

**Our Ref:** LP/KG/23343

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**Date:** 1 September 2017

Ms Charlotte Glancy  
C/O Bank Solutions  
Flat 3 Stanmore House  
118-120 High Street  
Billingshurst  
West Sussex  
RH14 9QS

Dear Ms Glancy,

**LONDON BOROUGH OF RICHMOND – LOCAL PLAN EXAMINATION  
FURTHER STATEMENT IN RELATION TO THE INSPECTOR’S ISSUES AND QUESTIONS  
AMENDMENTS TO THE PROPOSALS MAP  
61 BELMONT ROAD, TWICKEHAM, TW2 5DA**

On the 15<sup>th</sup> of February 2017 we submitted a representation to the Publication Local Plan on behalf of Mr Malachi Trout, the owner of the property at 61 Belmont Road, Twickenham, TW2 5DA. This has been registered as Comment ID 287 in Document No. LBR-LP-002.

Our client wishes to comment further on the unjustified “Metropolitan Open Land” and “Public Open Space” designations that affect a small parcel of land located at the rear of his property and explain the precise changes to the Proposals Map that is seeking to render the Local Plan sound.

Our comments and proposed changes relate only to the Proposals Map. We do not have comments on the policies contained in the Local Plan.

This statement would follow the five points of argument suggested by the Inspector at Paragraph 5 of its guidance notes (Document Ref. No. ID-005) and would provide evidence of the established domestic use of the site. The relevant photographs are enclosed at Appendix B.

The combined evidence would demonstrate that the site does not meet any of the planning policy criteria that are required for the designation of land as “Metropolitan Open Land” or “Public Open Space” and that there are no justifiable reasons to retain these designations in the emerging Proposals Map. The existing designations and the proposed changes to the Proposals Map are summarised in Appendix A of this document.

## Metropolitan Open Space (MoL) designation

We submit that retaining the current MoL designation on the site would not be justifiable, would run contrary to the designation criteria set out in the London Plan and would not be consistent with the National Planning Policy Framework.

Policy 7.17 of the London Plan sets out the criteria that must be met to justify the designation of land as “Metropolitan Open Land”. The retention of this designation in the new version of the Proposals Map would be justifiable only if the areas covered by it comply with the criteria set out by the current London Plan. Failure to do so would render the Proposals Map unsound.

As set out in our original representation, the site located at the rear of 61 Belmont Road and contained within the red line shown at Appendix A does not fall within any of the criterion of Policy 7.17. It is not clearly distinguishable from the built up area, it does not include open air facilities, it does not contain features or landscape of metropolitan value and, as a standalone site, it does not form part of a Green Chain. It is not unusual to have irregular boundaries to the Metropolitan Open Land.

The Council’s response to our initial representation could be found at page 51 of document Ref. No. LBR-LP-002.

In relation to Criterion a) of Policy 7.17 the Council notes that “with the exception of the part of the site where the detached garage has been erected, the part of the land designated as MOL contributes to the physical structure of London by being distinguishable from the built up area”.

Rather than confuting our submission, this comment confirms that there the garage at the rear of 61 Belmont Road is not distinguishable from the surrounding built-up area. This is exactly our point in relation to Criterion a). Whilst the designated MoL surrounding the site should be preserved as such, the site is occupied by hardstanding and a large detached garage enclosed by landscaping. Similarly to the terraced blocks of flats located at Nos.10-25 Cranebrook to the south-west of the site, the site is merged physically and visually with the urban grain to the south-east of the River Crane and does not amount to a visual break or an open space. It is not “clearly distinguishable” from the adjoining built-up area. As such it does not fulfil Criterion a).

The Council concurred with our view that the site does not meet Criterion b) of Policy 7.17 of the London Plan.

In relation to Criterion c) the Officer’s response underlines that “the land designated as MOL itself and in particular the overall area contain features or landscapes (historic, recreational, biodiversity) of either national or metropolitan value” and goes on to describe the physical characters of green chains and of the Blue Ribbon Network.

We do not object to this assessment, but we must underline that none of the features described in Criterion c) could be found on this particular site. The presence of such features in other parts of the MoL is not a justification to infer compliance with Criterion c) in all sites within it. Policy 7.17 is not cumulative: to be designated as MoL, sites need to meet “at least one” of the four criteria. The site contained within the red line of Appendix A is occupied by a garage, hardstanding, a domestic lawn and domestic flower beds. None of these can be labelled as “features or landscapes of either national or metropolitan value”. As such, criterion c) is not made out.

To satisfy Criterion d), a site that is candidate to be designated or retained as MoL needs also to comply with Criteria a)-c) of Policy 7.17. These three criteria are not met by the subject site so Criterion d) is rendered void and automatically excluded from the assessment, but we would comment on the Council's response for the sake of completeness.

The wider area around the site is bounded by impenetrable vegetation and is located on the southern side of the River Crane, where no public access is allowed. Contrary to the northern side of the river, which is linked to other open spaces by a public footpath, the site could not be defined as a "Green chain". The subject site itself is not accessible to the public. As such, it does not meet Criterion d) of Policy 7.17.

In summary, the issue is not whether releasing or building upon land designated as Metropolitan Open Land is justifiable and consistent with the NPPF but whether the very designation affecting this site is justifiable and sound. We submit that it is not for the reasons set out above and in the attached photographic evidence. The Proposals Map, and in turn the Local Plan, could be made sound only by amending the boundary of the Metropolitan Open Land. The suggested amendment is set out in the drawing attached at Appendix A.

### **Public Open Space designation**

As noted in the original representation, the site was fenced off from the adjoining open space in the 1960's and the existing structures on site were built in the 1970's. The site is private and does not have public access. It is surrounded by mature vegetation and does not adjoin any public footpath. The domestic use of the site is evidenced by the photographs enclosed at Appendix B.

The emerging local plan defines "Public Open Spaces" as "*parks and similar land for public use, whether provided by the Council, or privately, where access for the public is secured by virtue of legal arrangements*". This definition is somewhat less detailed of the one given by the current local development framework, but even so the site does not fall within it.

The key quality of any public open space is to be accessible by the public. The site enclosed by the red boundary shown at Appendix A has never been accessible by the public and never will so it would be unreasonable to retain a wrong designation when there is an opportunity to make a minor amendment to the Proposals Map. The suggested amendment is set out in the drawing attached at Appendix A.

### **Conclusion**

This additional comment responds directly to the main issues and questions raised by the Inspector at **Point 9** of the hearing programmed for the 9<sup>th</sup> of October, namely whether "*the Local Plan's approach to Green Belt and MoL is justified, consistent with national policy and in conformity with the London Plan*" and whether "*alterations to the Policy Map*" are necessary.

Our answer to the first question is "no" and "yes" is our response to the second.

Paragraph 182 of the NPPF specifies that to be "justified", a plan "*should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence*".

Some of the sites designed as Metropolitan Open Land do not meet any of the criteria for designation listed in Policy 7.17 of the London Plan. Similarly, not all the sites designated as “Public Open Spaces” could be reasonably defined as such.

Retaining wrong designations in the new Local Plan when there is proportionate evidence against the retention would therefore not conform with the London Plan, would not be consistent with national policy and would not be justified.

For these reasons, minor alterations to the Policy Map would be necessary to remove the “Metropolitan Open Land” and “Public Open Space” designations in the site at the rear of 61 Belmont Road, as detailed in Appendix A.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Lorenzo Pandolfi', written in a cursive style.

**Lorenzo Pandolfi**  
Planner



Current Local Plan – Proposals Map (Adopted in July 2015)



 Site



**Proposed amendment to the Proposals Map:  
Area to be removed from “Metropolitan Open Land” and “Public Open Space” designation**



APPENDIX B - Site photographs









