

**THE FORMER STAG BREWERY
MORTLAKE
LONDON**

**STATEMENT OF CASE
MORTLAKE BREWERY COMMUNITY GROUP**



**APPEAL CASE REF - APP/L5810/W/24/3339060
APP/L5810/W/24/3339062**

***Town and Country Planning Act 1990 Appeal Under Section 78 (Inquiries Procedure)
(England) Rules 2000.***

MBCG - 29/03/2024

CONTENTS

1.0 INTRODUCTION
2.0 BACKGROUND & CONTEXT.....

MBCG - OUR STATEMENT OF CASE

3.0 CUMULATIVE SCALE & DENSITY.....
4.0 BUILDING HEIGHTS & TALL BUILDINGS.....
5.0 HERITAGE & CONSERVATION.....
6.0 TRANSPORT ISSUES - TRAFFIC GENERATION & SAFETY.....
7.0 THE SCHOOL.....
8.0 OOLTI & NON RE-PROVISIONING.....
9.0 AFFORDABLE HOUSING.....
10.0 SUMMARY

1.0 INTRODUCTION

1.1

This Statement is made by the Mortlake Brewery Community Group (MBCG), and relates to the two inter-linked planning appeals which arise from the non-determination of the two linked planning applications for the mixed use redevelopment of the former Stag Brewery site. This 8.6ha (21 acre) site is located on the Thames riverside in Mortlake, Richmond upon Thames.

1.2

Although this Statement is submitted by the MBCG it also represents input and objections to the proposals on behalf of local residents and other local community groups who have been deeply involved in the various stages of the earlier proposals submitted by the applicant and the current proposals dealt with by Richmond Council at planning committee on 19th July 2023 and 31st January 2024.

The other community groups we have liaised with include the Mortlake Community Association, the Mortlake with East Sheen Society, the Barnes Community Association, the Kew Society, the Richmond Society, and an 'umbrella' organisation, the West London River Group. The local groups together represent well over 4000 local residents in the Mortlake, East Sheen, Barnes and wider area.

2.0 BACKGROUND & CONTEXT

2.1 The Brewery Site

Details of the site and the surrounding area are outlined and illustrated in the applicant's planning submissions and the accompanying Design & Access Statement. They are also outlined in a recent report produced for Richmond Council by Arup - the Urban Design Study- 4th April 2023 - which describes and illustrates the various 'villages' in the borough, including Mortlake.

The Stag Brewery site offers positive opportunities for regeneration of this unique riverside location and this raised great expectations for the local community when its potential redevelopment was first muted in 2010.

2.2 Site Constraints

However, the site's location is also uniquely constrained by its physical surroundings. It is bounded to the north by the River Thames and to the south by the only means of access/egress - the Lower Richmond Road which then merges to become Mortlake High Street. Slightly further to the south is the London to Richmond railway line which creates further access constraints. This is due to four level crossings over this local stretch of railway, and which at peak times experiences the crossing barriers down; closed for up to 45 minutes/hr.

Junction configurations at the western end of the Lower Richmond Road where this meets the A316 and the A205 South Circular at Chalker's Corner add further significant constraints.

Furthermore when earlier planning applications were heard by Richmond Council at committee in 2020 and 2023 and the closure of Hammersmith Bridge was considered as a temporary issue, it was viewed by committee members that this strategic crossing would be resolved in advance of any redevelopment.

However, the bridge remains closed to all vehicular traffic and there are no agreed solutions to the significant faults discovered in its main structure. There appears no prospect of the bridge being re-opened as neither Richmond or Hammersmith Councils, nor TfL, have the funds to rectify the major structural faults, estimated at circa £130m last year, but now at circa £250m.

This situation has led to significant additional pressures on the local road network and especially at peak am/pm periods, with traffic grid-lock now experienced even outside normal peak periods.

2.3 Mortlake Brewery Community Group

Although we object to the applicant's latest redevelopment proposals we wish to make it clear that we do not object to the principle of regeneration of this former brewery site. Indeed we have always seen this as an opportunity to invigorate Mortlake and provide badly needed homes and new employment within our community.

Our group was formed in 2010 when the brewery owners and the Council held the very first public meetings to announce the proposed closure of the brewery operations, and to hear what residents and local businesses wished to see take shape on the site. The MBCG worked very closely with Richmond Council following these soundings with locals and we collaborated with Richmond on the writing and editing of the proposed Planning Brief for the site. This was adopted shortly afterwards in July 2011, and remains a key planning document to guide development.

We have throughout the various iterations of the development proposals acted proactively to seek an exemplar new development. We are sad and disappointed that our efforts and input have been largely ignored and after repeated planning applications the latest scheme is now moving to the Inquiry.

2.4 The Proposals

With regard to the proposals themselves the development plans provide a residential led mixed use scheme. The adopted brief originally also included a new primary school to be accommodated in the north west part of the site, and alongside land designated by Richmond as Other Open Land of Townscape Importance (OOLTI), protected sports fields.

In late 2015, at about the time when City Developments / Reselton were exchanging on the purchase of the site, Richmond Council decided at a full cabinet meeting to switch from the requirement of a primary to a secondary school with sixth form entry. Some time shortly after this switch the Regional Schools Commissioner agreed to approve the transfer of DfE funds for a new secondary school planned for Tower Hamlets, which was no longer required by that authority, and for it to move to Richmond on the Stag site.

The proposals therefore still include the provision of this large 1200 pupil secondary school with sixth form, despite significant changes in local circumstances, demographics and school place needs since those decisions in 2015.

With regard to the proposed mix of uses contained within the two planning applications we would comment as follows.

We broadly support the residential led mixed use concept. There is a reasonable mix of commercial uses on the ground floors of the buildings in the zones to the east of Ship Lane and the flexible nature of these spaces will accommodate a range of uses. These include offices, shops, bars, cafes, restaurants, a small hotel and some potential community uses such as the suggested boathouse in Building 11 adjacent Bulls Alley. With the right types of tenants and commercial operations occupying these ground floor spaces we do see the potential for these to help create from the beginning of a nucleus to the scheme.

There are some doubts expressed locally about the likely success and survival of the cinema proposed in the scheme, given that there are other local cinemas at the Olympic Studios in Barnes and other national operators close-by in Richmond, Putney and Kingston.

2.5 Summary of Objections

Our objections centre on the fundamental cumulative impact and the sheer scale, massing and height of the overall development proposals. This is particularly so with the inclusion of the large secondary school and when justification for the school is so highly questionable. This results in the bulk, massing and density of the total development, which is wholly out of character with the existing suburban environment of Mortlake, East Sheen and Barnes.

Our main objections which have been articulated at both public consultations and as formal representations to the two applications can be highlighted as follows:

- The Cumulative Scale and Density of the Proposals
- Buildings Heights
- Impacts on Heritage Assets, Views, Conservation Areas, and Riverside
- Transport Issues, Traffic Generation and Safety (inc Air Quality)
- The Secondary School
- Resultant Loss of the OOLTI Protected Sports Fields and Non Re-provisioning
- Lack of Affordable Housing

MBCG - OUR STATEMENT OF CASE

3.0 CUMULATIVE SCALE & DENSITY

3.1 Land Use

Applications A & B represent inter-linked proposals for the comprehensive development of the site in the form of a residential led mixed use scheme. The proposals include 1075 residential units in 19 building blocks which range in height up to the highest at nine floors, and in two, 3-storey terraces backing onto existing properties on Thames Bank.

Blocks 1-17 are set on a common raised- plinth above the existing ground level which thus accommodates the semi-basement car parking, and also sets floor levels above the predicted flood levels, given the River Thames abuts the site. This plinth level is 1.4 meters above the existing ground level.

The other main components of the scheme are:

- 4909 sqm of flexible use space to accommodate a mix of shops, bars, cafes, restaurants etc
- 1897 sqm of office space
- A new hotel/pub in the former hotel building on the High Street (Building 5)
- A cinema (Building 1)
- The new 3- storey 1200 pupil secondary school which comprises 9,319 sqm educational space, external 3G all-weather sports pitch and an external MUGA area.

The general appearance and architectural design of the buildings adopts two typologies, a riverside warehouse style, and the other modelled on late Victorian/ Edwardian mansion blocks. Save for The Maltings there are no such buildings of these architectural types within the immediate context of the site.

3.2. Context & Character - Within the Site

Within the site are a range of existing industrial and office buildings some of which are currently in temporary use for film production, short-let offices and other associated uses. The taller brewing and process buildings are located on the western part of the site whilst the former packaging and distribution building is located to the east in a single storey typical warehouse type building. Other smaller buildings in support of the former brewing activities are also located within the site including the former hotel and bottling plant at the west end of Mortlake High Street, a Building of Townscape Merit (BTM).

There is a tall chimney which is part of the former energy centre in the south west part of the land east of Ship Lane.

The River Thames forms the northern boundary to the site with Dukes Meadows to the north, a very large area of open sports fields and recreation areas which is designated as Metropolitan Open Land.

To the north west of the site is an historical enclave of listed buildings facing onto Thames Bank. These are largely 2/3- storey residential properties and include The Ship Inn, a BTM on the north corner of Ship Lane.

A high brick wall forms the northern edge of the site facing the River Thames along the eastern half of the site. This is terminated nearest Ship Lane with the Maltings, a protected BTM.

The character of the riverside and the towpath is almost rural in nature with a tree canopy and low vegetation forming the riverside edges from as far east as Putney and Richmond and beyond to the west. The section of the towpath alongside the Stag site is referred to as “The Wooded Towpath” and is a part of the gateway to “Arcadia” Thames, a national treasure, which starts just a short distance upstream to the west in Kew and extends further westwards towards Hampton and beyond.

3.3 Context & Character - Surrounding the Site

The predominant character of the surrounding area is however one of low density, low height, sub-urban residential streets.

To the south of the site is a broad sweep of Victorian and Edwardian residential development forming the sub-urban areas of Mortlake, East Sheen and Barnes. The predominant character of these local communities is one of low density, 2/3 storey terraced housing streetscape, with the occasional taller building such as the 4-storey flats in the middle section of Mortlake High Street. The only tall building is a former 1960's office building which was converted to partial-residential use at upper levels, and is located just south of the site on Mortlake High Street; namely Vineyard Heights.

We are of the view that the sheer scale, massing, density and character of the tightly packed building blocks creates a development which is wholly out of character with the surrounding area. We are of the view that the proposals contravene the updated National Planning Policy Framework published in December 2023 in relation to Para 130 which is a material consideration to determination, vis:

“ Significant uplifts in the average density of residential development may be inappropriate if the resulting built form would be wholly out of character with the existing area. Such circumstances should be evidenced through an authority-wide design code which is adopted or will be adopted as part of the development plan.”

This new updated policy was not considered in relation to both inter-linked applications A&B when the latest amended scheme -Application A - came to Richmond Council's planning committee on January 31st this year. Only Application A was submitted and considered despite the clear inter-linkage with Application B, and the comprehensive nature of the whole scheme.

Local residential densities range between 90 dwellings/Ha and 36/Ha at the lowest level.

The Stag Brewery scheme creates a significantly higher residential density of 125 units/ ha and this rises to 160 units/ha when excluding the secondary school site.

(We note that the application red line boundary was expanded from earlier planning applications and now includes the Thames towpath and the proposed crossing to Mortlake Green. The actual development site however is 8.6ha).

The heights of the buildings which extend upwards to seven, eight and nine floors are a key aspect of our case in terms of the NPPF Para 130. However, the proposed building heights are a specific matter of planning policy in their own right, and this is dealt with in the next section of this Statement.

The London Plan seeks to optimise sites such as this for residential development, particularly those of a scale involving comprehensive re-development of brown field locations. Early consultations conducted by Richmond Council back in 2010/2011 - (All in One -Your Mortlake), envisaged a scheme in the order of 560 units to optimise the site yet remain sensitive to the location and local context.

The Local Plan Policy LP34 sets a target of 3150 homes for the period 2015-2025 with just 400-500 in the East Sheen, Mortlake and Barnes Common, and Barnes area.

The Publication Version Local Plan sets slightly higher future targets of 4110 over the next 10 years with 800-900 in the same sub-area including Mortlake.

We are of the view that the Stag Brewery scheme is disproportionately high in terms of density when compared with these long-term housing targets, and when considered in the context of

other major approved and proposed residential developments planned in the local area. (ie: Homebase and Barnes Hospital sites).

The current Stag scheme proposes 1075 units which we consider excessive in relation to the London Plan and Local Plan targets. These combined housing totals would represent a 100% uplift on the higher local targets now proposed in the Publication Version Local Plan.

4.0 BUILDING HEIGHTS & TALL BUILDINGS

4.1 London Plan

The London Plan Policy D9 deals with tall buildings and defines these as those of, *“not less than 6 storeys or 18metres measured from the ground to the floor level of the upper most storey.”*

As so defined, then all but one of the proposed buildings within the Stag site on the Thames riverside are classified as tall buildings, namely Blocks 2/3/7/8/11/12, and buildings to the west of Ship Lane, namely Blocks 13 to 17, and 19. These are also all set on a plinth level above semi-basement parking and thus ‘grounded’ some 1.4 meters above the existing ground level.

Policy D9 directs boroughs within London to determine if there are locations where tall buildings may be an appropriate form of development, subject to meeting the other requirements of the Plan.

Policy D9. C. also requires that Impacts are considered and in this respect the following sub-sections of D9 are relevant to the Stag site, namely:-

D9 C states that development proposals should address the following Impacts:

C 1) visual impacts

a) the views of buildings from different distances - i - long-range views
ii - mid-range views
iii - immediate views

d) requires that proposals should take account of, and avoid harm to, the significance of London’s heritage assets and their setting. The buildings should positively contribute to the character of the area.

f) buildings near the River Thames should protect and enhance the open quality of the river and the riverside public realm, including views, and not contribute to a canyon effect along the river.

h) buildings should be designed to minimise light pollution from internal and external lighting.

Following the latest amendments to the proposals within Application A, (required due to new fire escape regulations), eleven of the buildings still classify as tall buildings with the majority directly addressing the River Thames, and also four of these immediately adjacent heritage assets

We maintain that the development proposals do not comply with Policy D9 as several buildings do not comply with D9.B1 as they don’t comply with locations identified and policy in the Local Plan (or the Publication Version Local Plan).

4.2 Building Heights & Tall Buildings - Local Plan & Publication Version Local Plan.

The Richmond Local Plan defines a *Tall Building* - *“as 18m in height or higher (approximately 6 storeys or above).”*

It also defines a Taller Building - “as being significantly taller than the neighbouring buildings, but less than 18 metres in height (below 6 storeys).”

Policy LP2- 4.2.1 in relation to building heights states that- *“The borough is characterised primarily by low to medium-rise residential development patterns, which has produced very attractive townscapes, which are important to the borough’s distinctive character.”*

The policy requires new buildings - *“to respect and strengthen the setting of the borough’s valued townscape and landscapes, through appropriate building heights,”* - we maintain that the proposals do not accord with this policy or the means as set out in LP2 1-3.

LP2 Clause 4.2.2 does identify the Stag site as one of very few specific and exceptional sites where tall or taller buildings may be appropriate, subject to the criteria set out in this policy. However Clause 4.2.7 makes it clear that the presence of existing tall /bulky buildings on a site does not in itself justify new tall or taller buildings as a precedent for allowing replacement tall or taller buildings.

We maintain that the proposals do not comply with Policy LP2.

The Local Plan is now in the latter stages of consultation as the ‘Publication Version Local Plan’ to replace the existing Plan in due course. The Appellant recognises that the weight to be given to this emerging policy is limited.

The Publication Version makes reference to the Urban Design Study carried out for Richmond by Arup-dated 4th April 2023. This document goes into great detail assessing urban design within the borough and does so with the eleven *‘villages’* one of which is Mortlake. It is relevant that the borough’s own policy and other official publications refer to Mortlake as one of its ‘villages’ - accentuating the scale and character of the area.

Section A5 of the Arup study deals specifically with the possibility of tall buildings on the Stag site. This includes a diagram Fig 445 which illustrates a series of contours related to building height with a limit of 7 floors in the core area and diminishing in height to the scale of the surrounding streets,Thames Path and riverside. There is no intent to suggest buildings above seven floors.

We see nothing in the Publication Version which might allow the heights of buildings proposed in the current applications.

4.3 Building Heights

The Stag Brewery Planning Brief - Adopted 2011

As noted earlier the MBCG and other local community groups were deeply involved in the drafting of this Supplementary Planning Document, and the MBCG assisted in the writing of the final draft which was adopted in 2011.

This remains a key guide to development of the site with the only alteration being the switch from a primary school to the secondary school agreed at Cabinet in late 2015 (without any prior public consultation).

With regards to building heights we maintain that the current proposals do not accord with the design principles contained within this Brief and it’s Appendix 1 diagram setting a maximum building height of 7 floors and especially the four clauses 5.30 to 5.31 *-(please note that there is an error in the clause numbers which are duplicated as 5.30 & 5.31).*

5.0 HERITAGE & CONSERVATION

As noted earlier there are two recognised Heritage Assets within the site itself namely, The Malting on the riverside, and the Former Hotel and Bottling Building at the western end of Mortlake High Street. Both are required to be retained, which is the case with the proposals, with the Maltings re-purposed for residential/leisure use, and the latter as a small 15 bed hotel/ public house. Both of these buildings are designated as Buildings of Townscape Merit (BTMs).

The Maltings is recognised as an important and impressive landmark building on this stretch of the River Thames and sits at the northern end of Ship Lane directly opposite the more diminutive Ship Inn public house.

Built in c1902 for part of the hop processing, The Maltings comprises 8 floor levels with one further level at the east end of the building. It is important to note that due to the building's former use the floor levels are however very low, considerably lower than modern floor to floor levels.

The Maltings is intended to remain as a key local landmark and contributes to the significance of the Conservation Area. It is an important focal point in views from Chiswick Bridge and from towpath views on the downstream south bank near The White Hart pub and Barnes Bridge. It is also seen as an important feature at the termination of the Green Link which is a requirement of the Adopted Planning Brief, connecting Mortlake Green and the River Thames.

Three designated Conservation Areas influence any proposals namely, the Mortlake Conservation Area (Area 33), the Mortlake Green Conservation Area (Area 51) and the Sheen Lane Conservation Area (Area 64).

Abutting the site to the north west is an enclave of charming 17th c residential buildings, many of which are listed Grade II, and overlook Thames Bank.

The applicant's planning application documentation recognises that there are harms to these local heritage assets as did committee members when the proposals were considered in July 2023 and again in January 2024. The Mayor's Stage 1 Report states that whilst the massing has been revised the application still conflicts with London Plan policies on heritage and that the building heights exceed the Council's own policy.

Harms to heritage assets must be clearly and convincingly outweighed by public benefits associated with the proposal. We challenge that this is the case. Some of the perceived public benefits are a basic requirement of any development of the site and thus a baseline in terms of planning requirements.

The provision of affordable homes, which is a fundamental requirement of any scheme, especially one of this site area, constitutes real public benefit, but these proposals provide a woefully low provision of just 7%.

Some other perceived benefits noted in the Gerald Eve Town Planning Statement (para 16.38) are indeed highly questionable, for example the large secondary school which we challenge as not being necessary. Also if built, the new school is likely to cause harm itself to the other existing secondary schools in the area and the survival of their sixth forms. This is dealt with specifically later in the Statement of Case - Section 7.0

The proposals are located directly alongside the River Thames and the Thames Path. As noted in Section - 2.1.1 this length of the Thames riverside is an introductory gateway to "*Arcadia Thames*" and has an important relationship to riverside heritage and the national importance of Kew Gardens just a short distance upstream. The scale, height and massing of the buildings, particularly the 6/7/8/9 storey buildings between Bulls Alley and the Maltings, will significantly harm the character and almost rural nature of this stretch of the Thames Path referred to as "The Woodland Towpath."

The Local Plan Policy LP5 seeks to protect the quality of the views, vistas, gaps and the skyline, all of which contribute significantly to the character, distinctiveness and quality of the local and wider area. We acknowledge that the site is presently closed to the public and we welcome the increased permeability created and the introduction of the Green Link (a fundamental requirement in the Planning Brief).

However, the Planning Brief illustrates several key views of the site, one from Chiswick Bridge, itself a key local heritage asset, and the other the long distance westwards views from downstream. The Planning Brief aims to improve these views by further emphasising the landmark nature of The Maltings and with the removal of the taller existing brewery buildings located in the heart of the site.

Instead the proposals both subsume and dominate The Maltings due to the height, scale and siting of buildings particularly blocks 2/3/7/8/11 &12.

When viewed from downstream and from Chiswick Bridge these buildings clearly create a 'wall' of built form, quite out of scale and character with the surrounding area, and diminishing these views and vistas.

The fact that Historic England do not wish to offer any comment on the scheme is a neutral statement.

We maintain the proposals conflict with London Plan Policy and Local Plan Policies LP3, LP4 & LP5. They also conflict with many clauses and aims set out in the Adopted Planning Brief.

6.0 TRANSPORT ISSUES - TRAFFIC GENERATION & SAFETY

6.1 Locational Details & PTAL Rating

The site is bounded to the south by the A3003 Lower Richmond Road, which extends eastwards towards Barnes as Mortlake High St. This is the only means of access/egress for the Stag site.

Sheen Lane links to the mini-roundabout and junction of these two sections of highway and itself links to the Upper Richmond Road (the South Circular) further to the south in East Sheen.

The western end of the Lower Richmond Road leads to Chalker's Corner which forms a complex junction of the A316 and Mortlake Road (the northern section of the South Circular A205 leading to Kew).

Mortlake Station is located about 250 metres from the southern site boundary, and several bus routes serve the site. Bus routes have been re-organised since the closure of Hammersmith Bridge to vehicular traffic. As described in Section 2.2 there is no prospect of this strategic crossing of the river being re-opened for vehicular traffic or bus services in the immediate/mid-term and no agreed, or financially secured long term re-instatement.

There are no river boat services to the site. The nearest into London is located at Putney Pier.

Consequently the PTAL rating for the site is poor with the majority rated PTAL 2 - 'Poor', and zones in the north west of the site rated even lower at 1b-'Very Poor'.

(A Technical Report TN047 - submitted to support an increase in PTAL in this north west zone due to bus services on the adjacent A316 has been reviewed by TfL and has been accepted as over-calculated).

6.2 Local Traffic & Safety Conditions

The area suffers from severe road congestion, and at times total grid-lock. This is caused by the sheer volume of traffic, much of it orbital, and the unique constraints caused by barriers being down at the railway level crossings on Sheen Lane at Mortlake Station, but also on Manor Road and White Hart Lane which are relatively close to the Stag site. The closure of Hammersmith Bridge has simply exacerbated these conditions. These barriers are down for up to 45 minutes / hr in the am/pm peaks. These barriers also lead to driver frustrations on Sheen Lane in particular which add to genuine safety concerns.

There were a total of 677 objections to the Stag site proposals, and transport related matters were stated in the majority of cases due to the real concerns and life experiences of local residents. The Richmond Council's Report to the Planning Committee - Jan 2024 - outlines in section 7.2 the summary of letters of objection to transport aspects of the current proposal.

6.3 Key Issues

6.3.1 Forecasts

We maintain that forecasts of generated traffic are under-estimated given the particular local circumstances and constraints, the 'Poor' PTAL rating and the lack of effectiveness of Travel Plans for both the housing and school. This is of particular concern given the lack of evidence supporting such forecasts being applicable outside Central and Inner London.

It is apparent that whilst there is general agreement between the local and regional transport authorities, and hence the applicant on the general direction of transport policy, the transport impacts forecasts here risk being seriously under-estimated.

Traffic forecasts greatly under-estimate the impact of the 1200 pupil secondary school particularly in the am peak. There are four road crossings (existing/proposed) over the roadside frontage to

the site. Pupils crossing to the north side of the Lower Richmond Road/ Mortlake High Street to access the school will cause considerable delays to traffic movement and back-log.

6.3.2 Parking

Basement and grade level car parking has been reduced from the earlier schemes considered in 2020 and 2022. Stated parking levels in July 2023 were 501 in total. These have been reduced to 486 in the latest scheme.

Reduced provision of on site parking would not necessarily result in a proportionate reduction in car use/traffic generation.

There is totally inadequate car parking provision (15 spaces) for the large 1200 pupil secondary school. Staff will no doubt use public transport and other means of access but this provision is unrealistic.

6.3.3 Change

Considerable uncertainty remains with the understanding of 'normalised' base traffic levels given the impacts of the pandemic and the uncertainties surrounding future bus service levels and operation of Hammersmith Bridge.

The closure of Hammersmith Bridge has also led to an ill-considered impact of traffic accessing and leaving St.Pauls and the Harrodian Schools at am/arrival and pm/leaving times. This traffic in turn impacts on westwards/eastwards traffic using the Lower Richmond Road/Mortlake High Street and Barnes Terrace/Barnes High Street.

6.3.4 Mitigation - Chalker's Corner & Bus Services Contributions

We maintain that the proposed works for the Chalker's Corner junction are not likely to mitigate conditions caused by the development but are instead likely to induce more through traffic adjacent to the site and thus through the 'villages' of Mortlake and Barnes. This would remain a 24/7 problem for this route and add to the accident risk here with the increase in pedestrian movement.

Furthermore, much is made of the £3.6m contribution to potential improvements to local bus services (over 10years), included in the financial appraisals. There is however no agreed TfL strategy for use of this sum, and in any case the sheer volume of traffic on the local bus routes will severely hamper implementation or any improved nature/frequency of service.

6.3.5 Mortlake Station Level Crossing & Safety

There are totally inadequate and largely cosmetic mitigation measures proposed for the railway level crossing on Sheen Lane. This is particularly so given the significant increases in pedestrian and cyclist movement which we maintain are under-reported in the submission report updates. The addition of the 1200 pupil school alone adds to these significant changes.

This situation would certainly add significant safety risk to an already dangerous location. It is unclear why Network Rail has apparently remained silent over this in contrast to its earlier objections to the siting of Thomson House Primary School's extension close to the crossing.

We conclude that the combined transport impacts of the two applications demonstrate that there would be a substantial over-development of the site.

We maintain that the applications conflict with NPPF in relation to Paras 114 &115 and Local Plan Policy LP44 - A&D in particular.

7.0 THE SECONDARY SCHOOL - School Place Needs

The Adopted Planning Brief originally required a new primary school and envisaged the location just north of the existing sports fields. The Council's brief now requires a new large 1200 pupil secondary school to be sited on the Stag site and was switched from the original requirement for a primary school in late 2015.

The decision involving the switch from primary to secondary was made without public consultation and represented a sudden and major change in school place needs predictions. Our analysis shows that the data, produced by the Council's advisers Achieving for Children to support this decision, was flawed on several counts. The Council has continued to provide the DfE with data overstating need. The DfE continues to support the Council's position and has refused to review its original decision to move Livingstone Academy to Richmond or answer our questions about it.

Almost 10 years have elapsed since the 2015 decision, which predicted the need for the school to be up and running by 2021/22. Since then Richmond have accommodated in-year arrivals of secondary pupils from Hong Kong and then Ukraine with limited capacity impact on the existing local secondary schools and with only limited new temporary classrooms at Christs School. This alone places in question the data in support of a 1200 pupil school.

To update our own data analysis of school place need we have more recently included predicted pupil yield from residential developments either recently consented or planned within the east of the borough. These yields were not part of the justification in 2015. Even by including the potential pupil yields from residential elements of the Homebase, Barnes Hospital, Stag Brewery and Kew Retail Park proposals our data still does not justify a school of this scale.

Richmond Council continue to insist on the secondary school claiming that this is necessary in the eastern part of the borough which they assess is under provided when compared with the west. The Council further states that the Stag site is the only location to the east of the borough which can feasibly accommodate such a school.

However the Livingstone Academy, Aspirations Academies Trust, who have been awarded the contract to operate the school will focus on tech and modern pedagogies and envisage a pan-London catchment, and not one focused on the local east of borough community catchment.

Furthermore it is well documented in government data that primary school numbers have fallen and are continuing to fall. These children flow through into secondary schools and this trend combined with falling population numbers further weaken the Council's case for a 1200 pupil school.

Reception classes in East Richmond are now at their lowest since 2009. ONS predicts that Richmond's 5-year-old population will continue to fall until 2035. The yields from the four housing developments mentioned above can therefore be accommodated with modest expansion of existing schools.

Serious concerns are voiced by existing local secondary and primary schools about any need for this school.

The Stag site is 8.6Ha (21acres) in extent and is clearly capable of accommodating the size of school site recommended by the DfE guidance -BB103.

The proposed secondary school is however positioned on a plot of just 1.89ha which is considerably below the size of site recommended within BB103 for a 1200 pupil secondary school. When the 3G all-weather pitch within the school grounds is being used then the remaining open area available for children is totally inadequate. Land must be optimised particularly in London but the site is both inadequately sized and badly located next to roads affected by poor air quality.

We have proposed an alternative Community Plan to provide a more balanced educational solution for the east of the borough. Our Community Plan ;-

- seeks to improve the viability and growth of the existing local secondary schools by limited expansion for local school place needs, rather than build a new school
- proposes the re-location of a local primary school to the Stag site in a location in line with the original Planning Brief, and providing safe outdoor space for pupils' play and recreation.
- which in turn vastly improves safety at the Mortlake Station level crossing and on Sheen Lane
- and would create space for around 100 more homes (a figure confirmed to the Council by the developer's architects).
- This alternative concept is supported by the developer, but the Local Authority refuse to consider our Plan.

Further to our challenge of the need for a new secondary school the Adopted Planning Brief in any case requires the retention of the existing OOLTI protected sports fields in the south west area of the site. The proposed plot for the school totally disregards this fundamental requirement in that Brief.

No design options have ever been tabled where the sports fields are retained.

Clause 2.42 & 2.43 seeks to protect and enhance this open space. We expand on this specific planning aspect in the following section.

We maintain that the proposals also contravene the London Plan in relation to Policy S3 B1-3

8.0 OOLTI PROTECTED SPORTS FIELDS & NON RE-PROVISIONING

The Stag site includes an area of around 2.0ha of sports fields in the south west part of the site. These sports fields are designated in the Richmond Local Plan as -Other Open Land of Townscape Importance (OOLTI), protected open green space.

This space accommodates two grass football pitches and when Watneys operated the brewery also accommodated a flourishing cricket club. Although currently private space the intention has always been to retain the sports fields for extensive public use.

The previous brewery site owners, and now the current owners, have continued to permit the use of the football pitches by a local club, and the fields are also used by local primary schools for sports and recreation and by the community for summer fairs.

Clause 2.43 of the Adopted Planning Brief explains that public consultation prior to 2011 considered whether there would be any benefits from the relocation of the OOLTI protected sports fields. The Council's own conclusion (supported by the public) was that they must be retained in the existing location, and made more accessible to the public and to increase their recreational/leisure usage.

This was, and remains, a central tenet to the local residents and the wider community.

The Council nevertheless cynically sought to water down OOLTI policy during examination of the Local Plan in 2016/17. Local residents resisted this strongly, especially as design presentations by the developers were by this time showing a new school on the sports fields. Despite resident objections we were thwarted. and the Council opened the possibility within Policy LP14 for re-provisioning of OOLTI space.

However, re-provisioning is only possible via Clause 5.3.6 in specific circumstances - *"provided that the new open area is equivalent or improved in terms of quantum, quality and openness."*

The applicant has stated that they have satisfied these requirements but we strongly challenge this on all three criteria.

Quantum

In terms of 'quantum' there is first a fundamental point. Any scheme design for a residential led mixed-use development of this nature would require in the region of 30-40% open space, play areas, and space between buildings to comply with the London Plan -Policy D8 -Public Realm and Local Plan PL31. Such public realm open space would also be required to comply with building regulations and quality of design for the internal environment and light/aspect in the residential accommodation.

In addition the Adopted Planning Brief required the provision of a generous Green Link between Mortlake Green and the River. Both of these provisions are a given before any calculations of quantum of re-provisioning, but Applications A & B in effect double count much of the open space. In addition some of the spaces considered as re-provisioning are totally hard surfaced.

Quality

As for 'quality' many of the open spaces which are proposed as re-provisioned space are surrounded by buildings of 5/6/7/8/9 storeys and the applicant's submitted reports show quite clearly the overshadowing and compressed quality of these spaces when compared with almost 2ha of the existing OOLTI sports fields - open green space.

It is argued that the increased sports use of the school's 3G all-weather pitch and its MUGA somehow compensate for the loss of the two full sizes grass pitches via Sports England's exception 5 guidance. This however, deflects from the fundamental requirements of not only '*equivalent or improved quality*' of the open space , but also its quantum and openness too.

Many of the open spaces in the development proposals are semi-private in nature due to the disposition of the surrounding building blocks and being over-looked by residential accommodation. This may deter public use which would certainly be the opposite with retention of the existing sports fields.

Two of the main spaces in the scheme are totally hard surfaced and many of the open spaces are located above basement car parking. This diminishes the surface water retention and attenuation provided by 2ha of the existing green open space of the sports fields.

None of the proposed open green spaces created in the proposals could be considered in their own right for designation as OOLTI space. The Green Link is a planning requirement of the Adopted Brief, quite aside from the need for re-provisioning, and is thus excluded in term of either quantum or quality.

Openness

Finally in terms of 'openness' it is clearly absurd to consider any of the open spaces in the development proposals are in any way equivalent, or an improvement, on one large existing space of 2ha. An existing open green space which is some 110 x 170m in proportion, which allows wide vistas into this precious space, the largest open green space in Mortlake, is simply not re-provisioned by eight postage stamp sized spaces, over-shadowed and compressed by surrounding building blocks.

The loss of the sports fields would be a disaster for Mortlake which otherwise has only Mortlake Green and Jubilee Gardens as meaningful open spaces.

The existing sports fields are of Townscape Importance in some measure due to their openness and visual contribution to Mortlake. The residue public park in the proposals is of vastly reduced size and has a backdrop of an artificial 3G pitch surrounded by fencing with acoustic treatment and floodlighting.

We maintain that the proposals contravene NPPF Para 103, London Plan Policy S5 and Local Plan Policy LP14 based on all three criteria. They also conflict with the Adopted Planning Brief.

9.0 AFFORDABLE HOUSING

The proposals clearly do not comply with the NPPF, the London Plan or the Local Plan. Richmond's planning report to committee and that committee's members have stated that the low level of affordable homes proposed with the scheme 'is disappointing'. This is a gross understatement.

The history of the various planning applications since the original in 2018 have offered different, and qualified, percentages of affordable homes as follows;

| | | |
|-----------------------------------|-----------------|-----------------|
| 2018 Applications A,B & C..... | 898 home units | 17 % Affordable |
| 2020 Applications A & B | 1250 home units | 22% |
| 2023/2024 Applications A & B..... | 1075 home units | 7% |

Both the London Plan and the Local Plan require 50% affordable homes.

The applicant's Financial Viability Report states that the financial appraisal in fact supports a zero affordable allocation but offers 65 units of different tenures within Buildings 10 and 18/19.

It is difficult to see how these figures make sense even with increases in construction and financing costs since 2018 when the latest scheme under consideration has 177 more residential units than the 2018 scheme. Also with the increases in building heights since the 2018 scheme there are now more high level residential units above 6 floors which will clearly attract premium sales values.

Richmond have proposed to apply mid stage and later reviews of the financial viability but we maintain that the applicant's data supporting the FVA should be interrogated far more robustly at this stage. Construction costs are reported in considerable detail in the FVA but the same level of detailed analysis of potential unit sales values apply only a blended value. The sales growth allowances are also very low for the likely build-out period of a scheme of this proposed size and unique location.

Residential units facing the river Thames with stunning views over MOL land to the north will be highly attractive, and upper floor levels and larger 'penthouse type' units will undoubtedly secure higher sales values. Our research has show far higher sales values than those quoted in the FVA for riverside schemes of a similar nature in SW London.

The Council have been reluctant to engage meaningfully concerning our alternative Community Plan outlined in Section 7.0 and this is despite the fact that this alternative approach could lead to a more sustainable educational solution for the area and could deliver around 100 additional residential units - and thus potentially improved viability and provide more affordable homes.

Our Group does not have the specialist experts to interrogate the FVA as deeply as we may wish, and for this reason we will depend upon the Mayor of London, the GLA Officers and their advisors to deal with this aspect of objections to the scheme in far greater detail and depth.

There is however some concern voiced within the community about the fact that BNP Paribas have been advising the Council on whole plan viability testing whilst also advising the developer/ Appellant, Reselton, on their financial viability assessment.

10.0 SUMMARY

For the reasons listed here we thus maintain that these proposals fail to comply with several major aspects of planning policy.

We acknowledge that there are a number of design features in the proposals which accord with the aspirations set out in the Adopted Planning Brief and Site Allocation SA24, and that there are some public benefits which the scheme has to offer.

However, the harms caused by the proposals and non-compliance with significant aspects of National, London Plan and Local Plan policy far out-weigh any benefits.

ENDS 29.03.2024

