

West London River Group and the Towpath Group.

Application Nos 22/0900/OUT and No 22/0902/FUL

Appeal Ref No APP/L5810/W/24/3339060

Closing Statement

1. We would like to thank the Inspector Mr Rollings and M/s Joanna Vincent and all others who have acted with courtesy and understanding to us during the Inquiry.
2. The Inquiry has heard evidence from all interested parties with a substantial amount of detailed information providing evidence to support their respective views on the proposals. The Inspector will be able to consider and digest this information, **after Christmas I hope!**
3. The importance of the specific issues of the site in terms of access, environmental, public transport, design and construction viewpoints to say nothing of the historic nature of the area, the listed buildings and those of town scape interest and the views of and to the site, all have to be weighed which will inevitably lead to, in some cases significantly different conclusions, which the Inspector has the unenviable task of weighing up and making the decision which could stand if permitted, for the foreseeable future(100 years or so!)
4. **From a strictly environmental point of view**, we believe that the River Thames should form the biggest element of consideration as this provides significant constraints- access to the site is available only from 180* not 360* as in many other locations.
5. **The incidence of climate change and potential flooding both tidal and fluvial should carry a very high weight in the Inspector's consideration of the risks associated with the proposed development.** The current review of flood risk being carried out by the Department of the Environment in the Thames Strategy Review(to which we are contributors) is likely to require additional safeguards for surrounding areas beyond those currently recommended, in addition to those required by the proposals. Various flood risk maps and some evidence provided supports this. Little attention has been paid to fluvial flooding from runoff from further upstream which will exacerbate any tidal flooding.

In the Waterman report to the Inquiry dated 2nd December 2024 "Drainage into the Thames" states at the second paragraph " The River Thames is tidal in this location, therefore the discharge rate does not need to be controlled or unrestricted". Refer to paras 4.22 to 4.24 of CDA. 112. We do not accept this as no allowance appears to have been shown to have been considered for fluvial water from upstream. There is little reference to retention facilities on site to slow any discharge and to safeguard the quality of surface water discharging into the Thames.

We have submitted an additional paper in respect of Flood risk and surface water drainage strategy which has been circulated to the Inquiry.

6. We are pleased to note the extent of permeable hard paving, limited green roofs because of the design and other surface water retention methods.

7. **Trees.** In principle the number of trees to be planted new should be beneficial in helping to “green” the site- the reality however is that with the felling of many trees some with preservation orders, the greening effect will be reduced. Much of the new planting on the plaza area will be contained in concrete “boxes” which are only **1m x1mx 1.2m in depth** to accommodate the roof of the car park, which will constrain growth and the development of the trees beyond the initial semi mature state.
8. **OOLTI.** We are concerned that there has been “double counting” in the repositioning of some of the lost OOLTI. In most schemes of this nature, planning policy would require adequate green open space to be provided. In this case it appears that parts of the “lost” OOLTI have been mandated to the green areas within the plaza. A bit of a cheat!
9. **Heights and Massing.** As we have stated in our proof and supplementary evidence, the proposed heights of some of the buildings are excessive and exceed heights specified in the Planning Brief, albeit that the brief did permit some flexibility. Our main concern is that the design does not follow the brief in “tiering down” particularly towards the northern edge, the towpath and to the south of the site. If this had been followed on the northern edge the River and towpath would have benefitted considerably more from the reduction in over shadowing from Blocks no 7,8 ,11 and 12 and the “overbearing” nature which taller buildings, now of 8 storeys, would have. The massing and proximity of some blocks to each other will restrict daylight and sunlight elsewhere in the scheme particularly those with a single aspect.
10. **Public Transport and Accessibility.** As most of the site has a PTAL of 2 and possibly 3 in part we believe that the claims that accessibility to PTAL 3 for more of the site is an illusion. The site has not moved! Nor will the bus stops until the scheme is complete. The improvements proposed for bus routes and services are unlikely to adequately support the additional number of users, residential and commercial on site and the additional burden of pupils attending the school if provided. Other than a nominal improvement in safety at Mortlake Station, which has the highest category of danger on the network, Network Rail cannot or are unwilling to offer any additional services or solution to the problems created by the tracks crossing a busy road traffic route.
11. **On site Plaza level service access.** We do not believe that the mixed use of pedestrians and vehicles to service the requirements of commercial and residential occupiers will be able to deal adequately with a “ pedestrian priority” use of the plaza level. Multiple daytime vehicle deliveries to business/commercial users will interfere with the “green environment” which the scheme seeks to present. The number of pedestrians shown in some of the images significantly overstates the probable reality. Taxis and food deliveries will need to have access to the “front doors” of individual premises. Some service vehicle access to the basement is likely to be restricted by the access height to the car park and time constraints on the delivery personnel is likely to restrict such use.
12. **Design.** The design concept/rationale is in our view “outdated”. The Mansion Block concept/typology may be acceptable in more urban contexts but as has been discussed through the Inquiry, this location is considered “suburban not urban”. More urban locations further downstream have been cited as applicable/comparable, we do not agree with this concept. The site is constrained by environmental elements, of the river, single principle road access, historic buildings and others. As we have said earlier the Planning Brief states that buildings should “tier” towards the perimeters of the site,

north and south but should be able to rise to further height in the core of the site. This has not been integrated into the design.

The environmental impact of removing many hundreds of cubic of meters of soil to provide the basement car parking must be considered significantly detrimental environmentally. The concrete “box” needed to provide the car parking is presumed necessary to support the viability of the development in the present form. If a scheme of lower rise and less substantial massing was provided, the necessity for the basement may be reduced. The “knock on effect” of the concrete box(the basement) is to displace ground water elsewhere thereby putting other locations at increased risk of flooding.

We are pleased that the “green link” between Mortlake Green and the river has been provided, albeit with significant areas of paved borders on each side, see images on the Design presentation. We are doubtful that the cinema and “boutique” hotel will become reality and be provided, as **demand** is likely to be very limited for such uses in a location with poor public transport provision and accessibility and with very limited “on site” public or roadside parking. Alternative uses may have to be found if occupiers do not materialise.

13. **The school provision.** We believe that the Inspector’s decision and direction should await the outcome of the Department of Education’s review of the need for the new secondary school in view of the decline in pupil numbers both in the Borough and nationally. Demographic change has occurred since the allocation of the funds for the school many years ago, with further change occurring with the longer term effect of Brexit, Covid and the declining birth rate. The Council has claimed that they are looking forward many years but how do they know what need will be required in 20/30 years’ time?
14. **Air quality.** We have heard that there has been a significant improvement in air quality since the introduction of the ULEZ, however vehicle numbers have not significantly changed. Evidence produced late to the Inquiry, questions some of the recent evidence provided by the appellants as not being up to date.
15. **Visual aspects.** The historic nature of the site(as once the site of the Archbishops Palace) needs to be safeguarded as much as possible. Views of the site from both Chiswick Bridge downstream and from Barnes westward upstream are cherished views which in the context of the various Conservation Areas close by, need significant weight to be attributed to them. Dukes Meadows on the north side of the river with a section of the Thames Path running west to Chiswick Bridge also affords special views across the river to the Maltings which should stand alone as a “landmark” , not be subsumed by additional buildings close by.
The wooded towpath itself, between Bulls Alley and Ship Lane offers a very rare section of public footway changing with the seasons to provide in “one’s mind eye” what the path may have been like a hundred years ago, plus/minus the large wall adjoining the towpath! It is a delight experienced by many different types of users when tidal ranges permit, as flooding regularly occurs.
16. **Images presented in the Design presentation.** We are concerned that some of the images provided in the Design presentation may provide a somewhat “glossy or over stated” view of the proposals. We were assured that all images are “verified” but this still does not, in our view, properly represent what the “eye would see” in some of the images if the proposal proceeds. The size/height of some of the trees may be “hopeful” and the

numbers of people shown somewhat “overstated”. No detail is shown of the steps at the eastern end of the plaza leading to the towpath.

17. Conclusion

After consideration of all the evidence we hope that the Inspector will direct a refusal of both Appeals.

We wish the Inspector a very happy Christmas and thank him and all those concerned with the Inquiry a restful break over the holiday period and a good New Year. Thank you.

Philip Whyte