

05/04/24

**LPA Reference: 22/0900/OUT**

**PINS Reference: APP/L5810/W/24/3339060**

**Application: 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 3 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.**

**Address: The Stag Brewery Lower Richmond Road Mortlake London SW14 7ET**

Dear Ms Dutton,

The Georgian Group has been notified of the above application which will be heard at a forthcoming Public Inquiry. The Group was not consulted on the application when it was determined by the local authority owing to works not falling within the statutory remit of the Georgian Group, as set within the *Arrangements for handling heritage applications Direction 2021*. The Group objected to the planning permission submitted to Richmond Council in 2018 and wrote to the Secretary of State requesting he call-in the application. The proposed application does fall within one of the Group's areas of interest which relates applications for works significantly affecting the setting of building or structures constructed between 1700 and 1837.

The comments set out below are an assessment of the current application and the Group would appreciate if these could be forwarded to Inspector dealing with the case.

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## **Significance of Surrounding Area and Assets**

The subject site sits within close proximity to two conservation areas, these being the Mortlake Green Conservation Area and the Mortlake Conservation Area. The Group is particularly concerned about the harm that would be caused to the grade II designated heritage assets located alongside Thames Bank - situated within the Mortlake Conservation Area.

Situated within the western section of the Mortlake Conservation Area along the Thames Bank are five 18th century grade II designated heritage assets, these are Thames Cottage, Tudor Lodge, Thames Bank House, Leyden House and Riverside House. These heritage assets possess a considerable amount of architectural interest and their setting along the River Thames enhances their significance. Alongside their intrinsic value, the heritage assets make a strong contribution to the significance of the Mortlake Conservation Area and as set out within Local Plan policies map fall within the sight line of a designated view/vista.

## **Proposals**

The application involves the redevelopment of the Stag Brewery site, and the full description of the proposed works can be found at the head of this letter.

## **Proposals and Their Impact**

Whilst the Group does not object to the principle of redeveloping the former Stag Brewery Site. The current scheme would cause considerable harm to the setting and therefore the significance of the designated heritage assets referred to in the previous section. The negative impact on those designated heritage assets referred to above can be seen from the north side of Thames and within those static viewpoints provided by the applicant, especially viewpoints 3 and 4.

Within the static viewpoints 3 and 4, it is the massing, height and scale of the proposed development which would cause harm to the setting of the five listed buildings. The Group has visited the site, and the development would have an adverse impact on the group value of the five listed buildings along the Thames which would in turn cause harm to the character and appearance of the Mortlake Conservation Area. The Mortlake Conservation Area statement states that one of the problems and pressures for the conservation area is 'development pressure which may harm the balance of the river and landscape-dominated setting, and the obstruction or spoiling of views, skylines and landmarks'. The proposed development in its current form would exacerbate this problem.

The Richmond Local Plan Policies Map identifies the view from Chiswick Bridge towards the southern bank of the Thames as a designated view and is therefore offered protection with the Local Plan. The existing cottages on the southern bank of the Thames contribute to the interest of this view. The proposed development would be situated behind and to the east of the cottages and form a distraction causing harm to the designated view.

## **Policy and Guidance**

Sections 66 of the Planning (Listed Building and Conservation Areas) Act 1990 makes it a statutory duty for decision makers to have special regard to desirability of preserving listed buildings and their settings. Section 72 of the Act states that special attention

must be paid to desirability of preserving or enhancing the character of appearance of conservation areas.

Guidance on carrying out this statutory duty is set out by the Government within the National Planning Policy Framework (NPPF). Paragraph 205 states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. Any harm caused to the significance of a designated heritage asset will need a clear and convincing justification for doing so in line with paragraph 206 of the NPPF.

Planning practice guidance set out by the government requires any harm identified to either be classified as less than substantial or substantial harm. If the harm is identified as less than substantial, then in line with paragraph 208 of the NPPF this harm should be weighed against the public benefits associated with the proposed scheme.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise'.

London Plan Policy HC1 states 'development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed.'

Policy HC3 Strategic and Local Views states that 'Boroughs should clearly identify local views in their Local Plans and strategies. Boroughs are advised to use the principles of Policy HC4 London View Management Framework for the designation and management of local views. Where a local view crosses borough boundaries, the relevant boroughs should work collaboratively to designate and manage the view'.

Policy LP3 of the Richmond Local Plan states that 'The Council will require development to conserve and, where possible, take opportunities to make a positive contribution to, the historic environment of the borough. Development proposals likely to adversely affect the significance of heritage assets will be assessed against the requirement to seek to avoid harm and the justification for the proposal'.

Policy LP5 states that 'The Council will 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'.

## **Recommendation**

The Georgian Group objects to this application for Planning Permission due to the less than substantial harm caused to the five individual heritage assets referred to above. Furthermore, the application would cause less than substantial harm to the significance of the Mortlake Conservation Area.

In determining this application, you should bear in mind the statutory duties contained in section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to

have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess; section 72(1) of the Act to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas; and section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

Yours sincerely,

Eddie Waller (Conservation Adviser for London and the South East)