

APPLICATION A: the housing and mixed use development

Reasons for refusal	Policies cited	Comments
<p>Height, massing and visual impact The proposal, by reason of its height, scale, bulk and massing, would result in an unduly obtrusive and discordant form of development in this arcadian setting which would be harmful to the townscape, character and appearance of the surrounding area. The proposal would therefore be contrary to London Plan (2021) Policies D3 and D9; Richmond Local Plan (2018 & 2020) Policies LP1, LP2, LP5 and SA24 and the Stag Brewery Planning Brief SPD (2011).</p>	<p>Policy D3 Optimising site capacity through the design-led approach “All development must make the best use of land by following a design-led approach that optimises the capacity of sites.... “Higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling....”</p> <p>Policy D9 Tall buildings “Boroughs should determine if there are locations where tall buildings may be an appropriate form of development.... Any such locations and appropriate tall building heights should be identified on maps in Development Plans....” “Buildings near the River Thames, particularly in the Thames Policy Area, 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.”</p> <p>Borough Policies LP1 covers local character and design quality. LP2 Building Heights “Mortlake Brewery: ‘taller’ or ‘tall’ buildings may be appropriate....” LP5 covers views and vistas. SA24 makes reference to the Planning Brief SPD which shows max 7 storeys in some parts down to 3 storeys in other parts.</p>	<p>The design-led approach (where design takes precedence over the density matrix) has clearly led to the site capacity being maximised, not optimised. Higher density development cannot be promoted here if public transport is limited.</p> <p>Not shown in the Borough’s Local Plan but appropriate tall building heights are shown in the Borough’s Planning Brief SPD and the Mayor has clearly recognised this.</p> <p>Good to see the Mayor mention the ‘arcadian setting’. The London Plan Figure 9.7 identifies 4 Thames Policy Areas and the site lies in the western-most area referred to as ‘Hampton to Wandsworth’ which has now come to be recognised as the Arcadian Thames.</p>

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<p>Heritage impact</p> <p>The proposal, by reason of its height, scale, bulk and massing would result in less than substantial harm to the significance of several listed buildings and conservation areas in the vicinity. The less than substantial harm is not clearly and convincingly outweighed by the public benefits, including Affordable Housing, that the proposal would deliver. The proposal would therefore be contrary to the London Plan (2021) Policies HC1 and D9, Richmond Local Plan (2018 & 2020) Policies LP3, LP4 and SA24 and the Stag Brewery Planning Brief SPD (2011).</p>	<p>Policy HC1 Heritage conservation and growth “Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.... Proposals resulting in harm will require clear and convincing justification, demonstrating that alternatives have been explored and that there are clear public benefits that outweigh that harm. The buildings should positively contribute to the character of the area.”</p> <p>Policy D9 Tall buildings Proposals should take account of, and avoid harm to, the significance of London’s heritage assets and their settings.</p> <p>Borough Policies LP3 covers designated heritage assets. LP4 covers non-designated heritage assets. SA24 the Site Allocation for the Stag Brewery makes reference to the Planning Brief SPD which states: “the integration of these (heritage) buildings with the development of the site will need to be carefully considered with special attention paid to preserving their setting and preserving or enhancing the character of the (Mortlake) Conservation Area.”</p>	<p>While heritage impact appeared to be a minor consideration when the original scheme was presented to the Richmond Planning Committee in Jan 2020, it became a major consideration when there was an overall increase in height by 2 storeys. This was where the design-led approach went off the rails. The Mayor was right to have noticed that the ‘less than substantial harm’ is clearly not outweighed by the public benefits.</p>
<p>Neighbouring amenity impact</p> <p>The proposal, by reason of the excessive bulk, scale and siting of Buildings 20 and 21 in close proximity to the rear of neighbouring residential properties in Parliament Mews and the rear</p>	<p>Policy D3 Optimising site capacity through the design-led approach “Where development parameters for allocated sites have been set out in a Development Plan, development proposals that do not accord with</p>	<p>The development parameters for the north west part of the site in the Planning Brief SPD clearly show 3-storey residential. The proposed</p>

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<p>gardens of properties on Thames Bank, would result in an unacceptable overbearing and unneighbourly impact, including direct overlooking of private amenity spaces. The measures set out in the Design Code would not sufficiently mitigate these impacts. The development would be contrary to the London Plan (2021) Policies D3 and D9, Richmond Local Plan (2018 & 2020) Policy LP 8, the Stag Brewery Planning Brief SPD (2011) and Richmond Residential Development Standards SPD (2010).</p>	<p>the site capacity in a site allocation can be refused for this reason.”</p> <p>Policy D9 Tall buildings “Where the edges of the site are adjacent to buildings of significantly lower height.... there should be an appropriate transition in scale between the tall building and its surrounding context to protect amenity or privacy....” “Wind, daylight, sunlight penetration and temperature conditions around the building(s) and neighbourhood must be carefully considered....”</p> <p>Borough Policies LP8 covers amenity and living conditions. The Planning Brief SPD includes amenity.</p>	<p>Buildings 20 and 21 at 4 storeys are clearly in breach of that.</p> <p>Clearly amenity, privacy, daylight and sunlight penetration have not been carefully considered.</p>
<p>Overall absence of a legal agreement The proposal, in the absence of a S106 agreement, would fail to deliver a range of environmental improvements, community benefits and infrastructure to adequately mitigate the other harmful impacts of the development. The proposal would be contrary to the London Plan (2021) Policies T9 and DF1; Richmond Local Plan (2018 & 2020) Policies LP28, LP29, LP30, LP31, LP36, LP44 and SA24, the Stag Brewery Planning Brief SPD (2011) and Richmond Planning Obligations SPD (2020).</p>	<p>Policy T9 Funding transport infrastructure through planning “Planning obligations (Section 106 agreements), including financial contributions, will be sought to mitigate impacts from development, which may be cumulative. Such obligations and contributions may include the provision of new and improved public transport services, capacity and infrastructure, the expansion of the London-wide cycle networks and supporting infrastructure, and making streets pleasant environments for walking and socialising, in line with the Healthy Streets Approach.”</p>	<p>The S106 was not mentioned at the public hearing and this reason for refusal seems to be an add-on. S106 agreements are not usually signed until after planning permission has been granted.</p>

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	<p>Policy DF1 Delivery of the Plan and planning obligations “Viability assessments should be tested rigorously and undertaken in line with the Mayor’s Affordable Housing and Viability SPG.”</p> <p>Borough Policies LP28 covers social and community infrastructure. LP29 covers education. LP30 covers health and wellbeing. LP31 covers public open space, play space, sport and recreation. LP36 covers affordable housing. LP44 covers facilitating sustainable travel choices.</p>	<p>At the public hearing the Mayor commended his staff for increasing the %age of affordable housing from the 12% approved by the Borough to 30% but the staff seemed unaware that such an increase in affordable units required a corresponding increase in market units resulting in a much higher density development causing more harm than benefits.</p>

APPLICATION B: the secondary school and all-weather pitch

Reasons for refusal	Policies cited	Comments
<p>Open space, transport mitigation, comprehensiveness and place-making The proposal is intrinsically linked to the development proposed within Application A, particularly in terms of the re-provision of designated Other Open Land of Townscape Importance (OOLTI), transport mitigation, safe and convenient access, comprehensive development and overall place-making. Application B in isolation would not constitute sustainable development and would be contrary to the London Plan (2021) Policies D1, D3, D4, D8, D11, G4, T1, T2 and T4; Richmond Local Plan (2018 & 2020) Policies LP1, LP14, LP44 and SA24 and the Stag Brewery Planning Brief SPD (2011).</p>	<p>Open space is covered in Policies D8, G4 and LP14, transport mitigation in Policies T1, T2, T4 and LP44, comprehensiveness and place-making in D1, D3, D4, D11 and LP1, and all aspects in SA24 and the Planning Brief CPD. The policies are accordingly presented in this order, the focus being on the London Plan policies.</p> <p>Policy D8 Public realm “Development Plans and development proposals should: (A) encourage and explore opportunities to create new public realm where appropriate, (B) ensure the public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain.”</p> <p>Policy G4 Open space “Development Plans should: (1) undertake a needs assessment of all open space to inform policy. Assessments should identify areas of public open space deficiency.... and should take into account the quality, quantity and accessibility of open space, (2) include appropriate designations and policies for the protection of open space to meet needs and address deficiencies, (3) promote the creation of new areas of publicly-accessible open space particularly green space.... and (4) ensure that open space, particularly green space, included as part of development remains publicly accessible.”</p>	<p>The proposed green corridor from Mortlake Green to the river is clearly an asset, but much of the rest of the new public realm comprises overshadowed residential courtyard spaces.</p> <p>This policy has no doubt been cited because of the concern over the loss of the OOLTI, namely the grass paying fields, and its re-provision in the form of overshadowed residential courtyard spaces which could in time – due to pressure from the new tenants – become private spaces.</p>

	<p>Policy T1 Strategic approach to transport “All development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London’s transport networks and supporting infrastructure are mitigated.”</p> <p>Policy T2 Healthy streets “Development Plans should: 1) promote and demonstrate the application of the Mayor’s Healthy Streets Approach to: improve health and reduce health inequalities; reduce car dominance, ownership and use, road danger, severance, vehicle emissions and noise; increase walking, cycling and public transport use; improve street safety, comfort, convenience and amenity....”</p> <p>Policy T4 Assessing and mitigating transport impacts “Where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, will be required to address adverse transport impacts that are identified.”</p>	<p>Development of a secondary school on this site is not the most effective use of the land as those arriving at the school in the morning peak will have to contend with gridlock on the Lower Richmond Road and a level crossing in Sheen Lane which is closed for 45 minutes in the hour (but not sure if this is the Mayor’s thinking).</p> <p>The GLA has succeeded in reducing the number of parking spaces on the site but TfL’s proposal to introduce a bus lane in Lower Richmond Road has failed. The Lower Richmond Road cannot be a Healthy Street unless traffic is diverted to the Upper Richmond Road which is already overloaded. A large element of the traffic on both is orbital, for which there is currently no reasonable public transport alternative.</p> <p>The most appropriate mitigation of the overall development of the site is to delete the secondary school. It is not needed and its removal will surely enable an increase in the affordable housing without providing additional storeys (but not sure if this is the Mayor’s thinking).</p>
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	<p>Policy D1 London form, character and capacity for growth</p> <p>“In preparing Development Plans, boroughs should plan to meet borough-wide growth requirements, including their overall housing targets, by: (1) using the findings of area assessments to identify suitable locations for growth, and the potential scale of that growth...; (2) assessing the capacity of existing and planned physical, environmental and social infrastructure to support the required level of growth and, where necessary, improvements to infrastructure capacity should be planned in infrastructure delivery plans or programmes to support growth; and (3) following the design-led approach (set out in Policy D3) to establish optimised site capacities for site allocations. Boroughs are encouraged to set out acceptable building heights, scale, massing and indicative layouts for allocated sites, and, where appropriate, the amount of floorspace that should be provided for different land uses.”</p> <p>Policy D3 Optimising site capacity through the design-led approach</p> <p>“Development proposals should (1) enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions....”</p>	<p>The proposed secondary school is indeed linked to the development proposed within Application A as described and was therefore refused for the reasons given, but it is interesting to note that it has also been refused ‘in isolation’ against the policies cited. The word ‘comprehensiveness’ does not feature in Policy D1 (nor in D3 and D4) but is assumed to refer to the school being a poorly integrated element within the whole scheme as a result of being forced onto an inadequate site with limited access. The planned capacity improvement at the Chalkers Corner junction was rejected by the Borough and there is no support for the proposed bus lane in Lower Richmond Road, ergo the implication here must surely be a return to the original guidance in the Planning Brief SPD showing a primary school for 400, not a secondary for 1,150.</p> <p>This is probably the relevant part of Policy D3 – the proposed building appears to be an off-the-shelf model that does not positively respond to local distinctiveness.</p>
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