

## **Planning Application 15/4455/FUL Response by FORCE**

### **Introduction**

This document sets out the response of Friends of the River Crane Environment (FORCE) to the planning application 15/4455/FUL by the Rugby Football Union (RFU) at the Twickenham Stadium site. The specific issue of concern to FORCE is the proposal to install new and replacement fencing along the western boundary of the RFU site with the pathway along the Duke of Northumberland's River (DNR).

The proposals put forwards by the RFU are comparable to those set out in Planning Application 15/1691/FUL. The FORCE response to that application is provided in Appendix A and remains of relevance to this current application.

The background to FORCE and the DNR is outlined below:

- FORCE is a local charity, formed in 2003 with over 500 members. FORCE has a remit to protect and enhance the value of the corridors of the River Crane and Duke of Northumberland's River
- The DNR runs for four kilometres between the River Crane at Kneller Gardens, Twickenham, and the River Thames in Isleworth. It is an artificial channel of considerable historical interest. It was constructed in the 1540's and continues to provide a water supply to the lakes of Syon House
- The DNR is also a feature of Borough level environmental importance in both LB Richmond and LB Hounslow and is designated as a Borough Site of Importance for Nature Conservation in both boroughs. It is also Metropolitan Open Land
- FORCE has had an active interest in the Duke of Northumberland's River, as a key part of the River Crane catchment, for many years
- The river runs alongside the western boundary of the RFU site for around 700 metres. This part of the corridor is of particular environmental value, being home to water voles and bats – both protected species. The pathway along this reach is very narrow however, and in many places is only a metre or so wide, making it impossible to walk with a buggy or wheelchair, walk two abreast or use by bicycle
- The narrowness of the corridor is a major concern for FORCE. It effects its value as a community resource and any attempt to increase its use at this width will inevitably impact upon its environmental value
- The narrowness is effectively reducing the value of the corridor for local people and discouraging them from using it. A recent day's usage survey by the Duke's River project recorded over 200 people using the Duke's River path through Mogden Sewage Works whereas only around 20 used the comparable (and much more attractive) RFU-side pathway

There is a considerable history to this application and this is outlined below:

- FORCE has been seeking to engage with the RFU for many years regarding the environmental and community value of the DNR and how this is compromised by the narrowness of the pathway along it
- FORCE has sought over this time for the RFU to step back its fence to allow a wider pathway to be provided whilst not compromising the environmental value of the

corridor. This would be as per agreements with Harlequins RFU and LB Richmond (at the depot site) further upstream along the DNR

- In 2013 the RFU proposed to build new infrastructure alongside the DNR fence 13/2130/FUL and, in mitigation for the impact of this, proposed a green wall on the western side of the proposed energy centre and, of most value, to set back the fence by around two metres along the 200 metre length of this new development. FORCE were supportive of this proposal on balance, as we considered the beneficial impact of widening the pathway outweighed the impact of the new structures. FORCE wrote a supportive response to the application and spoke in support at two subsequent planning committee meetings
- Permission was finally granted and the buildings and associated infrastructure constructed in 2014. The fence was initially stepped back and cables attached to the main building to support a green wall. However, in early 2015 a new temporary fence was installed on the line of the old fencing and the green wall remains unplanted
- Earlier this year a new application was submitted to replace the old fence with a new fence (15/1691/FUL), effectively removing the mitigation benefits agreed from the 2013 application. FORCE responded objecting to this application (see Appendix below) and the council refused permission
- This autumn the RFU went ahead and installed the new and higher fence – notwithstanding the fact that planning had been refused. This work started during the Rugby World Cup and was completed in the days leading up to the Final
- This latest application 15/4455/FUL is essentially a retrospective application – not only for the CCTV cameras but also for the new fence line

FORCE objects to this application – and the remainder of this document sets out the reasons for this objection.

### **Reasons for the Objection**

1. The application 13/2130/FUL was granted subject to various mitigation requirements – principal among these being the stepping back of the boundary fence along a 200 metre length of the boundary. The purpose of this was to mitigate the impact upon MOL and open-ness of the corridor in this location. A further mitigation was to plant a green wall along the western wall of the new structure.

The scheme under this application has been built out and has a significant detrimental impact upon the open-ness and character of this part of the DNR corridor. As well as the bulking of the scheme it is also lit at night and emits a significant level of noise. Neither of these latter two factors were anticipated by FORCE at the planning stage. These factors have a further detrimental impact upon the character of the corridor as well as its value as a night time habitat for bats. The importance of this impact has been considered as part of a recent Bat survey conducted under the Duke's River project and reported to LB Richmond in 2015 (copy attached).

This application would in effect ensure that the mitigation agreed as part of the previous application were largely removed – and does not seek to provide any replacement mitigation.

2. The application 15/1691/FUL set out a broadly similar proposal for replacing the existing fence line. This application was refused by the council. The RFU subsequently installed the fence despite this refusal.
3. The primary reason set out by the RFU for this application is the concern regarding security for the site. FORCE does not wish to see the RFU compromise its security, though we would note:
  - Security was surely a factor when deciding where to place the energy centre in 2013. In this case why was it placed next to the external perimeter?
  - Outside of the World Cup event there is full public access on the RFU side of the main perimeter fence. Therefore the security issue does not seem relevant to the main part of the site as it is currently operated
  - During the World Cup it was noted that a number of apparently sensitive operational components were located alongside this perimeter fence by the RFU including – power ducting attached to the external fencing and temporary cooling units with switching directly adjacent to the external fencing. This approach to the boundary of the site was not consistent with a security concern along this boundary (see photo 1)

Most relevant from a planning perspective, meeting security concerns does not stop the RFU from proposing alternative mitigation options to counter the impact of (1) the energy centre and associated infrastructure (2013 permission) and (2) the replacement – and the new and higher - fence proposed under this permission. However, no attempt has been made to provide any alternative mitigation to these impacts.

4. The new fencing is higher than previously installed. It thereby provides an enhanced canyon effect along the boundary of the site, adding to the already oppressive nature of the boundary with the RFU and further impacting upon the character of the MOL.
5. The new fencing has been attached to the outer side of the posts for the existing fencing. It therefore further actively reduces the corridor along its entire length. In some places, especially where the fence is not straight, the new fence line encroaches by many centimetres into public open space. This is illustrated in photo 2 below.

### **Further comment**

FORCE has attempted to engage with the RFU over many years regarding the stepping back of the fence line so as to provide an improved river corridor for local people and the environment. The agreement as part of 13/2130/FUL was a first movement by the RFU in this direction and was supported by FORCE. The activities of the RFU over the last 12 months have therefore been particularly disappointing. This latest application is the culmination of actions over the last 12 months that have shown no regard for:

- The requirements of the 2013 application 13/2130/FUL
- The decision of the planning authority with respect to the 2015 application 15/1691/FUL
- The needs of the local community

- The impact upon the local environment

The latest proposals make no attempt to mitigate the cumulative impact of the 2013 development or the new fencing (installed despite a refused planning permission) upon the community and environment.

The RFU has been made well aware of the aspirations, as part of the Duke's River project, for a wider and improved river corridor along the 700 metre reach adjacent to its site. These aspirations are supported by LB Richmond and LB Hounslow as well as the Environment Agency and the GLA. This application would have provided an ideal opportunity to provide such an agreement as a mitigation for the scheme, with no implications for the security of the site. However the RFU has not proposed any such mitigation.

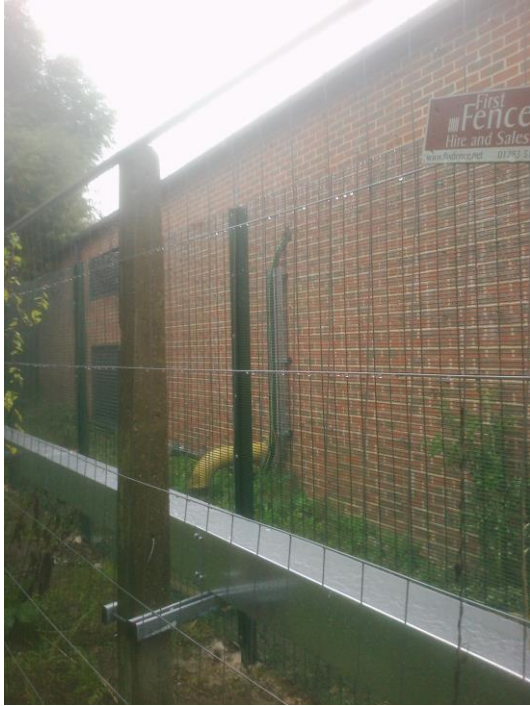


Photo 1: Old external fence posts with new temporary fencing attached and ducting with power cables attached to the old posts

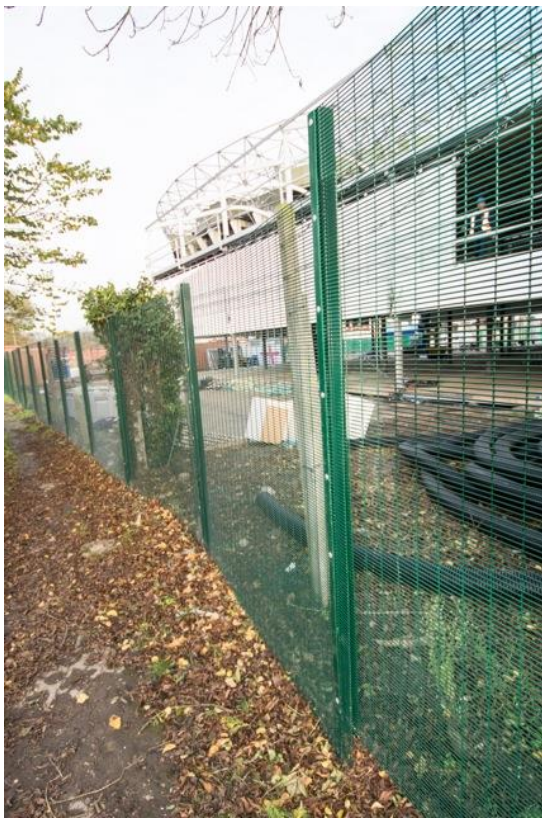


Photo 2: New fencing installed outside the line of the existing fence posts

**Appendix A**  
**Planning Application 15/1691/FUL**  
**Response by FORCE**

The Friends of the River Crane Environment (FORCE) is a local environmental and community charity, set up in 2003 and with over 500 members. FORCE has a keen interest in both the Crane and the Duke of Northumberland's River (DNR) corridors. We are responding to this application as it has an impact upon the DNR corridor.

FORCE is objecting to this application on the following grounds:

1. FORCE has had a key involvement in the DNR over many years and is the main local community group with such an involvement. FORCE was an active party to previous applications by the RFU along this corridor and has met with the RFU and council to discuss issues along the corridor on many occasions. FORCE was also a key supportive party to the previous RFU planning application for this site 13/2130/FUL. The history of this involvement is set out in more detail in the letter to the Council leader and CEO copied below as Appendix A.

Despite this involvement the RFU has not at any time mentioned this proposal to FORCE and neither the RFU nor the Council planners informed FORCE about the application when it was submitted. As a result we have not had sufficient time to respond to this application as we would wish and we consider this to be contrary to the requirements of the planning legislation.

2. The failure to contact FORCE before or at the point of this application has meant that we have not been able to fully evaluate this application or consider properly the community and environmental impacts of it.
3. The part of the proposal to which we have prime objection seeks in essence to remove the public benefits of a previous application 13/2130/FUL. The development under this application has been built out and the benefits; to include setting back the fence for more public access, landscaping and a new green wall; have not been implemented. FORCE was supportive of the application due to these benefits – key to these being the setting back of the fence - and without them we would have objected to it.
4. The reasons given for the proposal are based on security. However, the need for security was known at the time of the previous application and could therefore have been built into this. Instead, the previous development was placed very close to the fence line with the public space.
5. The proposal includes a new fence along the entire length of the RFU boundary with the DNR. This boundary already creates a very narrow and oppressive pathway along this part of the Duke's River walk and we have approached the RFU on a number of occasions with a view to creating a safer and more pleasant environment along this corridor – but to no avail. Reviewing the security along this margin provides an ideal opportunity to also improve the public realm and environment along this corridor – and this opportunity is not being taken.

6. There is no consideration of the environmental or community impact of the proposals in the application. We note in particular that water voles are present in the adjoining river bank and bats are present in the corridor.

E-mail correspondence from FORCE on 16<sup>th</sup> June 2015

Dear Ms Norton and Cllr Lord True,

I am writing to express FORCE's deep concern regarding RFU actions in relation to the Duke of Northumberland's River (DNR). In 2013 we were contacted by the RFU in advance of a planning application to build new infrastructure adjacent to the DNR pathway. The proposal included an agreement to set back the fencing along the length of the development with associated landscaping and a green wall. The widening of the DNR pathway along the RFU boundary has been a long term objective of ours, so we spoke in support of the application in principle when it went to planning committee in 2014, and the scheme subsequently received permission.

Later in 2014 we identified the London Mayor's Big Green Fund as an opportunity to improve the DNR and developed a proposal with support from LB Richmond, LB Hounslow and the Environment Agency. The RFU World Cup 2015 team approached FORCE around the same time with a project to create four new carved benches with local Richmond and Hounslow schools, display these around the ground during the World Cup and subsequently put them along the DNR as a permanent feature. Accordingly we put this into the Mayor's application as one of the match funding elements.

In March this year we heard of our success with the Big Green Fund project and the project itself is now up and running under the management of LB Richmond and with a total funding pot of over £400,000. We had not heard back from the RFU however, despite several contact attempts, until last month when new WC 2015 representatives requested a meeting. This revealed they had no awareness of the benches project and no clarity around how it might proceed. As a result we felt we had to cancel that project as we had no confidence that the funding would be in place in time and did not wish to further disappoint the local schools we had already engaged with.

It turned out that the main purpose of the WC 2015 meeting, from their perspective, was sounding us out on the potential to close off public access along the DNR completely for the duration of the World Cup. We were not supportive of this proposal. Whilst at this meeting however we also requested an update on the progress of the previous planning application. We had seen that the works on site were largely complete, and the old fence had been removed as required - but a temporary heras fence had been put in its place and no progress had been made on the landscaping or green wall elements. The WC 2015 team did not know about this scheme and agreed to enquire about it.

We did not hear anything further though from the RFU - and we were both surprised and angered to discover just two weeks ago, from a third party, that the RFU had in the interim made a new planning application to LB Richmond that proposes to re-build a second fence and make it higher than previously - at the same time replacing and strengthening its existing fence line along the entire DNR reach. The links to this new application, and the previous planning history, are provided below along with a photo of the site. Note that FORCE were not informed about this application by the RFU or the



council despite our long involvement with both the RFU and the DNR, and our previous direct involvement with this development.

In our view this application seeks to revoke the key public benefits provided as part of its previous planning premission and to add new impositions on the DNR corridor. The justifications given are in our view spurious, and would all in any case have been known about in advance of the initial application. The approach appears to be of a piece with the RFU's overall approach to the DNR improvement project being both unscrupulous and contrary to the public good.

The most frustrating aspect of all this is that there is a great opportunity here for the RFU to engage constructively with both Richmond and Hounslow councils and other partners to deliver major benefits along the DNR, linking Twickenham to Isleworth along an improved green route. This, with over £400,000 funding already in place, would create a major World Cup legacy on the RFU's doorstep.

FORCE has exhausted its capacity to influence the RFU alone - and intends to object to this latest application in the strongest terms both through the planning process and in the local media. We are writing to you in a final attempt to engage directly with the RFU through your offices and see if there remains an opportunity to deal with these matters in a reasonable and mutually beneficial manner. Note that the planning web-site states a decion is due on this latest application on 17th June,

Yours sincerely  
For and on behalf of FORCE Trustees

Rob Gray  
Chair

Copied to Ian Ritchie RFU CEO



This photo, taken last month, shows: (1) the posts from the old outer fencing and the heras fencing (2) the inner fencing with the large and obtrusive facilities immediately behind and (3) the very narrow existing footpath

The RFU application for proposed security fencing which has been submitted for determination:

[http://www2.richmond.gov.uk/plandata2/Planning\\_CASENO.aspx?strCASENO=15/1691/FUL&DocTypeID=41#docs](http://www2.richmond.gov.uk/plandata2/Planning_CASENO.aspx?strCASENO=15/1691/FUL&DocTypeID=41#docs)

The previous planning history for the relocation of the fence, this is as follows:

**Ref: 13/2130/FUL**

[http://www2.richmond.gov.uk/plandata2/Planning\\_CASENO.aspx?strCASENO=13/2130/FUL&DocTypeID=28#docs](http://www2.richmond.gov.uk/plandata2/Planning_CASENO.aspx?strCASENO=13/2130/FUL&DocTypeID=28#docs)

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