

STATEMENT OF COMMON GROUND (UPDATED December 2025)

APPEAL REFERENCE APP/L5810/C/23/3333609

DATE OF INQUIRY 13 January 2026

SITE ADDRESS AND DESCRIPTION OF THE DEVELOPMENT

Pontoon at Richmond Bridge, Riverside Richmond

APPELLANT Turk Launches Limited

LOCAL PLANNING AUTHORITY: London Borough of Richmond Upon Thames

This statement of common ground has been updated to address the following areas of agreed common ground between the appellant and the Council in relation to the grounds a, f and g:

1. Description of the site and area
2. Planning history of the site
3. Development plan (including relevant policies)
4. Areas of agreement
5. Areas of dispute
6. List of possible conditions and the reasons for them
7. Relevant appeals and case law

1. **Description of the site and area**

- 1.1 The appeal site comprises the pontoon at Richmond Riverside, Richmond upon Thames, and consists of a single pontoon, accessed by a gangplank with a security gate from the pedestrian riverside footpath. The pontoon provides the only means of access from land to the Jesus College Barge, which is moored to the pontoon. It also provides safe access for river users (of all ages and abilities) to embark/disembark boating vessels. The pontoon is secured in this tidal location by two mooring posts at upstream and downstream ends.
- 1.2 The pontoon is owned by the appellant. A lease is in place from the Crown Estate and the Port of London Authority (PLA) to allow its siting

between the permanent moorings within the River. The Jesus College Barge is operated as a restaurant, Peggy Jean part of the Daisy Green hospitality portfolio.

- 1.3 The site is within the setting of the Grade I listed Richmond Bridge and is located within the Richmond Riverside Conservation Area and Metropolitan Open Land (MOL).

2. Planning history of the site

- 2.1 The relevant planning history of the site is:

- 85/0139 – Engineering operations in connection with the location of a floating pontoon for use of hiring out motor boats and rowing skiffs. GRANTED
- 89/1632/FUL – Erection of a new security gateway leading to existing pontoon. GRANTED
- 92/0659/FUL – Mooring of Jesus College Barge Against R J Turk Pontoon for Use as a Restaurant below and above deck. GRANTED
- 93/1734/FUL- Erection of a canopy over gangplank to match that on Jesus College Barge. GRANTED
- 93/1735/LBC- Provision of Gas, Water and Electricity supplies to the Jesus College Barge Run within Boathouses from River Terrace Restaurant, thence via riverside path to barge. GRANTED
- 01/1079 – Proposed relaxation of condition no.5 of planning permission 92/0659/FUL GRANTED

- 2.2 Since the 1985 consent, the pontoon is also used for water-based activities by several local charities, clubs and businesses. The pontoon currently provides mooring and landing, storage and related facilities for these operations as well as the provision of a kitchen and additional outdoor tables and chairs to enable dining for the restaurant.

- 2.3 Planning permission for permanent mooring the barge against the pontoon and use of the Jesus College barge as a restaurant above and below deck was granted by the Council in 1992 (92/0659/FUL). The location plan (3/1329/01) referred to in the permission shows the pontoon and local area, but council records only include a black and

white copy, so no red line is identified. There is a clear thicker line which is drawn around the gangplank, pontoon, Jesus College Barge and River Terrace Restaurant situated in Tower House (Inset plan 3/1329/02 Rev A).

- 2.4 The Jesus College barge is moored at the pontoon. The barge and pontoon are used by a restaurant called Peggy Jean Riverside. Peggy Jean has been operating at the site since July 2022.

3. Development Plan (including relevant policies)

- 3.1. For the purposes of this appeal the development plan comprises the London Plan 2021 and the Richmond Local Plan which was adopted in October 2025.
- 3.2. Richmond town centre is identified as a 'major centre' within the London Plan 2021.
- 3.3. The appeal site is located by the riverside, adjacent to an area of designated open space (Local Plan Policy 37). It is adjacent to the 'town centre' as identified within the policy maps but is not within the town centre.
- 3.4. London Plan policy G3 Metropolitan Open Land and Local Plan policy LP35 afford MOL the same level of protection as Green Belt.
- 3.5. The site is within a River Corridor for the purposes of Local Plan policy LP 40 and is within the Thames Policy Area.
- 3.6. It is agreed that the appeal site context/backdrop is riverside in nature and character, adjacent to a designated area of public open space and a metropolitan town centre
- 3.7. London Plan policy G3 on MOL, Local Plan policy LP35 on MOL, Local Plan policy 34 on Green and Blue Infrastructure (Strategic Policy) are relevant.
- 3.8. Local Plan Policy 28 on Local Character and Design Quality and Local Plan Policy 19 on Managing impacts are relevant.

- 3.9. Openness and Character of the Views of the River are the subject of Local Plan policy 31, 41.
- 3.10. Local Plan Policy 40 on Rivers / River Corridors, and London Plan policy SI 16 on Waterways are relevant.
- 3.11. Regarding light pollution, Local Plan Policy 53 Local Environmental Impacts are relevant.
- 3.12. London Plan Policy D12 with regard to fire safety is relevant.

4. Items of agreement

- 4.1. A pontoon was granted planning permission to be moored in this location in 1985.
- 4.2. The Jesus College barge can only be accessed via the gangplank and pontoon. The river related users also use the gangplank and pontoon for access and storage.
- 4.3. It is agreed that there have been no reports of harmful impacts in terms of noise, odours and fumes from the restaurant, and these could be controlled by condition. It is agreed that a condition (no. 7 below) can address external lighting in order to protect local river ecology.
- 4.4. It is agreed that the barge sank in April 2015 and had to be taken off site for repairs. It returned to the site in May 2022. During this period there was no restaurant use at the pontoon at all.
- 4.5. It is agreed that the pontoon has had structures on it to include sheds at the downstream and upstream ends. This is then identified in historic photographs before the Inquiry.
- 4.6. It is agreed that works were carried out to the pontoon in 2021, which resulted in an increase in height and the installation of a commercial kitchen below deck. It was returned to the site in early 2022 and restaurant use started again shortly after, as part of Peggy Jean restaurant.

4.7. The length and width of the pontoon are agreed between the parties.

4.1 It is agreed that the Peggy Jean employs people and attracts visitors to the restaurant.

4.2 It is agreed that the pontoon provides an opportunity for safe river access for boat users.

5. Areas of dispute

5.1 Given the current inquiry will only focus on grounds a, f and g. The areas of dispute have been updated to the following.

5.2 It is not agreed that the development enforced against constitutes inappropriate development for the purposes of MOL policy.

5.3 It is not agreed that expired planning application 17/12837/FUL (Granted by the London Borough of Kingston Upon Thames) for Change of use and permanent mooring of the Jesus College Barge for restaurant and cade (Class A3) at the Town End Pier in Kingston Upon Thames, including an extended pontoon and piles into the river bed for access, is relevant.

5.4 Whether there is harm to the openness of the MOL is not agreed.

5.5 Whether there is harm to the identified heritage assets is not agreed, nor whether the public benefits outweigh that harm.

5.6 Whether there is harm to the character of the local area is not agreed.

5.7 Whether the current use of the pontoon represents a reduction in previous river dependent use is not agreed.

5.8 Whether the harm to the MOL and any other harm is clearly outweighed by other considerations is not agreed.

5.9 Whether a Pre-application advice Inquiry submitted in 2021, asking whether planning permission was required to use the pontoon for

restaurant seating is a relevant planning history i.e. reference 21/P0162/PREAPP - The use of the pontoon for Class E (i.e. providing tables, chairs and covers)

- 5.11 Whether the 1992 Committee Report for 92/0659/FUL and any reference within it to 'the town centre location' has any relevance to the current appeal.
- 5.12 It is not agreed precisely how many river users benefit from the river access provided currently via the pontoon.
- 5.13 It is not agreed that there is not a safe alternative access to the river for boat users within the vicinity of the site.

6 List of agreed possible conditions

The following draft conditions are agreed to be appropriate in the event the ground (a) appeal succeeds

1. Hours of use

The Class E (b) use of the pontoon hereby approved shall be restricted to the hours of 08:00am -11.00pm Monday to Saturday, and 08.00am to 10.00pm on Sundays and Bank or other Public Holidays.

REASON: To protect the amenity of occupiers of nearby properties, preserve the character of the area and prevent harm to river ecology.

2. Fire safety strategy

Unless within 6 months of the date of this decision a fire safety strategy is submitted in writing to the local planning authority for approval, and unless the approved strategy is implemented within **2 months** of the local planning authority's approval, the restaurant use of the pontoon shall cease and all equipment and materials brought onto the pontoon for the purposes of such use shall be removed until such time as a scheme is approved and implemented.

If no strategy in accordance with this condition is approved within **9 months** of the date of this decision, the restaurant use of the pontoon shall cease and all equipment and materials brought onto the pontoon for the purposes of such use shall be removed until such time as a strategy approved by the local planning authority is implemented. Upon implementation of the approved strategy specified in this condition, that strategy shall thereafter be maintained. In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

REASON: To ensure that the development incorporates the necessary fire safety measures in accordance with the Mayor's London Plan Policy D12.

3. Refuse storage

No refuse or waste material of any description shall be left or stored anywhere on the site other than within upstream end of the pontoon or refuse enclosure by bridge on tow path.

REASON: To safeguard the appearance of the property and the amenities of the area.

4. Demountable and removal furniture

All umbrellas will be collapsed before 8am and after 11pm Monday to Saturday, or 10pm on Sundays and Bank or other Public Holidays.

REASON: To ensure the development preserves the character, appearance and setting of the site and area in general.

5. Odours and fumes

Unless within **6 months** of the date of this decision a scheme for the extraction and treatment of fumes and odours generated from cooking [or any other activity undertaken from the use] on the pontoon is submitted in writing to the local planning authority for approval, and

unless the approved scheme is implemented within **2 months** of the local planning authority's approval, the restaurant use of the pontoon shall cease and all equipment and materials brought onto the pontoon for the purposes of such use shall be removed until such time as a scheme is approved and implemented.

If no scheme in accordance with this condition is approved within **9 months** of the date of this decision, the restaurant use of the pontoon shall cease and all equipment and materials brought onto the pontoon for the purposes of such use shall be removed until such time as a scheme approved by the local planning authority is implemented. Upon implementation of the approved scheme specified in this condition, that scheme shall thereafter remain in use.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

REASON: To safeguard the amenities of neighbouring occupiers and the area generally.

6. External lighting

Unless within **6 months** of the date of this decision a scheme of external lighting mounted on the pontoon, to accord with CIBSE guide LG6 and ILP/BCT Bat guidance note 8 and with no upward lighting or lighting onto the river, open sky, buildings, trees and vegetation, or potential roost features, is submitted in writing to the local planning authority for approval, and unless the approved scheme is implemented within **2 months** of the local planning authority's approval, the restaurant use of the pontoon shall cease and all equipment and materials brought onto the pontoon for the purposes of such use shall be removed until such time as a scheme is approved and implemented.

If no scheme in accordance with this condition is approved within **9 months** of the date of this decision, the restaurant use of the pontoon shall cease and all equipment and materials brought onto the pontoon for the purposes of such use shall be removed until such time as a scheme approved by the local planning authority is implemented. Upon implementation of the approved scheme specified in this

condition, that scheme shall thereafter maintained.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

7. Unless within **6 months** of the date of this decision a scheme identifying those areas of the pontoon to be accessible for mooring of vessels, including deck space to facilitate mooring [and associated storage] and access for users of moored vessels, is submitted in writing to the local planning authority for approval unless the approved scheme is implemented within **2 months** of the local planning authority's approval, the restaurant use of the pontoon shall cease and all equipment and materials brought onto the pontoon for the purposes of such use shall be removed until such time as a scheme is approved and implemented.

If no scheme in accordance with this condition is approved within **9 months** of the date of this decision, the restaurant use of the pontoon shall cease and all equipment and materials brought onto the pontoon for the purposes of such use shall be removed until such time as a scheme approved by the local planning authority is implemented.

Upon implementation of the approved scheme specified in this condition, that scheme shall thereafter be maintained.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

Reason: To ensure the development does not result in a reduction of river related and river dependent uses, in accordance with Local Plan Policy LP18 (River Corridors).

8. The use of the pontoon is restricted to a mixed use, as a restaurant Class E(b), mooring of vessels and associated storage and no other use within Class E is permitted, unless express permission is granted by the Council. REASON: To safeguard the appearance of the locality, to safeguard the amenity of nearby residential occupants and to safeguard the free flow of traffic and local parking stress in the locality.

Signatures

PMV Planning



16.12.2025

London Borough of Richmond

Aaron Dawkins 16.12.2025