for the local context. The Proposed Development responds to planning objectives as set out in paragraph 12.13 of the submitted Town Planning Statement.

7.52 It is agreed that the scheme has evolved to achieve the Council's vision for the Site, as contained within the SBPB and the Site Allocation.

7.53 It is agreed that the density of the Proposed Development is appropriate for the context. The scheme therefore optimises the capacity of the Site and should be considered acceptable in this regard.

#### *Unit Mix*

7.54 Development Area 1 will provide a significant amount of family sized accommodation (79%). An appropriate amount of smaller housing is also proposed. It is agreed that this is acceptable given the Site's location within an AMU and is supported by Local Plan Policy LP 35 and paragraph 9.2.1 of the Local Plan.

7.55 It is agreed that the proposed residential mix would provide a mix of unit sizes which would help to create a vibrant new community within Mortlake. The confirmed mix for Development Area 1 would deliver a significant amount of family sized housing (79%) alongside smaller accommodation (21%). This mix is acceptable in line with the Site's location within an AMU (Local Policy LP 35).

#### *Housing Quality and Design Standards*

7.56 It is agreed that the Proposed Development has been designed in line with relevant national, Mayoral and LBRuT housing standards.

7.57 It is agreed that all the new homes proposed would meet the Nationally Described Space Standards, in line with LBRuT and GLA planning policy requirements. All units are proposed to be provided with inbuilt storage in line with standards. The units would also meet the design standards set out in the Mayor's Housing SPG in terms of room dimensions / areas and layout of rooms. All units would benefit from good floor to ceiling heights.

7.58 For the units proposed applied for in outline, the Design Code includes a schedule of units sizes, presenting a range (parameters) of sizes per unit type. The minimum size complies with the national space standards. The maximum size shown does not exceed 10% above the minimum space standard to give comfort that units will not be oversized. Individual unit sizes will be confirmed at the Reserved Matters stage following the detailed design exercise.

7.59 It is agreed that the Proposed Development will deliver high quality living environments for future residents in terms of unit size.

*Accessibility*

7.60 It is agreed that the residential units would provide wheelchair access, with at least 10% of the proposed residential units within Development Area 1 to be wheelchair units, in line with policy requirements. The residential units coming applied for in outline must also provide for wheelchair accessibility, in line with housing design standards.

*Amenity Space*

7.61 It is agreed that appropriate amenity space would be provided for all new residential units, in line with Mayoral design standards.

*Aspect and Privacy*

7.62 It is agreed that the proposed floor layouts have been set to maximise views and protect privacy between buildings. The building footprints in Development Area 1 are broadly unchanged from the Original Scheme. The majority of buildings are separated by 15m or more. In occasional circumstances where the separation distances are below 15m, Squire & Partners have introduced design techniques to ensure that privacy is maintained.

7.63 It is agreed that, in respect of Development Area 2 (applied for in outline), the residential layouts are yet to be designed in detail. Generally, the street widths between buildings are wide and dwellings would have adequate privacy standards. Where buildings do face on to each other, habitable rooms would be positioned and occluded windows would be provided to help limit overlooking issues. The Design Code, prepared by Squire & Partners, sets out rules for ensuring residential units have adequate privacy. It is agreed that detailed residential layouts would be considered via submission of Reserved Matters.

7.64 It is agreed that, given that the scheme would provide adequate privacy for residential units through building distances and design techniques, it is considered that the Scheme is acceptable in respect of privacy.



7.65 It is agreed that, the Internal Daylight and Sunlight Report, prepared by eb7, and the Addendum Report, also prepared by eb7, clearly demonstrates that all proposed residential units applied for in detail will have sufficient internal daylight levels. It is agreed that, in respect of the elements applied for in outline, façade studies have been undertaken which show that the majority of areas are likely to achieve high levels of daylight / sunlight.

7.66 Therefore, it is agreed that the proposed residential units will provide good levels of daylight, in line with London Plan Policy D2.

7.67 It is agreed that, during the pre-application stage, the quantum of single aspect units within the Proposed Development was thoroughly scrutinised by the design team and the LBRuT's DRP. As a result of comments received from the LBRuT's DRP during the second meeting, design changes were made to reduce further the number of single aspect and north facing single aspect units proposed. This is set out in paragraphs 12.69 and 12.70 of the submitted Town Planning Statement, prepared by Gerald Eve LLP.

7.68 While there remains a number of single aspect units within Development Area 1, it is agreed that many of these are enhanced single aspect units and take advantage of the masterplan layout which has been developed to allow excellent outlook for the maximum number of units possible. For the single aspect units proposed, in line with the Housing SPG (2016) and regional and local planning policies it is considered that these are acceptable and comply with policy for the following reasons (as set out in the DAS):

a) the single aspect units proposed are mostly one or two bedroom apartments, shallow in plan and with generous frontages. Within the mansion block typology, the articulation of balconies and bay windows enables an 'enhanced' single aspect view, which although cannot be defined as dual aspect, provides much wider views from inside the apartment, improving aspect significantly;

b) On a typical floor, 67% of single aspect units are orientated to benefit from river views or green spaces. The remaining 32% have street views over Bottle Works public square, Thames



Street, Ship Line or one other secondary route and therefore overlook pleasant, tree lined spaces; and

c) All rooms can be naturally ventilated (as set out in the submitted Energy Strategy, prepared by Hoare Lea).

7.69 It is agreed that there are only 4% north facing single aspect units now proposed in the scheme. This is due to the layout being optimised to increase the number of dual aspect apartments and reduce the number of north facing apartments.

7.70 Furthermore It is agreed that, as set out in paragraph 6.11 of the Internal Daylight and Sunlight Assessment, prepared by eb7, all the north facing single aspect units proposed meet the recommended BRE guidance in terms of daylight.

7.71 It is agreed that Section 7 of the DAS also demonstrates how the proposed apartments comply with the GLA's Housing SPG in terms of ventilation, privacy and thermal comfort.

7.72 It is agreed that, in this context and within the aim of achieving an optimised scheme, it is considered that the proposed level and quantum of single aspect units proposed is acceptable and all residential units achieve a high quality living environment..

#### *Shared Circulation*

7.73 It is agreed that, the submitted Housing Assessment Matrix, prepared by Squire & Partners, demonstrates that the vast majority of the residential cores fully comply with the Mayor's SPG. Where there are instances of cores serving more than 8 units, this is fully set out and justified in the DAS at section 7.6.1.

#### *Residential Density – Interim Conclusion*

7.74 For the reasons outlined above, it is agreed that the Scheme complies with the London Plan and local policy requirements and relevant planning guidance to provide high quality, well designed, new homes for all tenures

## Human Health

7.75 It is agreed that the submitted HIA and addendum demonstrate that the Proposed Development complies with relevant planning policy at all levels in respect of human health.

## Public Benefits

7.76 It is agreed that the Proposed Development would deliver public benefits that should be afforded very substantial weight which directly respond to the site allocation and LBRuT objectives and would include:

- i. Up to 1,075 new homes, with 7.5% provided as on-site affordable housing by habitable room (subject to financial viability review), which will make a significant contribution to the delivery of housing in London;
- ii. Significant place-making and architectural benefits including the creation of a new active high street and river front uses, opening up of the Site through creation of new publicly accessible open and green spaces, and high-quality architecture which includes incorporation of the existing historic buildings;
- iii. Substantial sustainability benefits, including targeting an Excellent BREEAM rating, 73.90% and 79.5% reduction in carbon emissions against Part L (Appeal A and B respectively) and a site wide (Appeals A and B) 0.286 UGF score;
- iv. Economic benefits arising from the provision of a range of new commercial uses including new commercial Class E office floorspace, which would include an element of affordable workspace, benefits arising from employee spend and local construction jobs;
- v. Provision of a new six form entry secondary school, in line with the identified aspirations in the LBRuT Local Plan;

- vi. Creation of new community spaces, including a new water sports centre (boathouse) and community space, alongside new public squares and plazas to encourage community engagement;
- vii. Creation of new pedestrian and cycle routes through the Site to add to existing local connections, including enhancing the existing towpath and creating a new expansive link from Mortlake Green through to the river;
- viii. Transport improvements including highways works, contributions to bus facilities and the level crossing area and significant provision of cycle parking facilities and good pedestrian routes to encourage sustainable modes of travel; and
- ix. Significant CIL contribution which will facilitate improvements to local infrastructure and the Mayor's strategic transport infrastructure.

#### Impact on Neighbouring Properties

- 7.77 It is agreed that impact on daylight/sunlight and overshadowing to neighbouring properties has been assessed. It is agreed that the majority of effects on existing local receptors are deemed to be insignificant.
- 7.78 Although not a matter raised by LBRuT, the BRE Guidelines were updated in June 2022. EB7 reviewed the scheme and provided a supplementary Internal Daylight and Sunlight Report, dated 28 July 2022, for completeness. It is agreed that the assessment does not alter the conclusions set out in paragraph 18.56 of the Town Planning Statement, dated March 2022.

#### Amenity Space

- 7.79 It is agreed that the existing Site does not provide any public access and currently acts as a barrier between Mortlake and the river. The Proposed Development will open up the Site through the creation of a number of attractive and varied thoroughfares and new open

spaces. A significant amount of new green open space and amenity space will be provided, which can be enjoyed by new and existing local residents and visitors.

7.80 It is agreed that the approach to public realm has also sought to increase permeability to and through the Site and improve public access, in line with the Site Allocation (SA 24) and Local Plan Policy LP 1 (5). Where appropriate, the public realm has sought to take cues from the history of the Site and the local area, for example the River Thames is reflected in the landscaping of Maltings Plaza, in accordance with London Plan Policy G1.

7.81 It is agreed that the proposals for public realm at the Site are clearly in line with London Plan Policy G4(B)(2), the existing site has no publicly accessible open space, whereas the proposed scheme will deliver approximately 3.94 ha.

7.82 It is agreed that the public realm and open spaces to be provided for the new school are intrinsically linked to the function that these spaces will need to provide for the new school users and the wider community. The school would include the provision of a new MUGA, a full sized 3G external playing pitch as well as internal and roof level facilities.

7.83 It is agreed that, in line with London Plan Policy G5, the proposed materials, planting and street furniture has been selected to match the required needs of the new spaces.

#### Urban Greening Factor

7.84 In terms of Development Area 1, it is agreed that although the UGF falls below the London Plan policy compliant level of 0.4 for residential-led schemes, the landscape strategy will provide in abundance most of the recommended typologies of planting, and will significantly contribute to a healthy and biodiverse environment for residents and visitors alike.

7.85 It is agreed that Development Area 2 exceeds the London Plan recommended UGF target, achieving 0.401.

7.86 It is agreed that the UGF results across the Site are considered acceptable given that the London Plan policy sets out a recommended target and that it has been demonstrated within

the submission that the Proposed Development has maximised opportunities to reach those recommended targets.

#### Playspace

- 7.87 It is agreed that the Proposed Development will provide a significant variety of playspace which will meet the needs of a range of age groups.
- 7.88 It is agreed that Application A could provide 7,470 sqm of playspace, which is significantly above the GLA target of 4,630 sqm.

#### Green Space and Other Open Land of Townscape Importance

- 7.89 The existing playing fields on the Site are designated as Other Open Land of Townscape Importance ('OOLTI'). Local planning policies seek to protect OOLTI, but they also allow for re-provision of the space in particular circumstances. London Plan Policy G4(B)(1) also seeks to resist the loss of protected open spaces unless equivalent or better-quality provision is made reflecting local needs. Under Local Plan Policy LP 14, the Proposed Development meets the specified criteria for the consideration of the re-distribution of OOLTI.
- 7.90 It is agreed that the Proposed Development would deliver significant benefits in terms of OOLTI – the amount, type, quality and accessibility of OOLTI space would be greatly improved from the existing situation and more OOLTI space is to be provided than was envisaged within the SBPB.

#### Access

- 7.91 It is agreed that the Proposed Development also provides an excellent level of inclusive design.
- 7.92 The principles of accessible and inclusive design are integral to the Proposed Development. It is agreed that the Proposed Development accords with London Plan Policy D5 and the requirements of building regulations.

## Noise

- 7.93 It is agreed that the impact of noise and vibration on existing and new residents has been assessed for the construction of the Proposed Development, and the noise levels generated by the completed development have also been considered. Measures will be put in place to minimise noise and vibration disruption during construction. It is agreed that, once the development has been completed, the noise assessments conclude that the effects on sensitive receptors will be acceptable. It is agreed that the scheme complies with all relevant noise and vibration planning policies, including NPPF paragraph 185, London Plan Policies D13 and D14 and Local Plan Policies LP 8 and LP 10.

## Flood Risk

- 7.94 It is agreed that the Flood Risk Assessment demonstrates that the Proposed Development satisfies the NPPF Sequential and Exception tests. A range of flood mitigation measures are proposed to protect the Site occupiers from flooding including through scheme design and re-modelling of the existing tidal defences. Appropriate drainage methods are proposed to protect the local area from an increased risk in flooding. It is agreed that the Proposed Development satisfies the relevant requirements of the NPPF, London Plan and LBRuT's flooding and drainage policies.

## Land Contamination

- 7.95 A Ground Conditions and Contamination Assessment has been prepared which demonstrates that, subject to appropriate mitigation measures, the contamination effects on receptors will not be significant.
- 7.96 It is agreed that this is in line with policy SD1 of the London Plan and Local Plan Policy LP 10.

## Microclimate

- 7.97 The Wind Microclimate Assessment demonstrated that the Proposed Development would have insignificant or beneficial effects on the local wind microclimate. Mitigation measures to reduce wind tunnel effects have been recommended to be incorporated into the design

of buildings where appropriate. It is agreed that the proposals are in line with London Plan Policies D8 and D9(C)(3)(a) and Local Plan Policy LP 2.

#### Ecology and biodiversity

- 7.98 It is agreed that the Site has an overall prediction of a 29.55% biodiversity net gain for the habitats on Site with 2.7 net change in habitat units. The Site has an overall prediction of a 21.04% net gain for the hedgerow on Site with a net change of 0.63 hedgerow units.
- 7.99 Impact on the surrounding ecology and biodiversity has been considered in the submitted Ecology Assessment against ES significance criteria. A number of measures are proposed to encourage biodiversity, including creating green spaces and planting.
- 7.100 It is agreed that the Proposed Development will protect and enhance ecology and biodiversity in line with policy requirements including NPPF paragraph 174, London Plan Policy G6(D) and Local Plan Policy LP15.

#### Trees

- 7.101 It is agreed that 50 trees are proposed to be removed out of a total of 152 trees, tree groups and hedgerows which have been surveyed (some of which are outside of the red line boundaries) – this equates to 32.8%. The exact number to be removed will be confirmed at detailed design stages. It is agreed that the removal of 50 trees is required to facilitate the construction of the Proposed Development and/or to facilitate the delivery of the proposed hard and soft landscaping design. It is agreed that the majority of trees to be removed are internal trees within the Site and valuable boundary trees would be retained. It is agreed that up to 404 new trees would be planted across the Site (including at Chalkers Corner), resulting in a net increase of up to 65% cover.
- 7.102 It is agreed that to deliver a comprehensive mixed-use development on the Site, some trees would need to be removed. It is agreed that the proposed loss of trees is acceptable.

#### Fire Safety



7.103 The Fire Statement amended under the Third Substitution Pack is agreed.

7.104 A Preliminary Quality Design Review and Gateway One Form are also agreed.

#### Local Economy and Employment

7.105 It is agreed that a net total of 291 FTEs will be created on the Site as a result of the Proposed Development. This represents an increase of [TBC] FTEs from the former existing use.

7.106 It is agreed that the scheme will:

- i. deliver employment spaces that have been designed to be flexible and adaptable which would suit a wide range of occupiers and modern business needs.

7.107 deliver a range of long-term, and substantially broadened, local employment opportunities;

- ii. redevelop a redundant employment site and respond to local employment challenges, as set out within planning policy.

7.108 It is agreed that the Proposed Development fully complies with national (paragraph 8(a)) and strategic policy (GG5 and E11) and is in line with local policy aspirations (LP40, 29 and SA24) for the Site which seek to ensure that new development provides employment opportunities and economic benefits.

#### Affordable Housing

7.109 TBC

#### Transport

7.110 TBC

#### Heritage

7.111 TBC

Basements

7.112 TBC

Sustainability

7.113 TBC

Air Quality

7.114 TBC

DRAFT



## 8 Section 106 Heads of Terms and Planning Conditions

8.1 TBC

DRAFT

## 9 Matters of Dispute

9.1 TBC

DRAFT



## 10 Signatures

Signed .....

Position .....

Date .....

Signed ..... Local Planning Authority

Position .....

Date .....

DRAFT