

# **Eagle Brewery Wharf Planning Statement**

Royal Borough of Kingston Upon Thames

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**LICHFIELDS**

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## 1.0 Introduction

### Purpose

1.1 This planning statement has been prepared by Lichfields on behalf of the Royal Borough of Kingston upon Thames (RBK). It accompanies a full planning application for public realm improvements at Eagle Brewery Wharf, Riverside Walk, Kingston upon Thames KT1 1HL. The description of development is:

*“Public realm improvements including ground resurfacing, installation of a swift tower, extended green space with new planting beds and trees, provision of play space including a play trail, installation of public seating including central raised seating island, and new metal railings along river frontage.”*

1.2 The purpose of this document is to set the proposals in context and then provide an appraisal of the proposals against relevant planning policy and other material considerations.

1.3 The site occupies an area of 890m<sup>2</sup>. It comprises existing public open space on a historic wharf along the Kingston Riverside Walk on the River Thames, at the edge of Kingston town centre.

### Scope of the application

1.4 This statement should be read in conjunction with the following documents that accompany the planning application:

- 1 Application drawings, prepared by Farrer Huxley;
- 2 Design and Access Statement, prepared by Farrer Huxley;
- 3 Streetscene Views, prepared by Farrer Huxley;
- 4 Statement of Community Involvement, prepared by Farrer Huxley;
- 5 Heritage Statement, prepared by Lichfields;
- 6 Ecology Report, prepared by Surrey Wildlife Trust Ecology Services;
- 7 Flood Risk Assessment, prepared by Graphic Structures;
- 8 Arboricultural Survey, prepared by PJC Consultants;
- 9 Arboricultural Impact Assessment Method Statement and Tree Protection Plan, prepared by PJC Consultants;
- 10 Archaeology Desk Based Assessment, prepared by Lichfields;
- 11 Outdoor Lighting Report, prepared by RBK;
- 12 Construction Management Plan, prepared by Conway; and
- 13 Ground Investigation & Risk Assessment Report, prepared by Southern Testing Environmental and Geotechnical.

1.5 A full list of the application drawings is included in Appendix 1 of the enclosed cover letter.

## 2.0 **Background**

- 2.1 The public realm improvements at Eagle Brewery Wharf are planned as part of a series of projects being delivered by RBK and Kingston First BID, in a wider heritage-led regeneration programme to reinvigorate and reshape the town centre.
- 2.2 The overarching plan for Kingston town centre is set out in ‘Your Vision Our Future: A Plan For Kingston Town Centre Area’, which was endorsed by the Council in June 2023. This vision document complements RBK’s emerging Local Plan by providing detailed aspirations for the area. The Council will strategically align the Local Plan with the principles and ideas expressed in the vision document.
- 2.3 The plan seeks to create a cohesive town centre that is greener, cleaner and safer, with high quality changes that reinforce Kingston’s distinctiveness. The document is the strategic direction for transformation and investment in Kingston town centre for the next 15 years, which places great emphasis on cultural and heritage-led regeneration. Your Vision Our Future sets out three key ambitions, for the town centre to become:
- 1 A thriving riverside and cultural destination;
  - 2 London’ leading metropolitan town centre;
  - 3 Greener, sustainable and better connected.
- 2.4 These ambitions are brought to life in the document in three descriptive ‘big changes’ to illustrate what Kingston could be like in the future. The first ‘big change’ is for “beautifully transformed riverside spaces”. Eagle Brewery Wharf is an opportunity to achieve such a change.
- 2.5 The applicant’s vision for Eagle Brewery Wharf is for an exemplary new public open space with a design that showcases heritage-led regeneration of a key riverside space. It should support the strategic aims of the plan and to set a precedent for the further regeneration of the riverside. The ambition is to create a well-loved, inclusive and activated space where everyone can unwind, enjoy and connect with nature.
- 2.6 The implementation of a new design is an opportunity to help define contemporary character for the wider riverside rejuvenation programme. The aim is for Eagle Brewery Wharf to set a precedent for design quality, accessibility, and inclusivity.

## 3.0 **Application site and surroundings**

### **Site location and surrounding area**

- 3.1 The site occupies an area of approximately 890m<sup>2</sup> and comprises existing public open space on a historic wharf along the Kingston Riverside Walk, at the site of the former Eagle Brewery. The brewery closed in 1914, and the site was repurposed as a coal wharf. In 1970, Eagle Brewery was bought and demolished by the Council. The site temporarily accommodated Council offices, before it became a public open space in 1988. The most recent improvements to the site were made in 2010.
- 3.2 The site is situated approximately 300m south of Kingston bridge, between the historic core of Kingston town centre to the north and Queen's Promenade to the south, with views west across the River Thames to Home Park. Three existing moorings face the site and bring character and interest. The site is within the Kingston Old Town Conservation Area.
- 3.3 Eagle Brewery Wharf is one of few council owned public spaces on the riverside. The Kingston Riverside SPD (2018) highlights the importance of the riverside walk as an open space, citing the Kingston Open Space Assessment (2006) which identified shortfalls in open space provision within the town centre area. It provides an important corridor for movement and connects people with the river. The SPD states that the site is well-used, indicating value, but with potential for enhancement.
- 3.4 The site is accessible for pedestrians via the Riverside Walk which runs along the western boundary of the site, adjacent to the River Thames. Access from the east is via Ram Passage which connects to the High Street. Pedestrians also use this private driveway for access to the site, as there is clear sight line from the High Street to the Riverside Walk, although this is an informal access.
- 3.5 Flood Zone information published by the Environment Agency shows that the site is located within Flood Risk Zones 2 and 3 and is at risk of flooding from the adjacent River Thames.

### **Existing site characteristics**

- 3.6 The layout of the existing site was designed in 2010 with a focus on ensuring flexibility and providing space for larger events and performance, and as such largely comprises open hard asphalt landscape and sparse planting, shown by the images in Figure 1. Towards the eastern boundary of the site is an area of car parking outside the Ram Pub, laid with concrete brick pavers.
- 3.7 The site is dotted with fixed backless benches made out of oak sleepers. A low wall forms the current border with the river and provides the other form of informal seating, meaning users have to face inwards rather than being able to comfortably enjoy the river views. The existing layout and forms of public seating are not conducive to social interaction and do not enable users to best enjoy the site.
- 3.8 The provision of greenery on the existing site is limited. There is one raised planter in the middle of the site. There are eight silver birch trees and mixed shrubbery underplanted with lawn to form a green edge at the south of the site. This will be enhanced as part of the proposed works.

- 3.9 The existing site provides a habitat for bird species. There are no records of other wildlife on site. There is a significant opportunity to create a much wider variety of habitats and greatly improve the biodiversity of the site.
- 3.10 The two nearby pubs, The Ram and Woody's, have been granted a Temporary Pavement License from RBK for the past few years to use the main area of the site for outdoor seating and dining. Both businesses provided foldable tables and chairs, and some planter boxes to animate the space. The current Temporary Pavement License expires in September 2024. The licence helped to bring activity to the site and create a sense of ownership during and post Covid, but was always anticipated to be a temporary solution.
- 3.11 In the last few years, the Council has put a Public Spaces Protection Order in place on the site in response to a rise in anti-social behaviour, specifically tied to events during the Covid-19 pandemic lockdowns. The proposed public realm improvements are an extension of work being done to reduce the issue and enhance public safety in the town centre.

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Figure 1 Photographs of existing site – Source: Design and Access Statement, prepared by Farrer Huxley 2024





## 4.0 Proposed development

4.1 The application comprises the redevelopment of the existing open space at Eagle Brewery Wharf. This application seeks permission for:

*“Public realm improvements including ground resurfacing, installation of a swift tower, extended green space with new planting beds and trees, provision of play space including a play trail, installation of public seating including central raised seating island, and new metal railings along river frontage”*

4.2 Details of the proposed works are provided in the Design and Access Statement, including information on materiality, the planting strategy and palette, trees, and seating arrangements.

4.3 In summary, the proposed development includes the following:

- A range of seating to suit users of different ages and abilities, including riverfront seating pods, seating pockets, and timber seating built into planters;
- A central playful seating island in the form of a raised timber platform;
- Riverfront walk and new metal railings along the riverfront;
- New trees and planting beds distributed across the site, and a wide green edge of planting which features a meandering informal play trail;
- A swift Tower proposed where the chimney used to be on the old brewery, to increase biodiversity and create a unique landmark for Eagle Brewery Wharf;
- Biodiverse swales, an insect hotel, a hedgehog house and a loggery;
- Sustainable urban drainage features;
- A flexible area of space dedicated to providing opportunities for public art installations, and activities such as exercise classes and intergenerational play;
- Placemaking signage and details that celebrate the site’s heritage, including artwork and historic plaques.

4.4 The proposed layout of the site allows for subtle zones of use with areas of calm, play and flexible space, connected by an active centre. The boundaries within the site will be subtle and soft in nature, to promote views and permeability across the site. Access will continue to be from Ram Passage and the Riverside Walk. Routes through the site are wide, level and clear. The main circulation along the riverfront connecting to the High Street will be retained. The route purposefully crosses the active centre, to welcome people into the site and opening up space along the riverfront.

4.5 The proposed design will significantly increase the amount of seating and offers more choice of seating style to appeal to more users. The proposals include seating with and without back and arm rests and informal seating for stretching out and lounging on in the form of timber platforms. The inclusion of comfortable seating will support greater and more varied use of the site for longer periods, encouraging socialisation and relaxation.

- 4.6 The positioning of seating has been carefully considered. Seating will be located parallel to pedestrian flows and on the edges of space, to take advantage of people watching and opportunities for interaction. The layout ensures seating does not interfere with flows of movement. Some seating will be more sheltered by trees and planters, like the seating pockets built into the green edge, whereas other areas like the riverfront seating pods and the central platform will be more open.
- 4.7 A flexible area to the north of the site will be dedicated to providing opportunities for public art installations and activities such as exercise classes and intergenerational play. Power sockets and a water outlet will be strategically placed to allow for maximum flexibility and usage of the site in the future. The site can accommodate a range of activities and the timber platform can be used as an informal stage. The timber platform is integral to the design as the centre stage of the site. The size and orientation of the platform will follow the shapes and flows of the site and create a relationship with the landscape around it.
- 4.8 The riverfront seating will allow increased opportunity for enjoyment of the river and views to Hampton Court Park. The generous width of the Riverside Walk pathway will be retained behind the pods, to allow for its important function as a movement corridor and access route. The path is designed to draw people into the site as it meanders into the space. New metal railings of a simple and visibly permeable style barrier along the riverfront will enhance the safety of the site.
- 4.9 The placemaking strategy for Eagle Brewery Wharf forms an essential part of the design proposals for the site. Wayfinding signage, poetry engravings, historical plaques and other artistic details will be incorporated into furniture, surfaces and planting to reference the site's heritage. Heritage also comes through in the materiality of the design proposals, with raised metal edges to planting beds and other industrial elements. A swift tower is proposed where the chimney used to be on the old brewery, creating a unique landmark.
- 4.10 The swift tower provides an important habitat. Other specific habitat interventions will include the provision of an insect hotel, loggeries, and a swale. The swale will form part of the SuDS strategy for the site, which seeks to re-use existing gulleys along the riverfront.
- 4.11 The scheme has been designed based on recommendations from Surrey Wildlife Trust and RBK Biodiversity Officers. The proposals will enhance and strengthen the ecological value of the site. The sensitive planting scheme and range of wildlife interventions included will contribute rich and varied habitats for new and existing flora and fauna. The variety of habitats is maximised through consideration of "right plant for the right place".
- 4.12 The landscape strategy features more formal landscape areas in tandem with semi-natural landscaping, with large metal-edged planters and a more natural wide green edge at the south of the site. The focus is on promoting robust, low maintenance planting of native species. Non-native species will be incorporated where they can provide tolerance to climate change and flooding.
- 4.13 Of 8 existing trees, 6 will be retained and an additional 19 will be planted. They will provide shade, shelter and essential biodiversity value.
- 4.14 The green edge will feature a play trail, consisting of stepping stones, boulders, a rope bridge, and a tree circle for storytelling. Throughout the scheme, forms of play and interactivity have been accommodated to be as inclusive and imaginative as possible. The

play elements use natural materials where possible, with use of timber rope and boulders linking to industrial heritage and maritime location.

- 4.15 The three existing Sheffield style cycle stands at the south west corner of the site will be removed, following guidance from the Police.

## 5.0 **Pre-application engagement**

5.1 Extensive engagement has formed an essential and integral part of the design process for Eagle Brewery Wharf from the early stages of the project. Engagement has been conducted through various forms with wide demographic reach, resulting in a very carefully considered and well-designed set of proposals. Details of the consultation process can be found in the accompanying Statement of Community Involvement, prepared by Farrer Huxley.

### **RBK Working Group**

5.2 A series of dedicated meetings and workshops with RBK officers have been undertaken at key points in the design development to ensure the delivery of a robust, sustainable, and inclusive landscape that will thrive with the community for the future.

### **Community consultation**

5.3 The designs for Eagle Brewery Wharf have been developed in collaboration with the local community, through multiple stages and forms of consultation. This has included on site public engagement events, workshops and presentations. The design has responded directly and in detail to feedback from potential users.

### **Kingston Public Realm Review Session**

5.4 The design proposals were put before the Kingston Design Review Panel (DRP) on 21 December 2023. Overall, the panel were supportive of the design proposals.

5.5 Recommendations from the DRP primarily suggested further explanation on movement and circulation patterns across the space, clearer definition of play space, and on more details on the seasonality of planting. A full response to the comments is included in the Statement of Community Involvement.

## 6.0 **Planning policy context**

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

6.2 This section outlines relevant planning policy and guidance that should be taken into account when determining the application. A matrix of all relevant policy and guidance has been prepared and can be found in Appendix 1 of this statement.

### **Statutory development plan**

6.3 The Statutory Development Plan for the application site comprises the London Plan (2021); RBK Core Strategy (2012); Kingston Town Centre Area Action Plan (2008); and The South London Waste Plan (2022).

### **Site designations**

6.4 Development plan policy designations which affect the site and immediate surroundings are:

- Key Area of Change – Kingston Town Centre;
- Riverside Walk – Green Corridor;
- Thames Policy Area;
- Local Open Space;
- Conservation Area/Key Area of Conservation – Kingston Old Town;
- Strategic Area of Special Character – Thames Side;
- Tier 2 Archaeological Priority Area – 2.2 Kingston Town.

### **Other material considerations**

6.5 In addition to the statutory development plan, the following documents are considered relevant and material in determining the application:

- National Planning Policy Framework (2023);
- Your Vision Our Future – A Plan for Kingston Town Centre (endorsed by Council in June 2023);
- RBK Supplementary Planning Document – Kingston Riverside Public Realm (2018).

## 7.0 **Planning assessment**

7.1 In accordance with Section 38(b) of the Planning and Compulsory Purchase Act 2003, this section considers the acceptability of the proposed development against the statutory development plan and other material considerations.

7.2 Based upon the relevant policy and guidance set out in Section 6 and Appendix 1 of this Statement, the key issues for consideration are:

- 1 Principle of Development;
- 2 Design;
- 3 Access;
- 4 Heritage;
- 5 Ecology and biodiversity;
- 6 Flooding and drainage;
- 7 Archaeology.

7.3 The following sections set out our assessment of the proposed development against these key issues for consideration.

### **Principle of Development**

7.4 Planning policy at the national and local level seeks to promote health and wellbeing through access to high quality open spaces. Paragraph 8 of the NPPF supports the creation of well-designed public open spaces to support social interaction. Paragraph 102 recognises that access to open space is important for the health and wellbeing of communities. London Plan Policy SD9 supports regeneration initiatives that contribute to Good Growth and a healthy city by creating more accessible and welcoming public realm.

7.5 Kingston Town Centre AAP (2008) Policies K10 'Town Centre Public Realm' and K13 'Riverside Strategy' promote greater use of the riverside by improving the quality of the riverside environment by delivering high-quality, well-connected public realm. This is reiterated by Core Strategy Policy CS4 and the London Plan Policy SI16 which support development that seeks to enable greater use and enjoyment of the waterfront by enhancing opportunities for inclusive public access.

7.6 The proposed development will greatly improve existing designated borough Open Space, to contribute to Kingston's wider network of high-quality public open spaces. The proposals create opportunities for social interaction and engagement, exercise, and relaxation and connection with nature. Social interactions may be more organised and formal, in events that utilise the flexible space provided, or be more casual. Opportunities for spontaneous interactions are facilitated by careful design details including seating arrangements that are conducive to conversation and are positioned for people watching.

7.7 The design enables greater public access to the riverfront and supports different types of usage, allowing people connect with nature and the riverfront as they please. These opportunities for connection will improve social cohesion, health, and wellbeing. Paragraph

102 of the NPPF recognises that in addition to social benefits, improved public spaces can deliver wider benefits for nature and to address climate change.

- 7.8 The positive focus on adapting and managing town centre public realm to make it more usable and attractive will support the overall vitality of the town centre, in line with Paragraph 90 of the NPPF and London Plan Polic SD6. The proposed development will positively contribute to the character and identity of Kingston Town Centre as it seeks to become a thriving, greener riverside destination, in line with the emerging Your Vision Our Future plans and Core Strategy Policy KT1.
- 7.9 Overall, the principle of creating well-designed public open spaces is strongly supported by policy across all levels. The proposed development will improve the health and wellbeing of users and the overall vitality of the town centre, a key area of change in Kingston.

## Design

- 7.10 Paragraph 135 of the NPPF requires development to function well, add to the overall quality of the area, and have a good layout. This is reiterated in the London Plan and by local policy. The design approach has been set out in the accompanying Design and Access Statement. It is an outstanding and innovative design for a high quality and exemplary new public open space, that will set a precedent for the wider riverside rejuvenation programme.
- 7.11 The design is very well considered and responds carefully to detailed community consultation feedback. It considers and improves the existing situation along the river wall on site and its inward facing nature; the space and footfall of Riverfront Walk; the lack of activities and animation across the existing site; and the need to increase biodiversity.
- 7.12 It has been developed with clear respect and regard for user experience, form, layout, quality and character, in accordance with policy across all levels. It has been subject to a high level of scrutiny throughout its evolution, as detailed in the DAS and the Statement of Community Involvement. London Plan Policy D4 states that this scrutiny supports the delivery of good design. RBK have utilised appropriate tools to improve the design including putting the proposals before the Design Review Panel, in line with NPPF Paragraphs 137 and 138.
- 7.13 Landscaping is a fundamental aspect of the design proposals. Full details of the proposed landscaping scheme can be found in the Design and Access Statement. The strategy ensures that planting coverage and therefore the visual appeal and ecological functions of the site will be supported year-round. The landscape treatment and planting scheme will be of high quality, fit-for purpose, and durable, in accordance with London Plan Policy D8.
- 7.14 There is a clear heritage-led design concept that creates a distinct sense of character, identity and place in accordance with local policy aims and the vision for the town centre. The material strategy is in keeping with the concept. The DAS explains the use of robust, natural, and durable materials reminiscent of industry and the site's maritime links. Materials will be sustainably sourced from the British Isles where possible.
- 7.15 London Plan Policy D8 requires that appropriate management and maintenance arrangements are put in place for new public realm. The design seeks to ensure that the development will be robust and resilient. Discussions have been had with Parks and Highways Officers at RBK in relation to proposals to ensure that soft and hard landscape as

well as street furniture, play elements, railings, lighting and CCTV will be maintained appropriately going forward.

- 7.16 A Management and Maintenance Plan is being developed and could be the subject of a condition. Such a Plan would outline a strategy for how the site will be maintained, with an inspection regime and plan for general upkeep, cleaning, refuse collection and repairs and replacements if necessary. General rules for the use of the space would be considered, particularly in relation to the use of the flexible space for community events. The draft contents of a Maintenance and Management Plan produced by RBK in relation to another new public open space scheme in the borough, Jubilee Square, is included at Appendix 3 for reference.

**Commented [ML1]:** In the absence of a draft M&M Plan we suggest this wording

## Access

- 7.17 The design proposals aim to create a truly public and inclusive space, that is accessible and appealing to all in accordance with London Plan Policy D8. Early community engagement has helped to ensure that the space is inclusive by ensuring it will be adaptable and well suited to a range of desired uses, in line with London Plan Policy GG1.
- 7.18 The space has been designed to be easily entered and used by all, and has mitigated potential disabling barriers in line with London Plan Policy D5 'Inclusive Design'. The existing access routes have been retained and enhanced, and access is convenient from town centre via the Riverside Walk and the High Street, in accordance with Paragraph 104 of the NPPF. The development opens up a key space within the riverside environment and enhances the Thames Path, as required by London Plan Policy SI 16 and the Kingston Riverside Public Realm SPD.
- 7.19 Ample space for access and movement in the form of wide, level pathways has been left between features. A choice of seating provides comfort for a range of abilities to support greater use of the site for prolonged periods of time. The layout of seating elements and planters mark out clear flows of movement through the highly permeable site. It is easy to understand and travel through, thanks to the wayfinding and placemaking elements combined with good visual permeability. The landscape strategy features clear stemmed trees in central areas of the site, so as not to block views to the river and across the space.
- 7.20 London Plan Policy D8 recognises that the creation of an engaging public realm with different opportunities for use is critical to ensuring that space is accessible. The proposed development is very flexible and presents a great variety of potential uses. There are more private areas for relaxation and quiet connection with nature, formal and informal play spaces, and flexible space for community activities and table tennis. People will be able to use the space however they choose, and it will provide different functions for different users.
- 7.21 Policy at all levels generally promotes cycling and the provision of supporting infrastructure. The three existing cycle stands will not be retained. Their inclusion is incongruous as cycling is not permitted along the relevant portion of the Riverside Walk. The stands were installed before the construction of the Portsmouth Road Go-Cycle route, which has provided a segregated bike lane along the river to the town centre, and therefore encourages cyclists to use this safe route, and not the lower tow path & Riverside Walk. This



will minimise the scope for conflict between pedestrians and cyclists, in line with NPPF Paragraph 116.

7.22 The provision of cycle parking was also discussed with the Metropolitan Police and RBK Community Safety Officers at a Town Centre Innovation meeting held on the 29th of January 2024. It was noted that there is a high level of cycle theft in Kingston, and that the provision of cycle parking spaces at Eagle Brewery Wharf would not be a secure option. The Metropolitan Police Designing Out Crime representative advises that these should be removed from the site, and this was agreed by the Community Safety and Resilience Principal. In light of these circumstances, the exclusion of cycling infrastructure is considered acceptable.

7.23 The proposals have been carefully considered to promote public safety, as required by Paragraph 96 of the NPPF and local policy. Paragraph 8 of the NPPF states that for places to be inclusive, accessibility should not be undermined by safety concerns. Paragraph 96 states that feelings of unsafety should not discourage active and continual use of public space or undermine community cohesion. Anti-social behaviour has been an issue on the site in recent years, and therefore safety has been a particular concern.

7.24 The general activation and increased social use of the space will provide greater levels of active surveillance and will animate the site which will promote feelings of safety. This will be balanced against more specific safety interventions, including more lighting and the retention of CCTV.

## **Heritage**

7.25 Paragraph 135 of the NPPF requires that development is sympathetic to local character and history and establishes a strong sense of place. The London Plan reinforces the aims of the NPPF and requires development proposals to be sympathetic to heritage assets and to conserve their significance.

7.26 The accompanying Heritage Assessment finds that the proposed development will have a positive effect on the character and appearance of the Kingston Old Town Conservation Area, meeting the requirements of K11 of the Kingston Town Centre AAP. The existing positive contributions made by the space from its open characteristics and views from the High Street to the river will be retained, whilst the visual appearance of the site will be considerably improved by the enhanced greenery and materials used.

7.27 The proposals for EBW set out a positive strategy for the conservation and enjoyment of the historic environment in which it sits, in accordance with Paragraph 196 of the NPPF. The scheme exemplifies the wider social and environmental benefits that conservation of the historic environment can bring and draws upon the heritage of the site to bring distinctiveness and contribute to local character. Improving the existing public open space offers an opportunity for greater public enjoyment of the Conservation Area and enhances the waterside character and heritage value of the area, in line with Core Strategy Policies DM12 and DM7.

7.28 Core Strategy Policy CS8 seeks to ensure that new development recognises distinctive local features and has regard to the historic environment. Policy DM12 requires that design details of a site consider and respect features of special interest. Heritage considerations

have led the development of the design proposals for Eagle Brewery Wharf and are intrinsic to the placemaking strategy. The materiality links back to the site's industrial maritime roots, historic plaques will be retained in prominent locations, and other artistic design details including engravings of poetry celebrate the past. The precise details of the public artwork to be included can be further discussed and made subject to a condition. The swift tower installed in place of the brewery's chimney creates a unique landmark. Native species including Wall Barley has been included in the planting scheme to reflect the site's previous use as a brewery. The design shows a clear relationship with and understanding of the site's heritage. It identifies and utilises distinctive place features to create a strong sense of identity and place on the site, as required by London Plan Policy D3.

7.29 Overall, the proposed development represents high quality design which relates positively to and celebrates the historic environment in accordance with relevant policy.

### **Ecology and biodiversity**

7.30 The NPPF states that development should contribute to and enhance the natural and local environment, protecting and enhancing valued landscapes and sites of biodiversity value and providing net gains for biodiversity (paragraph 180). London Plan Policy G6 requires development proposals to secure a biodiversity net gain. Core Strategy Policy DM6 states that development should protect and promote biodiversity. Policy across all levels requires that opportunities to enhance biodiversity should be integrated throughout proposed development.

7.31 The Kingston Riverside SPD (2018, paragraph 3.7.5) recognises a lack of ecological diversity along the town centre riverside and outlines a vision to 'green' and naturalise the area. The existing site is of low ecological value.

7.32 The scheme has been based on recommendations provided by the Surrey Wildlife Trust and RBK Biodiversity Officers. The proposed development increases the proportion of soft landscape coverage on site from 195m<sup>2</sup> to 317m<sup>2</sup> to create a rich, green and biodiverse open space. Native species including flowering lawn, semi-natural grassland, trees and shrubs will be complemented by non-native species to enhance tolerance to climate change and provide pollen and nectar across the year. Specific habitat interventions will be implemented including the swift tower, bird/bat boxes, loggeries, an insect hotel and SuDs features.

7.33 The proposals more than double the number of trees on site. An Arboricultural Survey and An Arboricultural Impact Assessment, Method Statement and Tree Protection Plan have been prepared by PJC Consultancy. The two trees that will be removed are Category C, unremarkable trees with limited value. The higher value trees will all be retained, and their settings enhanced. The Assessment concludes that subject to the tree and root protection measures detailed within the method statement being adhered to, the proposals will have a minor impact on the amenity of the locality in so far as it is contributed to by trees. Furthermore, the report states that as the proposed new planting establishes it will progressively make a positive contribution to the age and species diversity of trees in the area, to the extent of local canopy cover, and to general amenity of the area.

7.34 An Ecology Report and an Ecology Design Comment have been prepared by Surrey Wildlife Trust Ecological Services. The Ecology Design Comment is included at Appendix 2. It

demonstrates that biodiversity has been a key consideration, and states that the proposal will result in a net increase in available habitat niches for a wide range of urban wildlife to use compared with the site's baseline.

7.35 Lighting has been carefully considered based on Dark Sky Principles to minimise disturbance to wildlife, as set out in the Lighting Assessment submitted with the application. An initial Outdoor Lighting Report prepared by RBK accompanies this application and details the layout and styles of outdoor lighting proposed.

7.36 A Construction Management Plan has been submitted and details how disturbance to the environment and the community during the construction phase will be mitigated. The Plan details how the site will be accessed, how traffic will be managed, and the proposed hours of operation.

7.37 Overall, the proposed development will significantly enhance the site's ecology and will result in a biodiversity net gain.

### **Flooding and drainage**

7.38 Paragraph 173 of the NPPF states that development should incorporate sustainable drainage systems. The London Plan promotes implementation of carefully designed drainage that provides multiple benefits (Policy SI 13). Core Strategy Policy S12 states that natural flood risk management methods should be employed due to their multiple benefits, including flood storage and habitat creation.

7.39 The SuDs strategy for the site is detailed in the DAS and the accompanying Levels and Drainage Strategy Plan (drawing number 827-FH-XX-00-DP-L-301). It seeks to reuse existing gullies along the riverfront and implement new measures including a swale for the attenuation of water and to provide a habitat niche.

7.40 In compliance with the NPPF and local policy a Flood Risk Assessment (FRA) prepared by Graphic Structures accompanies this application. The FRA concludes that the proposed net decrease in impermeable area of the site, the increased proportion of soft landscaping and the incorporation of attenuation features including the swale will slow flows of water in the event of flooding, which would result in a benefit to downstream flood risk. The site is appropriately flood resistant and resilient, such that it could be quickly brought back into use without significant refurbishment.

### **Contamination**

7.41 Paragraph 189 of the NPPF requires that any potential risks in relation to contamination and pollution arising from former activities on sites proposed for development are assessed.

7.42 To meet this requirement, A Phase-1 Geo-Environmental Desk Study has been carried out by Southern Testing Environmental & Geotechnical. This initial study showed evidence of soil contamination relating to the site's industrial history. Therefore, this has been followed by Phase-2 Contamination Investigation, and a Ground Investigation & Risk Assessment Report prepared by Southern Testing Environmental & Geotechnical accompanies this application.

- 7.43 The Report concludes that the material tested has not been found to be chemically contaminated with respect to human health. It suggests that as a minimum, a 300mm depth of certified clean imported soils are provided within all areas of proposed soft landscape to ensure suitable growing conditions for the proposed plants and trees.

### **Archaeology**

- 7.44 The site is within the designated Kingston Town Tier 2 Archaeological Protection Area, which should be conserved in accordance with relevant policy across all levels. An Archaeological Desk-Based Assessment has been prepared by Lichfields and is submitted as part of this application, to meet the requirement set out in Paragraph 200 of the NPPF.
- 7.45 The Assessment recommended further archaeological investigation in the form of archaeological monitoring of trial pits undertaken as part of the phase II geo-technical work. The locations and depth of the pits and methods of monitoring and recording were agreed with the Greater London Archaeology Advisory Service (GLAAS) through a Written Scheme of Investigation prepared by Pre-Construct Archaeology (PCA). PCA have reported back initial findings to GLAAS confirming that modern made-ground was encountered within all of the trial pits.
- 7.46 Once issued, PCA's final report will be submitted to the local authority and GLAAS during the determination of the planning application. It is anticipated that the report will confirm that the proposed development would not extend below the existing depths of modern made-ground and therefore no further archaeological investigation is required.

## 8.0 **Conclusion**

- 8.1 This application seeks planning permission for exemplary high quality public realm improvements that showcase heritage-led regeneration of a key riverside space and sets a precedent for design quality, accessibility and inclusivity in the borough.
- 8.2 The proposals will create a beautiful and activated space where everyone can unwind, enjoy and connect with nature. The application presents a significant improvement to an existing public open space, which will deliver multiple environmental and social benefits.
- 8.3 The proposals have been subject to extensive consultation and engagement, and the design has evolved in response to feedback from RBK and the local community. This Planning Statement assesses the proposed development in the context of relevant national and local planning policy. This statement should be read alongside the various other reports which accompany the planning application.
- 8.4 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Statutory Development Plan unless material considerations indicate otherwise. As we have demonstrated in this Planning Statement, the application proposal accords with the Statutory Development Plan and should therefore be granted planning permission without delay. There are no other material considerations which indicate otherwise.

## **Appendix 1 – Planning Policy Matrix**

Policy	Synopsis
<b>National Planning Policy Framework (2023)</b>	
<p><b>Paragraph 8</b></p>	<p>At the heart of the NPPF is a presumption in favour of sustainable development. Achieving this means that the planning system has three overarching objectives:</p> <p>a) economic – to help build a strong economy by supporting growth and innovation</p> <p>b) social – to support strong, vibrant and healthy communities by fostering well-designed, beautiful and safe places with open spaces that reflect current and future needs and support communities’ health, social and cultural well-being</p> <p>c) environmental – to protect and enhance our natural, built and historic environment by improving biodiversity and adapting to climate change</p>
<p><b>7. Ensuring the vitality of town centres</b></p> <p>Paragraph 90</p>	<p>Planning policies/decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.</p>
<p><b>8. Promoting healthy and safe communities</b></p> <p>Paragraph 96</p>	<p>Aim to achieve healthy, inclusive and safe places which:</p> <p>a) promote social interaction</p> <p>b) are safe and accessible, so that crime and disorder do not undermine quality of life or community cohesion e.g. high quality public space which encourages active and continual use of public areas</p> <p>c) enable and support healthy lifestyles</p>

<p><b>Paragraph 101</b></p>	<p>Public safety should be promoted. The layout and design of development should be informed by most-up-to date information available from police/other agencies about nature of potential threats/implications, appropriate and proportionate steps should be taken to ensure public safety</p>
<p><b>Paragraph 102</b></p>	<p>Access to a network of high quality of open spaces is important for the health and well-being of communities, and can deliver wider benefits for nature and to address climate change</p>
<p><b>Paragraph 104</b></p>	<p>Public rights of way and access routes should be protected and enhanced</p>
<p><b>9. Promoting sustainable transport</b> Paragraph 116</p>	<p>Applications for development should give priority to pedestrian and cycle movements, create places that are safe, secure and attractive which minimise scope for conflicts between pedestrians and cyclists, avoid unnecessary street clutter</p>
<p><b>12. Achieving well-designed and beautiful places</b></p>	<p>Creation of high quality, beautiful, sustainable places is fundamental to what planning should achieve.</p>
<p><b>Paragraph 135</b></p>	<p>Developments must function well and add to overall quality of the area for their lifetime, be sympathetic to local character and history, establish a strong sense of place, create places that are safe inclusive and accessible not undermined by crime/fear of crime.</p>
<p><b>Paragraph 137/8</b></p>	<p>Design quality should be considered throughout the evolution/assessment of proposals, early discussion is important, applicants should work closely with those affected, LPAs should make appropriate use of tools for improving design of development</p>
<p><b>Paragraph 139</b></p>	<p>Significant weight should be given to outstanding or innovative designs that help raise the standard of design more generally in an area</p>



<b>Paragraph 173</b>	Development should demonstrate that they are appropriately flood resistant and resilient such that it could quickly be brought back into use without significant refurbishment, and should incorporate sustainable drainage systems
<b>15. Conserving and enhancing the natural environment</b> Paragraph 180	Development should contribute to natural and local environment, provide net gains for biodiversity
<b>Paragraph 186</b>	Development whose primary aim is to conserve or enhance biodiversity should be supported, opportunities to improve biodiversity should be integrated in design especially where this can secure BNG or enhance public access to nature
<b>16. Conserving and enhancing the historic environment</b>	Protection/conservation, requires heritage assessment
<b>Paragraph 204</b>	Historic plaques should remain in situ.
<b>The London Plan (2021)</b>	
<b>Policy GG1 Building strong and inclusive communities</b>	Development should help to deliver strong and inclusive communities through encouraging early engagement with stakeholder and communities and the provision of high quality community spaces and amenities. Promotes inclusivity in development and requires buildings to adapt to changing community requirements.
<b>GG3 Creating a healthy city</b>	Assess potential development on well-being of communities, improve access to and quality of green spaces
<b>SD6 Town centres and high streets</b>	Vitality and viability of town centres should be promoted and enhanced, encourages a range of use to meet needs of Londoners

<p><b>SD9: Town centres: Local partnerships and implementation</b></p>	<p>Encourages strategic/local partnership approaches to develop strong, resilient and adaptable town centres, supports town centre strategies, support London’s network of town centres.</p> <p>Regeneration initiatives should contribute to Good Growth by creating more accessible and welcoming public realm</p>
<p><b>D3: Optimising site capacity through the design led approach</b></p>	<p>Requires all development proposals to consider form and layout, quality and character and user experience.</p> <p>Development should respond to existing character of a place by identifying special and valued features and characteristics that are unique to the locality and respect, enhance and utilise heritage assets that contribute towards the local character</p> <p>Developments that show a clear relationship and understanding of distinctive place features are more likely to be successful.</p> <p>Should maximise urban greening and design out crime.</p>
<p><b>D4: Delivering good design</b></p>	<p>Maintaining Design Quality</p> <p>Should provide high level detail and specifics of design, show level of design scrutiny – e.g. design review, show how design quality will be maintained through to completion</p>
<p><b>D5 Inclusive Design</b></p>	<p>Proposals should provide high quality people focussed spaces designed to facilitate social interaction and inclusion, be convenient and welcoming with no disabling barriers, be able to entered/used by all.</p>

<p><b>D8 Public Realm</b></p>	<p>Requires development proposals to explore opportunities to create new public realm where possible. New public realm should be well-designed, safe, accessible and inclusive to all. Proposals should demonstrate how new public realm functions in the existing area.</p> <p>b. ensure the public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain. Landscape treatment, planting, street furniture and surface materials should be of good quality, fit-for-purpose, durable and sustainable</p> <p>h ensure appropriate management and maintenance arrangements are in place for the public realm</p> <p>M create an engaging public realm for people of all ages, with opportunities for social activities, formal and informal play and social interaction during the daytime, evening and at night. This should include identifying opportunities for the meanwhile use of sites in early phases of development to create temporary public realm</p>
<p><b>G6 Biodiversity and Access to Nature</b></p>	<p>Development proposals should aim to secure a biodiversity net gain</p>
<p><b>SI 13 Sustainable drainage</b></p>	<p>Drainage should be designed and implemented in ways that promote multiple benefits including enhanced biodiversity, urban greening, amenity and recreation</p>
<p><b>SI 16 Waterways – use and enjoyment</b></p>	<p>Development proposals along waterways should protect and enhance inclusive public access to and along the waterway front.</p> <p>Development proposals should improve and expand the Thames Path</p>
<p><b>SI 12 Flood risk management</b></p>	<p>Natural flood risk management methods should be employed due to their multiple benefits including flood storage and creating habitats</p>
<p><b>RBK Core Strategy (2012)</b></p>	

<b>Policy KT1 Kingston Town Neighbourhood</b>	Promote the use of SUDs, protect and enhance green and natural environment, and features that contribute positively to the character and identity of Kingston Town.
<b>Policy CS3 The Natural and Green Environment</b>	Seeks to ensure residents have access to an interconnected network of safe, well managed and maintained areas of open space
<b>DM3 Designing for Changing Climate</b>	Proposals should incorporate climate change adaptation measures, incorporate green and blue infrastructure, is a communal space that increases biodiversity/provides flooding attenuation if required.
<b>DM4 Water Management and Flood Risk</b>	Requires inclusion of SUDs
<b>DM6 Biodiversity</b>	Ensure new development protect and promote biodiversity through inclusion of sustainable drainage, tree planting, soft landscaping, habitat enhancement/improvement.  Requires and ecological assessment, and to ensure BNG net gain
<b>CS4 Thames Policy Area</b>	Supports opportunities to improve the riverside walk, improve riverside recreation
<b>DM7 Thames Policy Area</b>	Riverside proposals should preserve/enhance waterside character, heritage value and setting, and provide physical and visual links with surrounding areas
<b>CS8 Character, Design and Heritage</b>	Seeks to ensure new development recognises distinctive local features and character has regard to historic and natural environment, relates well and connects to its surroundings
<b>DM10 Design Requirements for New Developments</b>	Sets out principles of good design

<b>DM12 Development in conservation areas and affecting heritage assets</b>	<p>Seeks to ensure high quality of design, that development respects features of special interest through consideration of form/scale/layout or details designs of a site.</p> <p>Seeks conservation or improvement of natural and built historic environment which contributes to character of Borough's historic riverside setting, and where possible, expands opportunity for public enjoyment of heritage assets</p>
<b>CS 12 Retail and Town Centres</b>	Council will maintain and enhance character of Town Centre
<b>CS 13 Improving Community Health and Well-being</b>	Maximise opportunities to improve public health through recreation and exercise
<b>DM22 Design for Safety</b>	Development should incorporate 'Secured by Design' principles
<b>Kingston Town Centre AAP (2008)</b>	
<b>K9 Design quality in the town centre</b>	Requires highest standard of design, respecting and enhancing environment/character, creation of high quality landscapes spaces
<b>K10 Town Centre Public Realm</b>	Council will pursue high quality, well designed and well connected public realm.
<b>K11 The Old Town Conservation Area</b>	OTCA should be enhanced by development proposals.
<b>K13 Riverside Strategy</b>	Promotes and encourages greater use of riverside and seeks improvements to riverside recreation attractions, quality of riverside development, quality of riverside environment including riverside walk and open spaces.
<b>Riverside Public Realm SPD (2018) – identifies Riverside is underperforming</b>	
<b>3.7.4 Importance of the riverside walk as an open space</b>	The Kingston Open Space Assessment, 2006 identifies qualitative and quantitative shortfalls in open space provision within Kingston Town and highlighted the importance of the riverside walk to residents.

<p><b>3.7.5 A lack of ecological diversity along Kingston’s Riverside</b></p>	<p>The lack of significant green spaces within the town centre, and a lack of diverse riverine habitats limits the potential for biodiversity corridors. These gaps in the network can be addressed through enhancements to streets, parks and the river edge</p>
<p><b>4.2.1 The vision for the riverside walk is to create a connected, high quality, linear park which varies in character from the picturesque to the urban, yet has a coherent identity and is legible and accessible to all.</b></p>	
<p><b>9.0 4.4.1 The vision is to ‘green’ and naturalise the riverbank to support increased biodiversity along the length of the riverside</b></p>	
<p><b>10.0 5.6.1 Vision for Historic Wharves and Market Town The central section of the Riverside from Water Lane / Thames Side to Town End will be an intensively used, urban promenade with strong connectivity to the town’s Ancient Market and medieval street network</b></p>	

**Appendix 2 – Ecology Design Comment,  
prepared by Surrey Wildlife Trust Ecology  
Services**



Date: 30/01/2024

Our reference: 6171-A/Report 3.0

Paul Cohoon  
Regeneration & Economic Recovery  
Royal Borough of Kingston upon Thames  
Email: [paul.cohoon@kingston.gov.uk](mailto:paul.cohoon@kingston.gov.uk)

Dear Paul,

**Re: Eagle Brewery Wharf Biodiversity Design Comment**

Site address: Eagle Brewery Wharf, Ram Passage, Kingston upon Thames, KT1 1HH

Surrey Wildlife Trust Ecology Services (SWT ES) was commissioned by Royal Borough of Kingston upon Thames (RBK) on 29<sup>th</sup> August 2023 to provide a brief comment on the redevelopment project at the above address regarding biodiversity.

Our comment is based on the latest Ecology & Biodiversity chapter of the project design statement, produced by Farrer Huxley in January 2024 (Farrer Huxley, 2024). The statement has been based off recommendations provided in the Ecology Report produced by SWT ES in August 2023 (SWT Ecology Services, 2023), and a subsequent design meeting attended by SWT Ecology Services, Farrer Huxley and RBK.

The design statement has taken into consideration the mitigation recommendations for the operational phase of the project provided in the Ecology Report and subsequent meeting. It has been demonstrated that biodiversity has been taken into consideration alongside other key requirements for the project such as accessibility and landscape character.

The project proposes to create a mixture of more formal landscaping in tandem with semi-natural landscaping, including provision of a swale, which will result in a net increase in available habitat niches for a wide range of urban wildlife to use compared to the site's baseline.

Native planting, including flowering lawn, semi-natural grassland, trees and shrub, has been included alongside non-native species selected to provide tolerance to climate change and flooding, as well as provision of pollen and nectar across the year. Several selected plants produce fruit and nuts which will provide an important food source for urban fauna during the autumn. Non-native trees have been sited away from the semi-natural areas, which ensures that this southern section of the site maintains a more natural structure.

The two target species, reflecting the site's historical use as a brewery, have been fulfilled by native species – wall barley and hop.

Swift Conservation UK has been consulted regarding the design of the proposed swift tower, to ensure that the tower is more likely to be used by swift. Additional enhancements for fauna (including an insect hotel, a loggery and a hedgehog home) will further enhance the site.

Lighting has been considered, applying the 'Dark Sky principles' which have been derived from BCT & ILP's latest guidance for bats<sup>1</sup> and lighting (BCT & ILP, 2023), to avoid negatively

<sup>1</sup> BCT & ILP (2023) Guidance Note GN08/23 Bats and Artificial Lighting At Night.

**SWT Ecology Services**

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impacting any bats using the site for commuting and foraging, and to ensure that the benefit of producing a more productive foraging area with the proposed landscaping will not be negatively affected by a net increase in lighting.

The design statement does not detail mitigation during the construction phase. If the avoidance and mitigation measures recommended in the Ecology Report (SWT Ecology Services, 2023) are followed, then the project will avoid any significant negative impacts on protected habitats and species, and those of conservation concern during this phase of the project.

Kind regards,

Jenny Dawson MChem (Hons) MSc – Senior Ecologist

Reviewed by: Harriet Baber BSc (Hons) – Senior Ecologist

### References

BCT & ILP. (2023). *Guidance Note 08/23: Bats and artificial lighting at night*. London & Rugby: BCT & ILP.

Farrer Huxley. (2024). *Eagle Brewery Wharf Ecology and Biodiversity*. Farrer Huxley.

SWT Ecology Services. (2023). *Ecology Report, Eagle Brewery Wharf (6171-A/Report 1.1)*. SWT Ecology Services.

## Appendix 3 – RBK Jubilee Square Management Plan Draft Contents



### Management Plan Draft Contents

#### 1. Maintenance:

##### a. Street Cleansing

Detailing specification for street cleansing and contract for street cleansing services.

##### b. Planting:

###### i. Planting beds (ground level)

Detailing specification for landscape maintenance and contract for landscape maintenance services.

###### ii. Raised planters

Detailing roles and responsibilities for community management of these areas.

##### c. Street furniture

Detailing maintenance responsibilities for street furniture.

##### d. Water/ power connections

Detailing maintenance responsibilities for water and power connection points.

##### e. CCTV

Detailing maintenance responsibilities for CCTV cameras.

##### f. Lighting

Detailing maintenance responsibilities for street lighting.

#### 2. Bins Collection

Detailing specification for bin collection and contract for these services.



3. Monitoring:

a. Crime:

Crime data to be reviewed 6 and 12 months after construction. If there is a significant rise in ASB and crime or change in type of crime (level to be agreed with the police), a hard to scale but visually permeable 1.8m fence will be installed around the edge of the site to lock the site from dusk to dawn as originally advised.

Details on trigger levels of crime for this measure to be implemented to be added following discussion with the police.

b. CCTV

There will be CCTV coverage across the site as shown in the CCTV location plan. Recordings from these cameras will be kept by the Council and reviewed in the event of crime.

c. Cyclist use of link

Cyclist use of the pedestrian only link will be reviewed through video surveys 6 and 12 months after construction and further measures brought in to deter cyclists from using this route if required.