

TWICKENHAM RIVERSIDE DEVELOPMENT

A CRITIQUE OF THE COUNCIL'S PROPOSALS FOR THE DEVELOPMENT OF TWICKENHAM RIVERSIDE. TWICKENHAM AREA ACTION PLAN OPPORTUNITY AREA TW7.

PLANNING APPLICATION LBRuT 17/4213/FUL

INTRODUCTION

We write as a group of concerned, long term residents, constituents and council tax payers who have been engaged with and contributed to the debate about the future of the Twickenham Riverside site individually and collectively over many years. We come from a range of professional backgrounds and sectors, including architecture and planning, communications, consulting, commissioning, design, procurement and project management and have worked within national and local government and the voluntary, charitable, commercial and independent sectors.

We have also taken soundings and advice from others with relevant expertise who, in some cases, have independently expressed their views and opinions to the Council on this matter and have chosen to share them with us. Their thoughts have influenced this paper and are included verbatim where appropriate.

More recently we have operated and campaigned under the umbrella of the “Twickenham Riverside Park Team” which has stressed that the core features and objectives offered at the outset, of a “Town Square”, removal of parking from the river side, a significant community hub and public access space were essential if the developed site was to offer a “New Heart for Twickenham” and contribute significantly to its regeneration.

We, alongside many others, have consistently appealed for a “whole site” and strategic approach to be taken, engaging with a range of community and commercial partners in order to open up possibilities. The team is determinedly non- political in this activity.

We have watched and participated as the story has evolved as well as campaigning for a better process and outcome. We have tried to understand how, in our view, despite four schemes and associated consultation exercises, we now appear to have a proposal on the table that doesn't meet the initial brief or the objectives of the Twickenham Area Action Plan in most respects. It is timely to remind ourselves of what the TAAP sought to achieve in respect of this site;

- Improving the public realm and reducing the impact of traffic – creating an attractive and safe place which people will enjoy visiting.
- Looking beyond retail to provide an extended range of activities to attract more people.
- To improve the pedestrian environment and reduce dominance of parked and moving traffic.
- To improve the environment of the Embankment, including reduction in car parking.
- Rearrangement or possible reduction of on-street parking in Water Lane.
- To enhance and extend Diamond Jubilee Gardens.
- Design of new development to enhance the character of the conservation area.

- Any proposals will be required to meet key design principles to ensure they do not adversely impact on the character of the Riverside.

As evidenced by the consultation exercises, various petitions, social media comments and the soundings we have taken, the scheme is not well liked by local people and, if allowed to progress, would be a significant compromise of the ambitions many have for the riverside and wider Twickenham. A once in a lifetime opportunity for the sensitive strategic development of this site of major heritage significance and part of a conservation area is at risk of being lost for ever.

Indeed, we appear to be going backwards. Reconsider the bid proposals that were submitted by invited architects in response to the limited brief issued in January 2015, which were only published after public pressure was applied. We believe that, subjected to a proper assessment process, these would all score significantly higher against the original evaluation criteria than what is now being proposed and would likely gain a much greater level of public approval.

We maintain that this is due to a number of inter-related and cross-cutting factors and themes that we try to unravel and articulate in this paper in order to help understand what has happened and to help to find a way forward from here. The following is intended as a constructive contribution to towards resolving this longstanding issue.

Whilst much of this will appear critical, we start from the assumption that all those engaged with this project; officers, councillors, local residents (the electorate) alike, have the best interests of Twickenham at heart and, we presume, are motivated by wishing to achieve something better for Twickenham rather than self-interest or aggrandisement. This is not an exercise in apportioning blame but in finding solutions.

There are aspects that we welcome. Two actions taken by the Council stand out. Firstly, the clearance of the pool site, which was an eyesore, along with the creation of the Diamond Jubilee Gardens as an interim open space for community benefit whilst plans for the future use of the site were made. Secondly, the audacious purchase of the properties 1, 1a, 1b King Street, 2-4 Water Lane and land. These kept options alive, buying time for a properly considered scheme to be developed, as well as opening up opportunities and possibilities to unlock the 30 year conundrum.

We also welcomed the current administration's incoming pledge to be a "Listening Council", and how that was reflected in the consultation processes, including the Barefoot Consultation, that provided much material for a constructive Twickenham Area Action Plan (TAAP). This recognised the importance of the whole site and its relationship to the wider context for the future regeneration of Twickenham.

However, there are serious concerns about the process since then. Yes, there have been a lot of presentations, meetings and workshops in respect of the 4 sets of proposals subsequently presented, but emphasis has been on persuading and justifying, not in listening. Key issues which residents have raised throughout the process have never been adequately addressed or resolved. The fundamentals of the schemes have not really changed, although the style of facades and details have been amended, added and subtracted in a rather haphazard way, resulting in the most unsuitable design to date in the latest and apparently "final" round and now the planning application.

Indeed it is somewhat depressing to note that in March 2016, The Riverside Action Group (RAG), of which some of us were members, submitted a Letter of Complaint and Supporting Report that made many of the observations we make here, particularly about the lack of strategic feasibility and financial plans and the process of procurement of architects, and demanded that the Council pause to reconsider or it would risk repeated failure to produce a suitable scheme. What RAG predicted then is, in our view, exactly what has happened.

The fact that since then the design proposals seem to have continued to go backwards is evidence that some of us were right to stick out for this demand rather than try and work around this by continuing to use an inappropriately appointed firm, which had admitted, "We're exterior decorators, we do the wrappings of net-lettable space" (Francis Terry, Architect's Journal 2015), to attempt to make a silk purse out of a sow's ear.

That positive direction of travel since the TAAP has long been lost, despite those early warnings. Rather than opening things up, the Council seems to have got locked into a corner, literally in respect of the restricted portion of the whole site it seems intent on focussing on for development.

This, combined with a financial "model" that, until very recently, promised full and early recovery of the capital outlay on the purchase of the land and build costs directly from the buildings which will be placed on it, continues to result in proposals for buildings that are too massive and inappropriate for this area and which lack sympathy with the inherent qualities of the surrounding environment.

Now we find at the 11th hour that despite this level of development and assurances of the scheme being cost neutral, Council Tax payers face an estimated loss of somewhere between £8-12m, plus associated sunk costs, if taken forward as planned. Even this figure is based on uncertain data. The Council's track record in predicting the financial outcomes throughout has been very poor.

Now, rather than facilitating an ambitious vision for the site, the Council seems to have become timorous and defensive, more preoccupied with what can't be done rather than with what it could enable, which is its appropriate role.

We fear that the Council, in trying to push these proposals forward against local opinion, is heading up a blind alley and is alienating many residents. It is in danger of facing formal challenge for not following required procedure and, especially with regard to financial aspects, placing Council funds at undue risk by adopting a questionable developer role which, it seems, has only come about due to financial circumstances arising from earlier omissions. This hardly instils confidence in the Council's ability to successfully undertake this role.

While the problem of the site has been unresolved for too long and needs fixing, that doesn't justify a headlong rush into the wrong solution which we can only assume might have something to do with impending local elections. Time and resources spent so far on this exercise are not necessarily wasted. However, committing the now much larger sums of council tax payers' money set aside to take this through the detailed planning application and then to tender stage, places these funds at risk.

Although there is frustration about delay (which latterly has been mostly caused by the poorly managed process followed) and a wish to get this sorted out quickly, there's also a strong

groundswell of local opinion in favour of an alternative approach which would deliver what the TAAP and Council promised. To go blindly on would be folly and may indeed result in further delay.

So, we appeal again for a moratorium and that the effort being made to drive this through a detailed planning application at all costs, is suspended. A wise organisation faced with a similar degree of resistance to its plans would take the sensible decision to pause and listen, as the Council once aspired to do.

Our key concerns relate to issues of:

- Process
- Procurement
- Consultation
- Finances
- Planning and Design
- Vision and Leadership
- Future Direction

There is naturally considerable interplay and overlap between these issues, but we'll go into more detail in turn, giving more evidence for some of the assertions made above and concluding with thoughts on a way forward.

1. PROCESS

BACKGROUND

The Twickenham Riverside site, presents a unique opportunity to regenerate the town centre and create buildings and spaces which will radically improve the town for future generations. It is a major investment opportunity which merits careful strategic planning. The potential is further enhanced by the Council's acquisition of 1, 1a and 1b King Street and 2-4 Water Lane and associated land and by the more recent change of ownership of the remainder of the south side of King Street, which was clearly marketed as a development opportunity. New owners of this portfolio are apparently in "Pre-planning" discussions with the Council.

While a development of this type is inevitably a 'one-off', there is an established set of procedures drawn up by Government Agencies and Professional Institutions which are designed to take such a development from the initial concept through to a successful outcome. The process is encapsulated in the RIBA Plan of Work 2013. It comprises 8 Stages numbered 0-7.

0	Strategic Definition	1	Preparation of Brief
2	Concept Development	3	Developed Design
4	Technical Design	5	Construction
6	Handover and Close Out	7	In use

The basis of the RIBA Plan of work is that each Stage is completed to the satisfaction of the Client and Stakeholders before proceeding further. Ignoring problems identified during the initial stages can lead to their becoming embedded and costly to rectify at a later stage.

WHAT THE COUNCIL DID

Stage 0. STRATEGIC DEFINITION:

This is the pre-feasibility stage which involves defining objectives, exploring options, preparing a Business Plan.

The Council inherited a history of unsuccessful attempts to develop the site. It started well by organising a series of open ended discussions about the future of Twickenham (The Barefoot Consultation) and its riverside to inform the TAAP. This led to the Council's purchase of the additional property and land with the stated intent of opening up the town to the river and providing a vibrant new centre or heart for Twickenham. The key requirements had been prioritised and endorsed by those who had taken part in the consultations. This was the starting point on which a strategic plan for the development of the site should have been built.

There is, however, no evidence to suggest that the Council undertook or commissioned any further studies to determine how these objectives might best be met by, for example, visiting successful projects elsewhere, exploring potential uses, defining spatial requirements, assessing financial implications, and then drawing up an outline Business Plan. Having omitted this Foundation Stage, the Council was ill-equipped to move on to the next stage.

Stage 1 PREPARATION OF BRIEF

The brief should evolve through an iterative process of exploration, discussion, testing, and revision until a detailed specification can be drawn up and formally agreed by the Client and relevant Stakeholders, including a representative range of residents including older and younger people, local businesses and organisations, those who work and study in the town and who visit from outside for leisure, tourism and shopping etc.

The Council effectively bypassed this stage. (We say more about this in the next section on Procurement.) What the Council was issued as a brief containing little more than a set of bullet points. The Council proceeded to invite a closed list of selected architects to submit outline designs (along with fee bids) for the development of the site. With the absence of a business plan and financial feasibility assessments, major decisions and the related financial analysis were left to bidders. The selected candidate, renowned for only producing faux Palladian buildings totally inappropriate for this site, submitted a proposal for a building development containing flats, commercial and retail outlets covering most of the site though none of these elements were regarded as priorities during previous consultations. Both the style and content were swiftly rejected by the public.

"It is difficult to see how any architect can provide sound and realistic options to the development of this site in the absence of such a brief, including an independent analysis of the site and its broader setting, identifying their particular architectural and historic interest, character and appearance.

It is quite extraordinary for any local authority to give an entirely 'open-brief' to an architect to explore the development potential of land in the authority's ownership - not least, land of such strategic and heritage significance and potential commercial value." Paul Velluet: Chartered Architect. Comments to Council Proposals December 2016.

Stage 2 CONCEPT DEVELOPMENT

Developing the design concept should be an iterative process that requires proposals to be revisited, tested and revised until they prove to be both feasible and potentially viable as well as meeting the key objectives. This is an analytical process which is not usually furthered through the production of anything more detailed than sketch designs, diagrams and block modelling to determine layout, density, circulation etc.

Having accepted that the initial 'concept' from the firm it had selected had proved totally unacceptable to the public, the Council did not pause to analyse how this had come about. It merely instructed the same architect to explore alternative 'design based' solutions. This proved a time-consuming and expensive approach as one unsatisfactory scheme followed another while many of the underlying issues remained unresolved. Latterly there has been some engagement with a narrow range of "self-selected" groups mostly representing the interests of residents close by the site but, as we understand it, has not been the strategic and focussed process one would expect at this stage.

The outcome is that the currently proposed development fails to fulfil the Council's originally stated objectives in purchasing the land or to deliver the key requirements listed in the initial tender documentation.

- The claimed social, environmental and potential economic benefits of the development remain unsubstantiated.
- Claims that the additional shops are either needed or will increase footfall are not supported by studies. Indeed the TAAP suggested no increase in retail space.
- The area designated as a town square is not able to accommodate the specified uses.
- Building spaces allocated for community are extremely limited and their uses and funding are unspecified.
- Step-free access routes are circuitous and shared with traffic.
- The demand for parking along the river frontage is increased despite continued pressure for alternative solutions to be considered and initial promises that this would be removed.
- The height and scale overshadows rather than complements the existing scale and streetscape of Church Street and Water Lane, protected within the conservation area.
- There is little to generate or accommodate activities relating to this key riverside location apart from small "seasonal storage" areas behind faux boat house façades.

Discussions at recent Council meetings (Scrutiny Panel and Cabinet) indicate that the proposals are no longer expected to provide the expected return on the capital invested. Indeed the financial feasibility study submitted with the planning application assesses the project as financially unviable to the tune of around £7million in terms of build costs over re-sale or letting.

The Council has taken a costly and time-consuming route to demonstrate that the delineated site is not able to accommodate the key requirements of the initial 'brief' and that even a modified and

largely unwelcome solution will cost ratepayers money – facts which would have been apparent by the close of Stage 0 had recommended procedures been followed.

This, however, has not deterred Cabinet of 12th October agreeing to allocate the £700,000 additional funds required to proceed to the next stage and beyond to Stage 4.

Stage 3 DESIGN DEVELOPMENT

This Stage includes the work required to take the project through to a full planning application.

National Planning Policy Framework:

The following recommendations, numbered 58-63, are taken from the Framework documentation which is designed to reinforce the government's stated commitment to improve the quality of what is being built. While the Council has put the procedures in place in terms of its planning system, it has not obviously taken all the necessary steps to ensure that they are followed when its own scheme is being developed. What 'vision' the Council had when it set out, has largely been lost. The unique quality of the site, the potential it offers to re-energise the town centre well into the future, the chance to fill gaps in provision, the opportunity to create a real 'sense of place' have all been made subservient to the push to fill the site with anything that appears to offer a short-term return on money spent.

*58. Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. **Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics.** Planning policies and decisions should aim to ensure that developments:*

- *will function well and add to the overall quality of the area, **not just for the short term but over the lifetime of the development***
- ***establish a strong sense of place**, using streetscapes and buildings to create attractive and comfortable places to live, work and visit*
- ***optimise the potential of the site** to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks*
- ***respond to local character and history**, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation*
- ***are visually attractive as a result of good architecture and appropriate landscaping***

*60. Planning policies and decisions **should not attempt to impose architectural styles or particular tastes** and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.*

61. *Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions **should address the connections between people and places and the integration of new development into the natural, built and historic environment.***

62. *Local planning authorities should have local design review arrangements in place to provide assessment and support to ensure high standards of design. They should also when appropriate refer major projects for a national design review. In general, early engagement on design produces the greatest benefits. In assessing applications, local planning authorities should have regard to the recommendations from the design review panel.*

63. *In determining applications, great weight should be given to outstanding or innovative designs which help **raise the standard of design** more generally in the area.*

SUMMARY

Lack of due diligence in undertaking or commissioning the detailed work required during the pre-design stages, together with the determination to continually push on to the next stage, has resulted in a flawed design. If the current proposals are pushed through planning, the problems inherent in the design are likely to create further difficulties and prove expensive to correct during the technical design stage.

It can also be demonstrated that the Council is ignoring its own guidelines and not applying the same standards of scrutiny that it would require of others. Procedures designed to help secure the best outcomes have been bypassed – illustrated, for example, the lack of urban and heritage design input to fulfil the requirements of item 61 and ignoring the government recommendation for a Design Review and the Council’s own usual practice of asking for a pre-planning submission on larger scale developments. We explore this in more detail in Section 6.

*“If you do not take trouble at the beginning, you will most certainly be given it before the end”. Sir Hugh Casson foreword to *The Clients Tale*, RIBA Publications, London, 1990*

2. PROCUREMENT

LEGISLATIVE BACKGROUND

Procedures governing the procurement of goods and service by public authorities are detailed in the document Public Contracts Regulations 2015.

EU Procurement Directives apply to all contracts above a given threshold figure. For services (including architectural and design services) the figure is currently £164,176 (Procurement Policy Note 18/15).

The procedures to be followed fall into several defined categories but, whatever route is followed, the contracting authority is required to place a notice in the Official Journal of the European Union setting out the basis on which the contract is offered and the criteria which have to be met.

Where a contracting authority intends to let more than one contract to fulfil a single requirement, the value of these contracts should be added together. (EU Procurement Directives: Aggregation.)

When a tender process is not subject to the Public Contracts Regulations because the estimated value of a contract falls below the relevant threshold, Government Guidelines state that you must continue to apply the principles of non-discrimination, equal treatment, transparency, mutual recognition and proportionality. There should be a presumption in favour of disclosing information. (Public Procurement Policy Oct. 2015)

WHAT THE COUNCIL DID

COMPLIANCE WITH REGULATIONS:

When the King Street properties were purchased it was evident that the project would incur design fees in excess of £164,176 if the selected architects were appointed to continue to work on the proposals beyond the concept stage. Despite its stated intention to progress the project and then apply for planning permission, the Council has attempted to pursue a course which would avoid their having to comply with EU directives. Crucially, the contract was not advertised. A small number of practices were pre-selected – a procedure which is only permitted in situations where the number of suppliers able to fulfil the contract is very limited.

The cost of the project (including fees) is currently is “estimated” at £25million (Cabinet 12.10.17) with fees estimated to be in the region of 15% of the building cost. Working to a building cost of £20million, the fees would be £3million. It can be assumed that the architects’ fees will account for about 40% of this figure. i.e. £1,200,000. The Cabinet has now authorised expenditure to take the project to the end of RIBA Stage 4 which would normally account for not less than 50% of the total fees due i.e. £600,000. (RIBA Plan of Work 2013 as above).

The Council confirmed that Francis Terry and Associates (FT&A) has been appointed, as part of a wider Design Team, to support the preparation and submission of a Planning Application. It has also stated that the original fee submission and additional works associated are being managed within the EU limit (£164,176). But as of 26 September 2017 fees paid to Francis Terry had already totalled £163,330.32 (Replies to a FOI request August 2017).

The Council has also confirmed that another firm of architects, Carey Jones Chapman Tolcher, has now been brought in as ‘advisers’ with the name of both firms appearing on proposal plans. It is not clear how responsibility for the work is being shared or what fees will be charged by either party. It is assumed that the Francis Terry practice is not donating its services nor is it involved in name only. In fact we have been assured by the practice that it remains fully involved, despite there being no reference to this project currently on its website and indeed the planning application drawings do not refer to them. Since initial drafting of this document it now appears that the Terry practice has been airbrushed out and is no longer involved, though no public statement has been made to this effect.

It would seem reasonable to assume that the EU Procurement Directive limits have already been or certainly will be exceeded and that this could have been anticipated at the time of designing the procurement process and appointment.

No information is available as to how the services of this second architectural practice were procured. It remains to be seen whether the recently agreed restructuring of the Property Services Departments to enable frameworks to be shared with Wandsworth will be used retrospectively to facilitate this appointment (Cabinet 12th October 2017).

PRINCIPLES OF PROCUREMENT:

Government guidelines state:

- Contracting authorities shall treat economic operators equally and without discrimination and shall act in a transparent and proportionate manner.
- The design of the procurement shall not be made with the intention of excluding it from the scope of this Part or of artificially narrowing competition.
- For that purpose, competition shall be considered to be artificially narrowed where the design of the procurement is made with the intention of unduly favouring or disadvantaging certain economic operators.
- The (selected) tender complies with the requirements, conditions and criteria set out in the contract notice or the invitation to confirm interest and in the procurement documents, taking into account, where applicable, regulation.

WHAT THE COUNCIL DID.

It would appear that recommended procedures have been bypassed and that the Council has ignored clearly stated government guidance requiring appointments to be made openly, fairly, and on the basis of merit.

Specifically:

- The opportunity to tender for the commission to design this important publicly-owned site was not advertised.
- The short-list was drawn up without any detailed research being undertaken to identify the architects/design teams best qualified to undertake the project. Three of the teams appear to have been selected on the basis of a preference for a particular pre-determined style of architecture – though one of these teams declined to take part. Following representations, two additional architects were allowed to submit designs.
- The brief issued to the teams did not give sufficient information for ‘design concepts’ to be prepared or for the cost implications (capital or longer term revenue) to be assessed. Uses, space requirements and community/commercial ratios were not specified – it was left to the architects to decide what to put on the site.
- Little attempt was made to place the site in context. For example, the whole of the south side of King Street (the 1930’s parade of shops) was about to be offered for sale with an

emphasis on the potential for redevelopment – a fact presumably already known to the Council. The Expression of Interest only says applicants should, *“Consider a current/future opportunity to connect with and develop the access road at the rear of King Street with the potential to establish retail activity that is complementary to the overall site”*, not grasping the huge opportunity to work in partnership with a key stakeholder owning property critical for the future of the town centre.

- Nevertheless, the final selection was based on these ‘design concepts’ (together with undisclosed financial information) and was undertaken by the Leader, the Cabinet Member for the Environment and two officers, none of whom apparently had any professional architectural expertise. No independent advice was sought from for example, recognised urban design, architectural or heritage experts such as Historic England. No report was produced to explain why the practice of Quinlan and Francis Terry was appointed and why the others were rejected.
- Hearsay suggests that the two schemes submitted by local practices were excluded on the grounds that they did not meet the brief. However, in the design submitted by the selected architect there was no town square, no effective visual link to the river and the scale and massing could not be regarded as complementing either King Street or Water Lane. These had all been listed as key requirements in the brief.
- At no point was information made available to the Council as a whole or even to members of the majority party. There were no Twickenham Councillors involved in either the pre-selection or interview procedures.
- The only information made public was Lord True’s statement of intent (i.e. we are going to attract some of the country’s best architects), and the final decision. All other information (what the brief was, who had been invited, how the selection was made) was only obtained through repeated, and sometimes contested, Freedom of Information requests up to a year after the appointment was made.
- The alternative designs submitted were only released after a great deal of pressure was put on the Council and after Quinlan and Francis Terry had already been commissioned and developed the selected concept design in discussion with the Council’s team. What Q and F Terry actually submitted in order to get the job has not been made public.
- Soon after the commission was confirmed Francis Terry left his father’s practice to set up on his own. The Council proceeded to transfer the appointment to this newly formed practice even though it did not meet the qualifying competency and experience criteria on which other respondents had been assessed.
- Late in 2017, the practice of Carey Jones Chapman Tolcher appeared on the presentational drawings. There was no explanation given as to what their role was or how they had been selected.

In respect of this last point, we received correspondence from another distinguished architect with an international reputation for undertaking award winning, high profile projects who lives in the Borough. He asks, *“How did CJCT get involved? Who appointed them? Do they have a contract with LBRuT or are they a subcontractor? Who is taking liability for the work? It seems we now have two architectural firms involved that never took part in the original competition. There might be grounds to refer this to RIBA.”*

SUMMARY:

While it is conceivable that the Council has managed the procurement process in such a way as to avoid it being subject to EU directives, it has never spelt out how this has been achieved and why it chose to ignore recommended procedures. It is evident that the course followed deviates from the spirit of the legislation if not the letter.

The processes followed to date could lay the Council open to a charge of maladministration as described in guidance notes issued by the Local Authority Ombudsman SN/PC/04117 January 2014. Its failure to follow recommended procedures has inevitably contributed to the time and costs involved in sorting out issues which should have been clarified prior to the issue of the brief and to the need to produce a series of design based solutions, causing further delay. The Council has still not secured a proposal which meets its original objective and, in the opinion of informed professionals, is not yet in a position to justify the expenditure required to submit the scheme for planning, though it has now done so.

3. CONSULTATION PROCESS AND COMMUNITY ENGAGEMENT.

PRINCIPLES

The following statements are extracted from the full list of Consultation Principles issued by the Cabinet Office:

- Consult about policies or implementation of plans when the development of the policies or plans is at a formative stage. Do not ask questions about issues on which you already have a final view.
- Give enough information to ensure that those consulted understand the issues and can give informed responses. Include validated assessments of the costs and benefits of the options being considered when possible.
- Consider the full range of people, business and voluntary bodies affected by the policy.
- Consider how to tailor the needs and preferences to particular groups that may not respond to traditional consultation methods.

WHAT THE COUNCIL DID

The ‘Consultations’ on the development of the Twickenham Riverside site began with the Barefoot Consultation in 2010 and proceeded after the production of the first concept design by the Terry

Partnership through a series of exhibitions, pop-up shops, workshops, discussions with Stakeholder groups and on-line and hard copy questionnaires over four further design proposals.

The open forum of the Barefoot consultation stressed the importance of the site and of its potential to be a catalyst for change. Priorities, reflected in the TAAP, were established as:

- The provision of a Town Square to create a focal point which the town centre currently lacks
- Removing cars or limiting parking on the central part of the Riverside.
- Creating a community hub which could serve a variety of purposes.

There was no further public engagement during the preparatory stage when the foundations of the project were being established. The public was led to expect that a thorough brief would be drawn up and that an architectural competition would be held as promised by Lord True, then leader of Council. This did not happen.

The consultation process only resumed after:

- Land had been purchased
- The site had been defined
- Architects had been appointed
- It appears some financial parameters had been established (though not publicly stated)
- A concept proposal had been drawn up

Following intense public pressure and a series of FOI requests, the briefing documentation was released, the short-list revealed and the alternative designs made public. No public report was available to explain why Quinlan and Francis Terry had been appointed despite the fact that the concept design submitted failed to respond to the key points of the brief while others met many, if not all, the requirements.

As noted above, the Council acknowledged that the selection process had been undertaken ‘behind closed doors’ by Lord True, Cllr Fleming and officers. No independent and no architectural advice was sought and no Twickenham Councillors were involved or consulted. The public was presented with a fait-accompli and a design which was then firmly rejected. The Council was repeatedly urged to think again, draw up a properly researched brief and hold an RIBA approved architectural competition.

The Council pressed on. Consultations continued in the form of exhibitions, pop-up shops, workshops, discussions with stakeholders, on-line presentations and questionnaires. This long and costly process has resulted in a final proposal which still fails to meet the Council’s stated objective and fails to respond to the key requirements established during the Barefoot consultation and

endorsed at the workshops and in the questionnaires. For example, the report of the workshop on 'Space' states:

"It was clear that people wanted to increase the amount of open space particularly near the river. The main theme to emerge was the extension of the footprint of Diamond Jubilee Gardens with comments about connecting it to the river."

This option has been put forward repeatedly but the Council has given no reason for rejecting it, apparently without researching or evaluating the potential benefits.

Similarly with the issue of parking; Alternatives to using this important section of the riverside as a car park have been suggested throughout the consultation process. In the Summer 2017 consultation 66% of respondents firmly rejected the parking provisions. The Council's response was to report the response as 'mixed' and redraw the boundaries of the 'site under discussion' to exclude the controversial riverside Embankment parking area.

Respondents repeatedly asked that the site, as defined, be considered as a whole to lessen the impact of building proposals and to allow the opportunity for more creative options to do the site justice. The Council has repeatedly cited the sanctity of its recently created 125 year trust arrangement regarding Diamond Jubilee Gardens and a restricted interpretation of that trust in order to shut down that option as well as redrawing the site boundaries.

At no point has the Council provided evidence to support its assertions that the current proposals will revitalise the town centre nor has it clarified the likely cost to the taxpayer.

SPECIFICS:

The series of exhibitions took the form of a promotion rather than a consultation – presentation rather than analysis.

The questionnaires were also weighted towards seeking endorsement of the Council's fixed approach. The January 2016 SNAP consultation report introduces its analysis as follows:

"All the questions were open ended. This means it was not possible to categorically state proportions of people who are in favour or against the plans. There were no questions designed to measure support or opposition....respondents were not asked what aspects they liked or disliked, only their general views about individual elements of the proposals."

If this is the case one can only assume that this was a very badly designed survey method, or that the council was actually not that interested in what people had to say.

This approach continued as one proposal followed another with no evident progress. For example: the Summer 2016 consultation asked respondents to state their preferences in regard to three options. One was virtually the same as the scheme which had already been rejected and the other two only had minor variations between them.

No opportunity was given to comment on the strengths or weaknesses of the various options or to express a view as to what elements respondents wished to see retained and which they wanted the Council to reconsider. There was no option to say "none of the above", leaving respondents feeling

they had been asked, “Which one do you like most” and implicitly supporting that choice when in fact they liked and wanted none.

When the next set of consultations was held the design had changed – losing elements which respondents had endorsed in the previous round, such as the walk through divisions between blocks, and increasing in scale.

Autumn 2017 sprung a bigger surprise. The original architects appeared to have been supplanted and respondents were presented with a roomful of presentational drawings which bore little resemblance to those previously presented. A town square had been included (though not fit for the purposes originally specified) while the scale appeared to have increased yet again particularly in King Street and along Water Lane. The issue of parking had not been addressed and the Council announced that the parking had been removed from the scope of its proposed planning application.

During this extended consultation period, now running for nearly 2 years, the exterior treatments had gone from Palladian, faux Georgian, through a mix of 1930s/Dickensian, to the latest ‘more contemporary’ approach. Responses based on liking/disliking the style had become muddled with comments regarding scale and massing. While the treatments and then the architects changed, the underlying problems (which had been repeatedly identified by respondents) remained. i.e. concerns about height, bulk, parking, community provision, riverside related facilities, unwanted retail outlets, suitable open spaces, a whole site approach.

Recent officer reports to Cabinet and Council and now the planning application, have gone to pains to list the number of consultation opportunities that have been on offer. No one doubts the amount, but one has to question the quality and the suitability along with the selective interpretation of responses. It has been commented that the Council kept consulting until it gave up hope of the community ever giving the right answer and trusted that “Consultation Fatigue” would set in.

We were encouraged to note that, far from it, and with encouragement from our campaign, 975 responses were made to the last consultation round, more than double the number of the previous round and 2.5 times the number cited by a senior officer as being sufficient to be judged as representative of the community’s view. We doubted that this is due to a sudden burst of enthusiasm from the public for the latest proposals and indeed, the responses were found to be overwhelmingly critical, a fact which has been glossed over in the Statement of Community Involvement supporting the Planning Application.

It became apparent that any negative comments were to be discounted. The ‘final consultation’ on what was in many respects a new approach can be shown to have been little more than a box ticking exercise. Most of the questions asked were on matters of cosmetic design detail (flag poles, water features, steps, facades, link-bridge). There was an “open comments and further suggestions” section. From the 975 respondents, 828 chose to complete this section. In the SNAP consultation report the key themes raised by respondents in this section are ranked. All refer to more fundamental objections to the scheme. A few examples are given of the comments made which are all critical. Access to the full body of comments made has not been made public despite requests.

None of this input appears to have made the slightest difference to the Council's plans.

The full Planning Application was submitted only days after the publication of the SNAP report and was validated at record speed. The Council had presented a fait-accompli, evidenced by the fact that many of the key reports supporting the application are dated October 2017, so were clearly written before the consultation exercise had finished!

STAKEHOLDER GROUPS AND RESPONDENTS:

The SNAP analyses demonstrate the disparities between the age of the respondents and that of the local population. Twickenham has a significant number of families with young children and of young people at schools and colleges. The March 2017 SNAP analysis showed that 22% of respondents were under 45 (just 2% were 18 – 24 year olds) while 29% were over 65 which is significantly out of line with the local demographic profile. Although this and other demographic data seemed to occupy a fair amount of the survey reports, there is little evidence of the Council having taken steps to rectify this either in the method of surveying opinion or via outreach to traditionally hard to reach groups.

In the 'Statement of Community Involvement' (Planning Application), the Council sets out its aim "to create goodwill and build consensus towards a common vision for the future of the site". Despite the long series of justifications in this paper, The Council has not been able to demonstrate any significant support for the proposals it is putting forward as the 'final solution'. The 975 respondents to the October consultation awarded an average of 3.6 out of a possible 10 points to the overall plan and to the design of the buildings from each of the four aspects. In the open comments section none of the reported comments are favourable and 46% said that cars should be removed from the Embankment (even though the Council had removed this section of the site from consideration). During the same period over 2000 (now 2400) people had petitioned for a 'park not car park solution' and over 3000 had petitioned for a contemporary style of lido. Both these petitions were endorsed by very creative comments and positive suggestions. The council has maintained its position that it will not accept on-line petitions.

From mid-2017 there were some formally convened meetings and more in-depth engagement and dialogue between each proposal stage with the key Councillors and officers. However this appears imbalanced, mostly populated by invitation with very local resident groups or Council appointed Trustees of the Diamond Jubilee Gardens and The Twickenham Riverside Trust. We would note that the core of that group allowed at the table with the Council, the membership of which is controlled by it, came from a panel established in the spring/ summer of 2016 "*composed of local individuals approved by Cllr Fleming.*"

Once again, there appears to have been little effort made to ensure that all those with a stake in the future of the wider town centre were included in these possibly more dynamic discussions, or validation that the spokespeople had sought the views of all those they claimed to represent as "members".

SUMMARY:

The Council has conducted the consultation process with much effort and cost to demonstrate its commitment to 'listening' and tick the required boxes for 'good practice' while ensuring that little

impact was made on its thinking or on its decision, so far, to push its proposals through planning. In all its various guises, the scheme remains two blocks of flats, with retail and commercial spaces at ground floor level offering 'more of the same' to a town which is in desperate need of change. The responses have demonstrated that there are more imaginative ways of developing the town centre and its riverside which are both practical and potentially more viable than the current proposals.

4. FINANCIAL ASPECTS

As is clear from the foregoing, the lack of an underpinning financial or business plan for this project, related to a thoroughgoing brief and objectives which should have been produced at Stage 0 of the RIBA Plan of Work Process (Strategic Definition), has been a significant and surprising omission which has hampered this process throughout and has restricted productive debate and dialogue due to the ambiguity of the situation.

Some opponents have been criticised for not demonstrating the financial viability of alternative proposals or providing detailed costings. However, the Council itself has consistently failed to supply financial objectives or plans other than in the broadest terms, and these have proved consistently unreliable.

After consideration of financial aspects at Cabinet 12/10/17, the financial position remained most unclear and covered with provisos and caveats. Only at this late stage did the Council raise the prospect that some degree of "subsidy" might be required to deliver what had been promoted as a "nil cost" project and additionally that it should consider taking on the developer role and associated risks in order to save costs.

Alarming, only very shortly after, with the submission of the planning application, are we informed that the scheme has been assessed by Knight Frank as financially "non-viable" to the sum of around £6.04m (broadly the difference between anticipated build and associated costs and the anticipated recoverable values of the scheme as proposed). This is in addition to the £6.84m purchase price for 1-3 King Street, now apparently to be written off. The Council hopes to mitigate some of this loss, up to £4.5m it seems, by taking the developer role. However the basis for this is not robust given it now seems to be only adopting a "design and build" strategy as reported to Cabinet on 18/1/18 whereas the Knight Frank figure is arrived at apparently via a conventional formula based on the full developer profit element and is a gross figure. It does not appear to include the costs to the Council in fulfilling this role itself.

The process followed so far has caused time frames to slip and become more protracted than envisioned as proposal after proposal, based on the same financial and site restrictions, have been produced and rejected. It was originally anticipated that a planning application would be submitted in the summer of 2016.

This is not cost free. Additionally, by our best estimate a further non recoverable £2.186m has already been spent or committed for process and preparation costs comprised as follows;

£220k had been spent on “design development, technical studies and engagement” to this stage. This was reported to Cabinet in October 2017. It is not clear if this includes all in-house staff salary and on-costs. We now know that a larger team of advisors and consultants was taken on board, on what terms not reported, but clearly the rate of revenue expenditure must have accelerated to bring a proposal to the detailed planning application stage by November 2017.

£1.166m has been allocated to take this to RIBA process Stage 3, (Developed Design) with a further £700k to take it to Stage 4 (Technical Design,) and £100,000 for site preparation work. It was noted at Cabinet that these funds are at risk if the project ultimately does not go forward. We would suggest that this is a significant risk and cause alone to pause and take stock to ensure good money isn’t going to be thrown after bad.

The gross cost to the Council therefore currently stands at £15.066m, less any saving it can make from notional developer’s profit (the claimed £4.5m) by commissioning a design and build approach. This level of saving seems very unlikely given the development model the Council seems to be adopting.

So much for the claims made up until the autumn of 2017 that this would be a nil cost scheme, the basis on which it has been promoted to Council Tax payers. To come to this conclusion at this late stage frankly undermines confidence in this Council’s ability to manage its resources going forward with this project.

The late requirement for subsidy is justified in a report to Cabinet in January 2018 by “the wider economic, environmental or social benefits the scheme could deliver”, and further that, “The Council is taking the long term view on the proposed development, funding the scheme to unlock these wider benefits for Twickenham”. However, no cost/benefit analysis or assessment of how the current proposal will produce these supposed gains has been provided even in the most rudimentary form. There is no options appraisal of alternative ways in which such an investment or subsidised approach could have been deployed. This is a complete change of tack.

WHAT THE COUNCIL DID

There is no evidence that we can find that the Council at an early stage considered the alternative models for financing the £6.84m capital spent on the purchase of the properties on King Street etc. Neither did it produce a strategic financial options assessment of the wider site, including valuable land already in its ownership that is now part of the scheme, its potential benefit for the whole town and the opportunities and risks that lay within its development. This is a remarkable omission.

For any development project, before decisions can be made about what is to be built, the financial objectives and funding options need to be determined. Options include, for example:

- Immediate or early return of capital expenditure, usually through disposal of freeholds or leases.
- Investment – return of either borrowed funds or to balances, over longer term through rentals and revenue income from any facilities provided, such as housing, retail, parking charges, community and other events, markets etc.

- Economic Generator – aim is to increase the value of the immediately adjacent areas or whole town, increase in business income values or securing financial contributions or planning gains for enabled development.
- Community provision – paid for or subsidised in part or whole from public funds including within Council capital transfers, grants from other government or London wide bodies, lottery and heritage funding for suitable schemes, partnerships with charities and community interest groups to provide community benefit schemes.
- Any combination of the above related to the opportunities that arise from the strategic development plan and brief produced for the site. A multi-use site would generate a range of funding options.

This isn't necessarily easy, but should not have been avoided and has to be undertaken at the beginning of the process as outlined above. This would have benefitted from the addition of specialist support and advice and market testing with a range of developers and existing stakeholders in the site.

The apparent linking together in the Expression of Interest briefing document for this site with the site at Friar's Lane, Richmond, already in the ownership of the Council, raised some hope of a capital transfer approach, with the anticipated receipts from the disposal of the latter being used in whole or in part to fund the acquisition, a sort of internal Borough transfer. Although denied as intended at the time, this would have enabled an appropriate low key and suitably scaled development of the Twickenham site with only the building costs to recover, assuming a capital replacement approach.

The EoI given to architects was entirely silent on the issue of funding, but prescribed a range of elements that it sought to be included with some emphasis on buildings in the form of mixed housing, retail, restaurants, council reception offices and other spaces for community use but also with some ambition to include open space on the site, a Town Square "that is sufficient in size to support local market activity" and "an area for performance on the Embankment" as well as linking to other open spaces.

All this is quite a tall order on the restricted site the architects had been given to work with. Even if only providing a concept design, the brief asked for designs of sufficient detail to enable it to decide whether "the project is likely to be viable", presumably including in financial terms. Anyone entering the competition and wishing to take it forward to further stages would presumably need to know how this would be assessed and based on what assumptions.

Whether contestants were given further information on financial assumptions isn't clear, but potential tenderers would be expected to have sought clarity on this point.

The selected proposal by the Terry partnership was notable not just for its inappropriate facades but for its overbearing scale in relation to the existing buildings and street scene and dominating aspect over Eel Pie Island.

Each Council proposal that has been promoted subsequently, while having a bewildering range of different facades and some reconfiguration of layout on the site, has ultimately been of similar mass,

presumably to produce sufficient capital receipts in the short term or investment return in the medium / longer term.

Rather like a balloon, when squeezed in in one area it pops out in another. For example, the current scheme which has a slightly reduced building further away from the embankment results in greater height for buildings on King Street and along Water Lane. Despite claims in the Planning Application that the footprint has been reduced overall in line with this demand, it has, in fact increased.

This is exacerbated by a stubborn refusal to consider anything but development of the site purchased, amalgamated with the area of additional land and remaining former pool site buildings that were already in the Council's ownership. Defining the site more widely would enable development of buildings of a scale appropriate to the location that would meet the public's aspirations and approval.

It became clear that the Council had, implicitly at least, adopted a straightforward capital replacement model with the development having to stack up financially in its own right and pay for itself. This was apparent throughout all the schemes and consultation exercises, apart from the last, with the need for the development to pay for itself being stressed and options that might have been funded from alternative approaches given short shrift and considered financially illiterate.

However, this assumption was only made explicit quite late on, as noted in Cabinet papers in October 2017,

"Expectation as confirmed by Cabinet in January and June 2017 is that that the Council, having regard to the acquisition of the site 1, 1A, 1B King Street and 2/4 Water Lane, will aim to achieve a scheme which results in a nil net cost to the Council."

With both consistent and strong responses from the various consultation exercises demanding a significant reduction in scale and assessments completed revealing the gap between build costs and potential re-sale value, slowly there has been a realisation that this might not be achieved without an element of subsidy.

This is all being dealt with very late in the day, with for instance, a second Scrutiny Panel on the financial arrangements taking place in December 2017 and the Cabinet Report in January 2018 confirming the Council's decision to "invest the cost of the land purchased", after the planning application has been submitted.

This looks like a financial strategy being produced on the hoof, a retrofit to deal with realisation that the financial approach taken so far cannot square with public wishes for the site and that the proposed development will not generate sufficient revenues.

Our architect correspondent anticipated this when he evaluated the previously proposed scheme and questioned the Council's anticipated return on investment and its confidence in recouping costs in respect of the proposal. He noted for instance;

- Flats above shops restaurants etc. do not attract top market rents/sale values.
- The plans as shown may not meet the Building Regulations in terms of means of escape. More escape stairs will need to be added.

- Deck access to the flats is very unattractive - agents will advise against it.
- Flats are small with deep plans.
- Few flats enjoy the prime view over the water.
- Entrances to flats are narrow and unattractive.
- Deliveries will disturb residents of the flats.
- Restaurants require flues, ventilation systems, separate fresh food in and waste food out.
- The south and east walls of the south block do not align with the structure in the car park below. Therefore expensive load transfer structures will be required.
- Colonnades are not thought to be a good idea by most commercial agents as they reduce the visibility of the shop fronts. Therefore values are likely to be lowered.

We quote below from the consultation display boards explaining the fourth and most recent proposal in October 2017, heading rapidly to 3 years on from the distribution of the EOI;

“The financial appraisal needs to consider a number of elements: improvements to the public realm and uplift to the general Twickenham area; sympathetic development density; and the quality aspirations for the development. A straight financial appraisal of the development proposals, of cost versus direct revenues can only be undertaken when the scheme is fixed. Further work is continuing on refining costs and estimating revenues.

“The Council, subject to further Cabinet decisions, is looking to take a long-term view on the development, even if this means providing some subsidy to the scheme to unlock the wider benefits for the town. A full viability assessment will be included in the detailed Planning Application. The options for procurement and delivery of this scheme are the subject of a paper that will be considered by Cabinet this month.

“The Council is keen to retain control of the quality outcomes expected from the scheme and to this end, will play a leading role in the delivery of the scheme. Given the financial viability considerations noted above this may include (subject to future Cabinet decisions) taking more development risk to mitigate the cost of involving private developers.”

Our architect contact noted; “This is of course non-sense. Any developer I know would be running financial and risk models right from the start.”

Architect, Paul Velluet noted in response to consultation earlier in the year;

“The critical issue of the proposed approach to the funding and implementation of the development and its ownership on its completion remains unclear – not least, if a lease or the freehold interest in the site is to be sold-on after Planning Permission is obtained or development completed.

It is to be assumed that the Council has secured detailed professional advice regarding the valuation and costs aspects of the project, and has already agreed an appropriate strategy for its funding and

procurement. All these matters should be shared with the local community if there is to be any confidence in the project and in the scope for its effective delivery if approved in due course."

In our view, whilst some divergence from the initial out-in model by the stated intention of taking a long term view and "considering some subsidy to the scheme to unlock the wider benefits" is welcome, by being left to the eleventh hour this whole approach puts the cart before the horse.

The possibility of subsidy should have been an option at the outset and could have facilitated a far better scheme, rather than something forced on the Council late in the day due to the poor process followed.

This in turn raises further concerns about contingency levels and risk.

DEVELOPER ROLE: A note.

It is worrying in our view that the Council is opting to take on the role of developer and attempt to save costs with all the concomitant risk to public funds that this confers, when the track record to date has been so poor.

Of course the Council should ensure it receives good value for Council Tax Payer's money. We note that the Barefoot Consultation summary says, "People felt that any redevelopment should be shaped by the local community and not by a profit making developer".

However, we believe that the Council fundamentally misunderstood the potential role of a good developer, one that would work in partnership with the client at an early stage in the process using their expertise and experience to seek out opportunities and maximise the benefits from the site, working closely with stakeholders.

A good developer would collaborate with the Council to secure the achievement of the benefits sought by a properly designed brief. Increasingly they would be prepared to enter into agreements where they are incentivised against milestones and targets. Incentivisation might be in the form of a share of profits and /or savings, scaled against the level of risk the Council wishes to offload.

There needs to be clarity about the distinction between role of "Project Manager" and "Developer". The Council's experience is primarily as a Project Manager, i.e. commissioning and overseeing construction of single purpose buildings to known formula, e.g. schools etc., which still incurs a cost.

It also needs to be clear that it has a realistic view of its ability and competence to deliver this role internally and that this isn't just driven by financial imperatives arising from circumstances of its own making.

5. A CRITIQUE OF CURRENT SCHEME ON PLANNING AND ARCHITECTURAL TERMS

We've made it clear that the process followed has led to a situation whereby current proposals seem to be further away than ever to the promise of the Barefoot Strategy and TAAP and the ambitions that the community has for this site. The scale, mass and style of buildings proposed are seen as unsuitable and inappropriate for this sensitive location. The failure to consider the site as a whole results in a missed opportunity to produce a solution that will contribute significantly to the facilities of Twickenham and the regeneration of the town.

This process has been followed closely by Paul Velluet who we quoted earlier. He is a distinguished Chartered Architect working locally, a resident of the Borough since 1948 and Twickenham since 1983. He is a former member of the Council's Conservation Areas Advisory Committee and the Royal Fine Art Commission's Thames Landscape Strategy Panel and a life-member of the Twickenham Society.

Paul has submitted detailed analysis of the Council's proposals at each consultation stage, which we strongly suggest are referred to. He has also made a consistently clear link between the process followed and the poor quality of outcome achieved. This section, included with his permission, comprises primarily of substantial extracts from his response to the October 2017 consultation round. The scheme put forward in the planning application doesn't vary significantly from this in respect of the points Paul raises and which he will address in a revised submission in response to the current application.

"SUMMARY

Very sadly, in some respects, the exhibited outline proposals seem to be further than ever from providing a sound and satisfactory basis for the future development of the long-unresolved part of Twickenham's riverside adjacent to Water Lane and The Embankment and the redevelopment of the site of The King's Head, P.H. at the corner of Water Lane and King Street (redeveloped in the 1970s).

Very sadly too, the proposals fail to address the future of the entire Council-owned site extending between Water Lane and Wharf Lane along The Embankment and the scope to realise a coherent development of outstanding design quality and particular sensitivity to context and reversing the decline in the condition of the rear part of the Diamond Jubilee Gardens and the adjacent service-road, and dealing with the unresolved rear elevation of the inter-War retail and residential building fronting King Street and the surviving part of the assembly hall of the old Town Hall of 1877.

Yet again, the latest proposals are substantially deficient in both architectural and urban design terms and require very substantial revision before they can begin to form the basis of an application for full or even outline Planning Permission (see note above) that properly meets the local community's entirely reasonable aspirations and expectations for a site of such outstanding strategic and heritage significance and the relevant, formally adopted national, London-wide and local planning and conservation policies and the Council's supplementary planning guidance.

SETTING THE SCENE – THE SIGNIFICANCE OF THE SITE AND ITS SETTING

Once again, there is little evidence in the consultation material of any real attempt to identify and assess the particular, special architectural and historic interest, character, appearance and significance of the proposed development site and its setting within the Twickenham Riverside Conservation Area. Very sadly, the opportunity has been missed to identify the scale, configuration and character of the area between King Street, Church Street and the Embankment before the damaging property-clearances and street-widening undertaken during the 20th century, and to use such historic precedent to inform the shaping of the proposals for new development.

THE DESIGN ASPECTS OF THE PROPOSALS

Given the fundamental deficiencies of the original proposals presented for consultation in November and December, 2015, and the clearly expressed critical comments raised by the local and broader communities, and the deficiencies in the revised proposals presented for consultation in November and December, 2016 and June and July, 2017, which drew similar critical comment, it is disappointing that the latest proposals retain a number of the unresolved or unsatisfactory aspects of those earlier schemes, despite the change in style. Importantly, the quality and sensitivity of the landscape design of the extensive open areas within and adjacent to the development site have still to be demonstrated.

THE DESIGN OF THAT PART OF THE PROPOSED DEVELOPMENT FRONTING KING STREET AND WATER LANE

As in the previously exhibited proposals, that part of the proposed development at the corner of King Street and Water Lane is entirely excessive in both bulk and overall height – rising by the equivalent of almost two-storeys above the deeply projecting eaves of the existing, well-mannered, three-storey, inter-War, retail and residential building immediately to the south-west (nos. 3 to 33 (consec.), King Street) and totally dwarfs the two-storey historic and other buildings at the corner of Water Lane and Church Street, and the modestly scaled and sensitively designed, modern housing that extends down the north-eastern side of Water Lane (no. 5 and nos. 7 to 21 (odd), Water Lane). Ironically, the former, three-storey, 1930s King's Head Public House that stood on the site at the corner of King Street and Water Lane until demolished about forty years ago, performed a very much more successful townscape and architectural role than the presently proposed building.

The proportions and design of the ground, first, second and third floor storeys on both street elevations are poorly considered architecturally, and combined with the excessive height and bulk of the building, this part of the proposed development would substantially harm the character, appearance and significance of the Twickenham Riverside Conservation Area as clearly demonstrated in the recently presented perspective views from King Street and in the very recently presented model.

In addition, the proposed setting-back of the existing building-line opposite nos. 1a, 1 and 3, Water Lane would have an adverse impact on the historic urban character of this part of the heart of Twickenham and militate against the survival of the scale of its historic streets.

The height of that part of the proposed development at the corner of Water Lane and King Street clearly needs to be reduced substantially in order to relate satisfactorily to that of the existing building on the corner of Water Lane and Church Street and of the other properties further down the north-eastern side of Water Lane.

THE DESIGN OF THE OTHER PARTS OF THE PROPOSED DEVELOPMENT FRONTING WATER LANE, THE EMBANKMENT AND THE DIAMOND JUBILEE GARDENS

The failure to step-down that part of the proposed 'L'-shaped block fronting Water Lane to correspond with the gentle slope of the lane towards the river in the same way as the existing modern housing on the opposite side of the lane (nos. 5 to 13 (odd), Water Lane) is a fundamental defect in the design of the development.

In addition, its scale is excessive in relation to that of the modestly scaled and sensitively designed, modern housing that extends down the north-eastern side of Water Lane (no. 5 and nos. 7 to 21 (odd), Water Lane) directly opposite. Coupled with the proportions and design of the street-elevation to that part of the development nearest the corner with Church Street, this part of the proposed development would substantially harm the character, appearance and significance of the Twickenham Riverside Conservation Area as clearly demonstrated in the recently presented perspective view from the junction of Water Lane and King Street and the junction of Water Lane and Church Street and in the very recently presented model.

This part of the proposed development requires major review and revision.

The substantial change in the scale the smaller, detached block fronting The Embankment and the adjacent part of the larger, 'L'-shaped block fronting the space between the blocks and its returns to Water Lane and the Diamond Jubilee Gardens from the two storeys-plus-mansard-attic-storey configuration shown in the previously exhibited proposals to three-storeys-plus-roof configuration shown in the presently exhibited proposals is much to be regretted. Coupled with their siting on the raised terrace above The Embankment, these parts of the proposed development will appear to be out of scale with their setting as clearly demonstrated in the recently presented perspective view from the junction of The Embankment and Water Lane and in the very recently presented model - not least as exacerbated by the repeated gables and the double-height loggia.

The 'boat-house' treatment of the retaining-wall extending along The Embankment below the raised terrace clearly shown in the recently presented perspective view and in the earlier documentation, suggests the welcome incorporation of boathouses. However, the basement plan indicates that the area immediately behind the wall is devoted to car-parking and bike-parking, direct, vehicular access from The Embankment to that parking accommodation, and a 'seasonal unit' (sic). What is this?

THE ROOFSCAPE OF THE PROPOSED DEVELOPMENT

Whilst the elevations of the frontages to King Street, Water Lane (in part), The Embankment and the Diamond Jubilee Gardens show sloping roofs, the recently submitted aerial perspective view and the model clearly reveal the significant use of sedum-covered and other, flat roofs. As noted in relation to the earlier proposals, it is disappointing that the proposals as a whole fail to provide a lively roof-scape reflecting the architectural character of the adjacent part of the historic heart of Twickenham.

Importantly, no indication is provided to show how potential lift over-runs, lift motor-rooms and safe maintenance access are to be treated or screened.

THE DESIGN OF THE EXTERNAL AREAS

The open, paved areas on the proposed raised terrace extending along The Embankment and the returns to Water Lane and the Diamond Jubilee Gardens, above the proposed car-parking area at low level, and the similarly extensive open areas along The Embankment itself in front of the proposed development and the Diamond Jubilee Gardens, and adjacent to The Slipway at the foot of Water Lane, will clearly require a coherent scheme of hard landscaping of the greatest quality and sensitivity, commensurate with a site of such outstanding strategic and heritage significance. A particular challenge will be mitigating the visual and physical impact of some sixty parked cars should it not be possible to accommodate these below the proposed development and the Diamond Jubilee Gardens. The proposed use of tall lighting-masts and banners as shown in the consultation documentation should be strongly rejected.

Of equal significance to ensuring a satisfactory overall scheme will be the satisfactory surface-treatment of Water Lane, the design of the retaining-walls and balustrading serving the proposed raised terrace along the Lane and the strip of planting extending down Water Lane - not least, in order to avoid a hostile setting to the important pedestrian route down the lane towards the river.

Of equal significance too, will be the design and surface-treatment of the proposed 'service-road' extending north-eastwards from Wharf Lane between the rear of the existing, three-storey, inter-War, retail and residential building fronting King Street (nos. 3 to 33 (consec.), King Street) and the surviving part of the assembly hall of the former Town Hall of 1877, and the rear of the Diamond Jubilee Gardens.

It is most regrettable that it is no longer proposed to extend this roadway with a pedestrian link to Water Lane and to treat it as a 'shared-surface' as shown in the previously exhibited proposals. Sadly, this will lead to its continuing decline and under-use, rather than its potential realisation as an attractive urban space, facilitating pedestrian movement across the overall site between Wharf Lane and Water Lane.

Clearly, any scheme of landscaping and surface-treatment of the open areas and public highway will need to be robust and sustainable in design and detail and capable of easy and affordable cleaning and maintenance.

CONCLUSION

All in all, the development of Twickenham's riverside site deserves a more sensitive and carefully considered approach than that presently offered in the latest proposals.

It is clear that the proposals as presently drafted fail to reflect any recognition of the architectural, historic, townscape and landscape significance of the site and its setting in the Twickenham Riverside Conservation Area as required in the National Planning Policy Framework and the criteria for high quality design set out in the same document. Similarly, the proposals as presently drafted fail to adhere to the Council's own policies regarding the design of new development and new development in conservation areas in particular as set out Policy CP7 of the Richmond-upon-Thames Core Strategy

of April, 2009; in Policies DM DC 1, DM DC 2, DM DC3, DM HD1 and DM HD7 of the Richmond-upon-Thames Development Management Plan of November, 2011; Policies DM DC1, LP1.A, LP2, LP3, LP4 and LP5 of the Richmond-upon-Thames (Publication version) Local Plan of January/February, 2017; and the relevant guidance contained in the Richmond-upon-Thames Design Quality SPD of February, 2006.”

In respect of Paul’s comments on the design of external areas we, of course, reiterate our view that the matter of parking is fundamentally addressed by removing it underground as outlined in our Section 4 above.

6. VISION AND LEADERSHIP.

That the Council took a bold step in acquiring the King Street / Water Lane site is not in doubt. It also did the right thing in clearing the pool site and creating Diamond Jubilee Gardens as an interim measure while the future of the site was considered.

In its Expression of Interest document it was right to note, “ There is a desire to continue the transformation of the town, to create a town that is vibrant; a town that is an attractive destination for residents, businesses and visitors; a town that respects its history and place; a town that can offer a range of experiences and opportunities to establish and engender a strong community spirit; a sustainable town that will stand the test of time for many decades to come”, thereby placing this site at the heart of this ambition.

We have consistently proposed that these aspirations are best met via a whole site (as defined by the TAAP) solution to enable freeing the embankment from parking and moving traffic, replacing parking undercover and moving traffic to the east / west service road to the rear of King Street, extending the open space towards the river thereby improving connectivity with it, creating a Town Square that’s of a scale fit for purpose. This would effectively create a wider “platform” on which could sit a range of buildings and spaces for the purposes agreed via a proper process to create a brief, but of a scale and character suitable for the site. In effect, “form would follow function” as, in good design, it should. This would deliver on the Council’s initial promises.

However, whist the community’s hopes and ambitions for the development of the site were stimulated and remain high, the Council’s ambitions appear to have shrunk and become restricted by an emphasis on what can’t be done rather than what could be facilitated using its place shaping and enabling powers, role and duties.

The Council now seems to have got locked into trying to foist a series of poor schemes onto a public who want and expect something rather better, and is resisting them. Its position is somewhat defensive as, paradoxically it has also been almost as soon as it started the development journey, with closed processes and restricted sharing of information.

It’s not clear how it’s got into this position. Inevitably these matters become more complex and demanding to manage when getting down into the detail. Opening up more opportunities potentially creates more complexity and work.

It may also be to do with not recognising how the most effective authorities work with their populations and stakeholders through effective engagement processes at the earliest stages, bringing them “closer to the table” where plans and decisions are being made rather than asking them how much they like the plans that have been produced for them. This would have required the commissioning of an architect and urban planning team and possibly developers, used to engaging in this way, something that the Francis Terry team and the Council seemed unable to grasp.

The drive to take the development through the planning stage at all costs and effectively label alternative, more ambitious options as unrealistic seems to be an attempt to close out the debate.

Clearly this can't continue for ever and finding a resolution is well overdue, but missing the opportunity of finding a solution that respects this whole site and meets the aspirations of local people by shutting the door on it is unacceptable.

The Council has cited several reasons why it considers a full site solution is not an option. The following examines two of these “blockages to development” which we debunk.

DIAMOND JUBILEE GARDENS AND TWICKENHAM RIVERSIDE TRUST ARRANGEMENTS:

The Twickenham Riverside Trust is a charitable company limited by guarantee.

The charitable objects were amended by resolution passed on 7th March 2012 and are:

- to preserve protect and improve for the benefit of the public the riverside and its environs at Twickenham in the London Borough of Richmond upon Thames (and such other areas as the Trustees may from time to time decide),
- to provide charitable facilities there for public recreation and community activities, and
- to advance the education of the public in the history and environment of the area.

By the same resolution, the following article was added to the TRT's Articles:

- “...to do anything else within the law which promotes or helps to promote the Objects”

By the Articles (clause 5(1)), the Trust also has the power “to buy, take on lease or in exchange, hire or otherwise acquire any property and to maintain and equip it for use.”

Other relevant powers include: “to co - operate with other charities, voluntary bodies and statutory authorities.” -.....“to acquire, merge with or to enter into any partnership or joint venture arrangement with any other charity.”

Having established Diamond Jubilee Gardens in 2012 as an interim arrangement pending the redevelopment of the riverside site, in 2014 the Council agreed to “dispose” of the site by way of granting a lease of 125 years to Twickenham Riverside Trust on certain limited conditions primarily related to the organising of events. The Trust, having limited capacity to raise funds, is supported by the Council retaining financial responsibility for upkeep and maintenance of the site.

The line taken by the Council and the Trustees of TRT, who are the appointees of the Council, is that this lease arrangement means that the footprint of the site cannot be changed, either reduced or expanded, and that nothing, such as a building, can encroach on the site, effectively ruling out for

consideration a considerable part of the riverside site other than by enhancing the areas surrounding it and improving access to it. If this view is accepted then the TRT on behalf of the Council would effectively hold a trump card.

Given the threat of unsuitable development of the site in the past it is easy to see why the TRT Trustees would see it as appropriate to take on the lease to prevent such a thing happening in the future, and that would have been within its objectives and the right thing to do. One can also see the Council's intent in collaborating with TRT to this end and to protect the open space created.

However, our proposals suggest a significant enhancement to the Diamond Jubilee Gardens by way of increasing its reach to the river and the overall open space, allowing the formation of a proper Town Square with safe and unobstructed access to a riverside park, all under its auspices and in line with the TAAP.

This would also be in line with the lease conditions and would also potentially support the wider objectives of the Trust in respect of enabling the enhancement of the facility of the greater riverside. This would be ensured if Trust members were closely engaged in the process of the development of the brief for the site, as we are proposing.

We consulted a solicitor specialising in Trusts and estates who, having considered the articles, particularly Clause 5 (1) (above) noted;

“My view is that the footprint of the existing trust assets can be extended beyond Diamond Jubilee Gardens.”

Furthermore,

“The trustees argue the 125 year lease means their scope to think beyond the Gardens is limited; however, this is a very narrow view of their Objects although they may take the view that developments on other parts of the Riverside are political decisions, which they as a charity should avoid giving a collective opinion on.

“Further, whilst this is not my area of expertise, it is not impossible for the Council as landlord to bring a protected Landlord and Tenant Act 1954 tenancy to an end. The Council could serve notice on the basis that they need the property back either for development purposes, or to occupy themselves.

“TRT could also surrender the benefit of the lease back to the Council” (if it considered that doing so would facilitate the advancement of its objectives).

It's also interesting to note the Council's responses to concerns raised in the consultation phase prior to granting the lease. These were from the York House Society, which continues to maintain a close interest in the future of the site.

Report to Cabinet. 20.3.14 Para 3.6

“Concern:

If, as set out in the Twickenham Plan, the council is able to move the parking from the Embankment to the edge of the service road, that will require encroachment into the DJG. An exclusive lease of land could prevent moving of the parking and interfere with the Council’s avowed aim.

Response:

The plan is delineated specifically to provide for the delivery of the plans as set out within the TAAP and which complement the security of the public open space. The lease will provide for agreement with TRT and to allow the Council to achieve such plans.

Concern:

It is hoped that the riverside edge of the gardens can be opened up by terracing to provide visual and physical access to the Embankment and eliminate the substantial barrier created by the retaining wall which currently cuts off access and leaves many people unaware of the DJG just above them. Again, to open up this area would involve encroachment into the gardens and could be prevented by the lease. A covenant could be added to allow for this reconstruction and create a pleasing terrace like that on Richmond riverside.

Response:

As per the previous response, the lease will provide for agreement with TRT and to allow the Council to achieve such plans.”

It seems therefore perverse for the Council and Trustees to maintain the line they are taking. It appears that what should be operating as a partnership for something positive is a partnership against an ill-defined threat. Rather than falling back on saying that this arrangement stops all future development it should be exploring the opportunities that creative proposals make towards meeting its objectives.

It appears there is little in the way here of the Council and DJG/TWT trustees working together to enable a sought-after scheme being achieved. It seems perverse of the Trustees to stand in the way of this and, indeed, doing so may be a breach of its wider objectives.

TRAFFIC AND PARKING PLANS:

The issue of parking and traffic flow and management has moved to centre stage over this odyssey and has become an area of considerable contention and, indeed, ill feeling. This maybe in part due to the understandable wish of some residents of Eel Pie Island to protect their vested interests, fearing that changes in traffic management and parking may threaten their access to nearby parking spaces and restrictions on deliveries and services to the Island.

Wendy Burden, the planning inspector who reviewed the draft of the TAAP made it clear that nothing should be done that threatened the character and activities of the Island, but she was also clear that opportunities for reducing or removing parking from Water Lane and the Embankment and improving the pedestrian environment should be considered. She also supported extending the service road to connect Water and Wharf Lanes, thus reducing Embankment through traffic, and

making “creation of a shared surface on the Embankment more effective” This was also picked up by the TAAP.

We share her view about the importance of doing nothing that threatens the character of the Island. We have proposed solutions that allow the removal of parking from the Embankment adjacent to the site based on the development of underground or undercover parking accessed from the rear of the site, supported by the service road behind King Street connecting Water Lane and Wharf Lane. We also suggest a change of traffic flow arrangements and the creation of a clear service area for the Island at the bottom of Water Lane. These options would enhance the facilities for Eel Pie Islanders and in no way diminish the Island’s amenity.

Far from achieving the objectives of the TAAP, the Council's plans actually do the opposite and will increase the amount of traffic, including service vehicles (vans and trucks) along the Embankment. Extra riverside traffic will include vehicles going to/from the proposed restricted underground car park provided for flats. This is in itself against planning policy guidelines for developments in close proximity to public transport hubs and is inconsistent with the policy as recently applied by the Council’s planning officers for the provision of car parking space to the Twickenham Station and Brewery Wharf flats developments.

The Council has been reduced to stating that demands for a vehicle free embankment and thereby the possibility of the extension of Diamond Jubilee Gardens to the river, are only a recent phenomenon, when indeed they have been clearly articulated from the outset and were, in fact, offered by the initial Terry Partnership proposal the Council selected.

Bizarrely, it is now being stated that the consideration of parking and traffic arrangements will be dealt with at a later stage, after the proposed development has been agreed, not as part of a holistic evaluation of the whole site in the context of the town, when the very rare opportunity for this approach is available.

The Council has now gone so far as to conveniently exclude the Embankment from the planning application, when it was clearly considered as an essential part of the site for consideration for development in the EoI and subsequent consultation documentation and exercises.

The justification given now is that this needs to be part of a wider study, as suddenly it seems that, according to Cllr Fleming, The Embankment is an essential part of Twickenham’s traffic flow. This is patently absurd. We note that the riverside roads were not included in the Councils’ Highways and Street Scene Scheme 2016 as they were not considered important to town centre traffic flow.

Traffic and parking surveys have in fact been undertaken by the Council but not made public, despite publication having been promised by December 2016. A FOI request was submitted in the autumn of last year asking for these but was refused on the basis of the reports still being in draft form and having the potential for hardening of the local community’s views against the scheme. This is a very defensive response and a disturbingly secretive approach to an issue which is clearly of public interest. It is inconceivable that there is not data that can be shared and this entrenched approach is unfortunately symptomatic of the approach the Council seems to now be taking of defending rather than engaging.

The point being made is that, for what seem quite spurious and incoherent reasons, traffic and parking issues are being held up as a reason for not considering a more ambitious and strategic approach to the whole site which would provide what the local community has consistently asked for.

Our call has been for a fully independent feasibility study to be undertaken by suitable specialists to consider this aspect in depth, rather than just cut off what would clearly be a preferred option if it is available. Clearly this would also need to consider financial aspects, including, for example, costs of providing undercover parking against recovery from charges etc. Initial evaluation show this cost / revenue equation is viable if you take an investment approach.

In the absence of this, working with a group of technical experts we have produced a paper entitled “A Town Square and Riverside Park for Twickenham: Proposed Vehicular Movement, Parking and Servicing on the Site”.

This demonstrates that it is entirely possible to remove parking and moving traffic from the Embankment and parking from both sides of Water Lane and deal effectively with traffic flow into and out of the site whilst retaining the servicing and parking needs of Eel Pie Island, its residents, businesses and visitors thereby enabling a site solution that meets TAAP objectives.

This should be read in conjunction with this dossier.

FAILURE TO GRASP STRATEGIC OPPORTUNITIES AND THINK CREATIVELY:

We are concerned that the Council has moved away from its promising start and appears to have adopted a defensive position rather than fully embracing and securing the opportunities that are available for Twickenham here through its legitimate role as “place shaper” and enabler. Using its powers it should be working closely and iteratively with stakeholders, both those adjacent to the site and within the wider community,

We urge the Council to rediscover that role rather than pressing ahead with such a clearly sub-optimal scheme.

7. AN ALTERNATIVE WAY AHEAD?

Barefoot Consultation. Extracts from the Executive Summary:

- There are several common themes that come out of the Barefoot Consultation.
- It is felt that Twickenham Town Center is in desperate need of improvement and needs to be more welcoming and enticing for residents and visitors alike.
- However, people feel that any redevelopment should be shaped by the local community..
- The new development must reflect the needs of the local community.
- All ideas for the area had a community theme.
- Concerning the riverside, the main ideas were for the development of a town square as well as potentially building a center which could be used for multiple purposes (e.g. café, clubs and societies etc.)
- A number of people are concerned about the lack of leisure facilities in the town centre and would like plans to include leisure sites such as a swimming pool, ice rink and a cinema.

- People want increased access to the riverside from the surrounding streets and many think cars should be removed from the riverside. An underground car park at the rear of the riverside site was proposed as a potential solution to this.
- The idea of increased pedestrianisation was advocated by many residents.

We trust from that the above has made it clear that, despite best intentions, failures in process have led to a situation whereby we now have proposals on the table that do not meet the promises made or the aspirations of local people.

Despite repeated representations by us and many others to stop, review and take stock, the Council has just, to our dismay, submitted a planning application for a scheme substantially unaltered in mass, layout and use to that offered at the last consultation round, but with a few cosmetic alterations.

This is massively disappointing and a travesty of good local governance. It also flies in the face, yet again, of its own consultation survey results, as noted above.

The scores for most of the areas that the Council chose to consult on showed very low approval of the plans.

Reporting of the free text observations made by respondents was, frankly, misleading. The Council fell back on the artifice of saying views are mixed, without reporting the weight of numbers in favour of or opposing the themes that respondents had raised.

So, of course we will continue to campaign robustly against the Council's direction of travel and are confident of our case and cause and of our widespread support.

There is still however another way to achieve a better outcome and reverse out of the cul-de-sac the Council seems intent on going down. We propose the council shows greater ambition and proper leadership and governance and;

- That it attempts to establish cross party agreement about the process to be followed with a commitment from both leading parties to follow this process through, regardless of the outcome of the Council elections that take place in May 2018.
- That it forms a Riverside Community Interest Group, with representatives of stakeholders including residents across age ranges and from those living close by the site and the wider town, other business and community interest groups and organisations, including , for example, representation from DJG Trustees.
- This Group should be chaired by a Twickenham Councillor from the current ruling party with a deputy or co-chair from the current minority group and with additional and balanced Councillor representation from the wards on the Twickenham side of the river.
- It should be supported by the skills of the members of the assembled officer team and any other specialist support that would be of benefit from e.g Historic England, creative urban designers and facilitators.
- That this group should be given the task of developing a proper brief using the material already available from prior workshops and consultation exercise, including the Barefoot Consultation and resultant TAAP.

- This should be aimed at securing an outstanding development of suitable design and scale, based on the key principles of a whole site approach, a proper Town Square, provision for a community “hub” and a car free and pedestrianised Embankment. It should evidence that the scheme proposed will contribute significantly to the regeneration of Twickenham as a place to live, work and visit.
- The process followed should broadly follow the model attached, including undertaking a strategic review and opportunities analysis, seeking out creative and innovative possibilities and options.
- The group should be responsible to overseeing a proper procurement process for a preferred architectural and urban planning team following the required regulatory and legislative guidance and best practice, and including as much open public input as possible into the choice of the best scheme.
- In the meantime, particular emphasis should be given strategic engagement with the owners of the property portfolio comprising 3-33 King Street to proactively explore opportunities for mutual benefit.
- An independent binding feasibility study should be commissioned to consider the traffic flow and parking options, including removing parking and traffic from the Embankment, underground parking for local residents, business and visitors and traffic flow to the rear of the site connecting Water Lane and Wharf Lane, but including reasonable service access to Eel Pie Island. This should also consider alternative and pragmatic alternative options to minimise the impact of traffic flow and parking on the embankment if it is demonstrated that the preferred option is not feasible.
- Consideration should be given to the clearance of the remaining pool buildings from the site and the potential for bringing the whole site into interim use for community benefit, markets, “pop-up” events etc. subject to the usual consents and approvals. This could be operated under the auspices of an enhanced DJG Trustee group with wider and local and community nominated membership.

We are more than ready to put our energy, skills and commitment behind such a process and engage positively with the Council, its Members and Officers, towards achieving a positive and long overdue outcome for the Riverside.

The Twickenham Riverside Park Team

January 2018.