

[REDACTED]

From: Mahil, Kavir [REDACTED]
Sent: 24 July 2023 17:30
To: Richmond Local Plan
Subject: Consultation Representations - 'Publication' Draft Local Plan (Regulation 19) - WSP - The Boathouse
Attachments: The Boathouse Reg 19 Repls Submission.pdf;
local_plan_publication_consultation_response_form submission.docx
Categories: Consultation Response

[REDACTED]

Dear Sir/Madam,

Please find attached our Regulation 19 representations as well as the London Borough of Richmond upon Thames consultation response form with the relevant details.

Kind regards,
Kavir

Kavir Singh Mahil
Graduate



[REDACTED]

WSP House, 70 Chancery Lane, London, WC2A 1AF

www.wsp.com/en-GB/campaigns/planning-consultancy

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Spatial Planning and Design
London Borough of Richmond upon Thames
Civic Centre
44 York Street
Twickenham
TW1 3BZ

Regulation 19 Richmond Local Plan
24 July 2023
PUBLIC

Dear Sir/Madam,

REPRESENTATIONS TO THE REGULATION 19 CONSULTATION ON THE PROPOSED SUBMISSION DRAFT OF THE DRAFT RICHMOND LOCAL PLAN ‘THE BEST FOR OUR BOROUGH’

We submit these representations in response to the Regulation 19 consultation on the Proposed Submission Draft of the Richmond Local Plan on behalf of The Boathouse Twickenham Ltd. In addition, we wish to reserve a place at the relevant Examination hearings and be kept up to date with the timescales for this.

These representations focus on:

- 1 The accuracy and validity of the Local Plan evidence base, in particular the Green Belt/MOL, LGS and OOLTI Review Report and Annex Report.
- 2 The proposed MOL policies and the retention of The Boathouse within the MOL.
- 3 The impact of proposed MOL policies on the delivery of identified housing targets.

Full details of our representations have been set out below.

BACKGROUND

Our client, The Boathouse Twickenham Ltd, is the owner of The Boathouse, Twickenham. There is currently a live planning application on the site for redevelopment of the existing three dwelling residential building for three new family sized residential dwellings (LPA ref. 23/1856/FUL).

The existing site is currently in use as three C3 residential dwellings. The lawful existing use of three dwellings was recognised in the following applications, LPA ref. 09/2459/FUL and LPA ref. 19/0141/ES19. Therefore, the planning history and current tenancy circumstances recognise all three existing residential dwellings are currently and continue to be in C3 use.

The current application (LPA ref. 23/1856/FUL), and a previously withdrawn application (LPA ref. 22/3017/FUL), is for the redevelopment of an existing residential building which is in a state of disrepair and detracts from the character and appearance of the area. The proposal includes the provision of three high quality residential family dwellings. The proposal also includes a landscaping scheme which complements and enhances the surrounding area, including the expansion of the public walkway by up to 1m along the River Thames. Furthermore, a new area of public space is also proposed within the proposal.

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London Borough of Richmond upon Thames (LBRuT) had an objection to the previous application (LPA ref. 22/3017/FUL) due to the sites location within the Metropolitan Open Land (MOL). However, we consider that this site does not meet the characteristics of MOL and therefore, should be excluded from the MOL. Further details of this have been set out below.

THE ACCURACY AND VALIDITY OF THE EVIDENCE BASE

Alongside the Green Belt, MOL, Local Green Space (LGS) and Other Open Land of Townscape Importance (OOLTI) Review Final Report (August 2021), LBRuT also published the MOL Review Annex Report. The published reports set out to assess the existing Green Belt, MOL, LGS and OOLTI land within the LBRuT with the assessment being carried out against four criteria: Clear distinguishment from the built-up area, open area facilities, contains features or landscape of national or metropolitan value and if the area forms part of a strategic corridor, node or a link in the network of green infrastructure. Whilst the Green Belt, MOL, LGS and OOLTI Review Final Report provides an overarching assessment of the MOL space in LBRuT, the annex report provides a further breakdown of the MOL into parcels and further into place.

The MOL Review identifies the parcel of land in which The Boathouse is situated within as Number 31, Parcel: River Thames, Area West of Old Deer Park and Place: Twickenham, Strawberry Hill & St Margarets. Criterion 1 states the following about the site and surrounding area:

*“Western half of the parcel (River Thames northern bank): Built development is generally absent from the parcel apart from a minor road and **one dwelling** within the southern portion. Adjacent residential properties along the western boundary are partially screened by brick walls and varying levels of vegetation, providing localised urban influences.” [our emphasis]*

Furthermore, criterion 2 outlines:

“No other part of the parcel (besides Eastern half) provides formal recreational or sports open-air facilities.”

The assessment of the area and The Boathouse within criterion 1 is inaccurate and takes a subjective view of the area to support the retention/no revision of the MOL allocation. The “one dwelling” references The Boathouse which is inaccurate.

The Boathouse has been established by LBRuT applications and officer reports (LPA refs. 09/2459/FUL and 19/0141/ES19) as three residential dwellings. Although the site is a single building it comprises of three residential units, attributing to the importance of the site in contributing to the house numbers with LBRuT. Furthermore, the minor road referenced is not specifically identified in the annex report, but the MOL parcel map incorporates Ranelagh Drive. Ranelagh Drive not only provides access to The Boathouse and residential dwellings on adjacent Martineau Drive from the highway but is a road that is heavily in use for travel into and from the area, vehicle parking and providing access to heritage assets such as the Richmond Lock. In short, this road is heavily used by cars, cyclists and pedestrians and should not be seen as “minor road”.

The Boathouse does not contribute to the openness or formal and informal recreational or sports open-air facilities as identified in criterion 2. Given the site is already built up and a part of the built up area of Martineau Drive it is not of MOL value. Planning application ref. 23/1856/FUL outlines the poor quality of the existing site with little, to no, biodiversity, and green infrastructure value. To retain the site within the MOL alongside the adjacent green spaces would be unnecessarily restrictive. The current MOL boundaries are restrictive and the justification for the retention of the current boundary for parcel 31 is flawed in its accuracy and fails to take a detailed, refined approach instead taking a more overarching, generalised view of the MOL area.

The Green Belt, MOL, LGS and OOLTI Review Final Report and Metropolitan Open Land Review Annex Report form part of the emerging Local Plans evidence base and therefore, have a significant purpose in informing the policies of the Local Plan. The inaccuracies of the evidence base would see the Local Plan not meet the requirements of the Test of Soundness in line with paragraph 35 of the NPPF. The proposed MOL boundaries are not justified, positively prepared and effective. Further details of the sites removal from the MOL has been set out below.

MOL POLICIES AND RETENTION OF THE BOATHOUSE WITHIN THE MOL

Draft Policy 35 “Green Belt, Metropolitan Open Land and Local Green Space” sets out the policy for the protection of the Green Belt, MOL and LGS and with the requirements for any future development in the Green Belt, MOL and LGS. Part C and D of draft Policy 35 reads:

C. ‘Very Special Circumstances’ must result in the improvement and enhancement of the openness, character and use of the Green Belt and Metropolitan Open Land.

D. When considering development on sites in proximity to Green Belt or Metropolitan Open Land, any possible visual impacts on the character, local distinctiveness, and openness of the Green Belt or Metropolitan Open Land will be taken into account.

The impact on character, local distinctiveness, and openness of the MOL are key considerations for sites within and in close proximity to the MOL. With consideration to The Boathouse and the boundary of Parcel: River Thames, Area West of Old Deer Park, the policy fails to consider or account for the existing character and openness of the parcel where The Boathouse is located. The residential use of the Boathouse is in line with the character, by way of use, to adjacent Martineau Drive, which is a private residential area located to the rear of The Boathouse. Martineau Drive is located outside of the MOL boundary whilst The Boathouse is within the MOL boundary. The annex report referenced “brick walls” and “levels of vegetation” are minimal features, the brick wall fenced is minimal in its height and largely comprised of a gapped, metal bar feature opposed to a solid brick wall. The vegetation is largely located within the private amenity space of residential dwellings at Martineau Drive and provides minimal screening to the built-up area. Therefore, the residential dwellings located at Martineau Drive, although outside the MOL boundary but in close proximity, are prominent and contribute to the built-up character of the area.

The Boathouse forms part of urban, built-up area alongside Martineau Drive, it does not positively contribute to the MOL in terms of character and openness of the MOL and is similar in its impact to residential dwellings at Martineau Drive. However, the site plays an important role in delivering residential housing in the local area and therefore, a loss of housing would be detrimental and against draft Policy 10 (New Housing (Strategic Policy)), Policy 12 (Housing Needs of Different

Groups) and Policy 14 (Loss of Housing). Therefore, the failure to redefine the MOL boundary at Parcel 31 of the Annex Report would be restrictive and unjustified. The Boathouse site's character is more in keeping with that of Martineau Drive, the policies are restrictive in delivering the identified housing need of LBRuT and the justification for its continued retention is flawed and undermines the policy requirements of Policy 35 (Green Belt, MOL and LGS) given the existing and evident built-up, suburban fabric of the site.

In short, The Boathouse should be removed from the boundary of the MOL and recognised as part of the suburban and built up area alongside the Martineau Drive urban area.

HOUSING DELIVERY IN RICHMOND AND THE RESIDENTIAL USE OF THE BOATHOUSE

Policy 10 "New Housing (Strategic Policy)" sets out LBRuT ten year housing target of 4,110 homes. Of this 4,110 housing target, 1,100 – 1,200 are allocated to the Twickenham area, including St Margarets and North Twickenham. Although The Boathouse will provide replacement housing on the site, there is an identified need for housing in the area.

Policy 12 "Housing Needs of Different Groups" outlines that:

- A. *The loss of existing housing will be resisted where it meets identified specific community needs, unless it can be shown that:*
 - (1) *The accommodation is no longer needed.*
 - (2) *The existing accommodation will be adequately re-provided to an equivalent or greater standard in a different way or elsewhere.*
 - (3) *The new accommodation will instead meet another identified priority local need.*

Policy 14 "Loss of Housing" will resist the loss of existing housing. The policy also outlines that redevelopment of existing housing should normally only take place where it meets the five criteria including demonstrating that the existing housing is incapable of improvement.

Policy 16 "Small Sites" states that LBRuT will support the delivery of the small sites target of 234 new homes per annum. Furthermore, the Council will support proposals for well-designed new homes on small sites (up to 0.25 hectares) to meet local needs in line with local character and design quality policies (Policy 28).

The current, live application at The Boathouse will seek to deliver a development that meets the policy requirements of the emerging Local Plan in relation to the delivery of housing, type of housing and quality of housing. The proposal will contribute to meeting the housing needs of LBRuT whilst delivering small site (site is 0.12ha), residential development of the highest design quality, sustainability standards and in keeping with the character of the area. Furthermore, the design proposals of the application will widen the Thames Path by up to one metre, creating an East – West open vista. The improvements to the public realm improve the safety and accessibility for local residents and visitors to the area. This is a significant benefit and the policies within this emerging plan should recognise this in relation to the site.

To provide a use outlined as sympathetic within the emerging Local Plan (public and private open spaces and playing fields, outdoor recreation, sport, biodiversity, open community uses and cemeteries) to the MOL allocation would mean the loss of existing housing. The sites continued allocation as MOL and the MOL policies nullify the opportunity for the site to be retained for

residential use and the delivery of high quality, well designed housing. The MOL allocation and MOL policies make the emerging housing policies redundant at The Boathouse and instead the policies set out in the emerging Local Plan are conflicting and restrictive. We consider the Local Plan to be unjustified, ineffective, and restrictive in the delivery of development that there is an identified need for.

FLOODING AND DESIGN

Furthermore, the existing residential building's/site location within Flood Zone 3a requires unique design considerations set out by the Environment Agency (EA). The EA required The Boathouse to be set one metre above ground level as a means of flood mitigation. Policy 8 "Flood Risk and Sustainable Drainage", Part B outlines development should provide mitigation and resilience against flood risk and advice should be sought from the EA. Through high-quality, effective design there is an opportunity to deliver design sympathetic to flood risk without compromising the character and openness of an area. The flood issues associated with the existing housing on site will be mitigated through the new scheme building.

The current building is an eye-sore and does not contribute positively to the surrounding area. In addition, the building is not in line with building regulations and therefore, any alterations to the building will be significant to bring it in line with legislation. As part of the live planning application (LPA ref. 23/1856/FUL) the re-use of the building was looked into and it was concluded that to bring the building to be in line with building regulations would make any scheme unviable and in addition, would not be considered an appropriate flood defence to align with the EA requirements. Therefore, there is no option but to demolish the unattractive building and provide a replacement building that is in line with building regulations and the EA requirements (ie 1.6 metres higher above ground floor level etc). In light of this, the current application) proposes to raise the building line by one metre to address this requirement.

As such, the Council should acknowledge this requirement to allow for any new development to align with EA requirements and accept that a modest increase in height on this site is inevitable and appropriate.

SUMMARY AND CONCLUSIONS

In summary, we have covered the following:

- 1 The evidence base and the validity:** The evidence base used to inform the policies within this emerging, Regulation 19 version Local Plan is not accurate and takes a "blanket" and generalised approach to defining the quality of the MOL and MOL boundaries. There is a lack of flexibility in the boundaries proposed. The undermining of The Boathouse and Ranelagh Drive as a "minor road and one dwelling" and the conclusion that the "Built development is generally absent" is one that is generalised view. Whilst we do recognise there are areas of the parcel that positively contribute to the MOL and should be retained we also believe that the site is part of the built-up area that does not contribute to the MOL and therefore, should be released.
- 2 Approach to the MOL and The Boathouse:** The character of Martineau Drive and The Boathouse is defined by the existing residential form and uses. Draft Policy 35, emphasises that consideration will be made to character, local distinctiveness and openness of the MOL. The Boathouse is more akin to the character and local distinctiveness of the residential setting of Martineau Drive opposed to that of the MOL and therefore, should be released from the MOL.

- 3 **Restrictive Policy and the impact on housing delivery:** The housing policy and MOL policy in the case of The Boathouse and other residential uses in the MOL are counterproductive to one another. The housing policy sets out the need for housing and the Council’s opposition to the loss of housing whilst the MOL policies set out the need for more sympathetic uses, none of which are residential. The Boathouse would deliver a development in line with the housing policy needs whilst requiring a non residential use would be against the housing policy requirements.
- 4 **Flooding and Design:** Design policies within the emerging Local Plan should provide detail on the important role in recognising the role design plays in providing development that mitigates and provides resilience to flood risk. The importance on consulting the EA and adopting the design measures proposed by the EA should be acknowledged within both Flood and Design policies.

We have highlighted some serious concerns over the justification for and implications of the proposed MOL strategy and MOL boundaries. The Council’s approach to the MOL is based on an inaccurate report and a generalised analysis of MOL land. We dispute that this approach allows for the retention of quality MOL. When viewed in context with other policy requirements and the inaccurate description and limited criterion assessment of MOL, the approach will act as a deterrent to suitable and beneficial development and actually creates further obstacles for residential developments unnecessarily included within the MOL, as opposed to promoting the delivery of identified residential housing need and the need for high quality housing. We are of the view that our client’s property, The Boathouse, should be removed from the MOL boundary.

The contradiction between the proposed MOL and Housing strategy policy requirements results in an overall unsound approach to plan-making. When reviewed against the tests of soundness, it is clear that the approach presented does not currently conform with the National Planning Policy Framework – see table below.

Test of Soundness	Assessment
Positively prepared?	No – The policies and lack of flexibility in deciding MOL boundaries are compromising the ability of mis-profiled sites to meet the emerging housing policy. This could negatively impact the ability to deliver the identified housing needs and overall undermine the draft housing policies.
Justified?	No – The lack of and inaccurate justification for the approach to MOL boundaries is particularly concerning.
Effective?	No – The restrictive review and setting of MOL boundaries and policies present a high risk to the implementation of the Plan and delivery of housing.
Consistent with national policy?	No – For the reasons set out above the Plan is not consistent with Paragraphs 62, 68 and 69 of the NPPF.



We urge the Council to take into account our assessment and review of the MOL and remove the Boathouse from MOL.

Thank you for the opportunity to comment on the draft Local Plan. We wish to be involved in any future Examination Hearings and be kept up to date with the progress of the draft Local Plan. Should you have any questions regarding our comments, please do not hesitate to contact us.

Yours faithfully,

V. Chase

Victoria Chase



Local Plan Publication Consultation

From 9 June 2023 to 24 July 2023

RESPONSE FORM

The Council is inviting comments on the Publication version of the Local Plan.

The Local Plan sets out a 15-year strategic vision, objectives and the spatial strategy. The draft Plan includes place-based strategies covering the whole borough, along with accompanying site allocations, as well as the thematic planning policies that will guide future development in the borough. It will inform how growth will be accommodated across the borough. The draft Plan seeks to address future challenges including climate change, health, affordability and liveability.

This consultation is the final opportunity to comment on the Local Plan before it is submitted to the Secretary of State for independent 'examination in public'. At this stage in the plan-making process, in accordance with the national guidance, consultation responses should focus on whether the Local Plan has been developed in compliance with the relevant legal and procedural requirements, including the duty to cooperate, and with the 'soundness' of the Plan. Further detail on these concepts is provided in the accompanying guidance notes available on the website (via the link below).

How to respond

Please read the consultation documents and other background information made available on the Local Plan website: www.richmond.gov.uk/draft_local_plan_publication_version

You can respond by completing this form, either electronically using Word or as a print out, and sending it to the Council by:

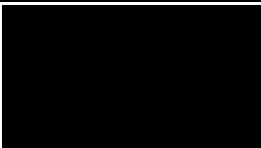



- Email to LocalPlan@richmond.gov.uk
- Post a hard copy of the form to Spatial Planning and Design, LB Richmond upon Thames, Civic Centre, 44 York Street, Twickenham, TW1 3BZ.

Alternatively, you can make comments on the draft Local Plan **online via our Consultation Portal**, which is accessible at the website listed above.

All responses must be received by 11:59pm on Monday 24 July 2023. The consultation is open to everyone; however please note that responses will not be treated as confidential and those submitted anonymously will not be accepted.

This form has two parts:

- Part A – Personal details and about you
- Part B – Your detailed response(s).

Part A: Personal Details		
	1. Personal Details *	2. Agent's Details (if applicable)
Title	C/O Agent	Ms
First name	C/O Agent	Victoria
Last name	C/O Agent	Chase
Job title (where relevant)		Associate Planner
Organisation (where relevant)	The Boathouse Limited (C/O Agent)	WSP
Address	C/O Agent	
Postcode		
Telephone		
E-mail address		

*If an agent is appointed, please complete only the title, name and organisation boxes but complete the full contact details of the agent.

Data protection

The Council is committed to ensuring that personal data is processed in line with the General Data Protection Regulation (GDPR) data protection principles including keeping data secure.

The Council's Privacy Notice is published on the webpage www.richmond.gov.uk/data_protection

All responses will be held by the London Borough of Richmond upon Thames. Responses will not be treated as confidential and will be published on our website and in any subsequent statements; however, personal details like address, phone number or email address will be removed.

If you submit comments, the consultation responses and your personal data will be passed to the Planning Inspectorate and a Programme Officer. The Programme Officer manages the procedural and

administrative aspects of the examination. The Programme Officer will contact you using the personal information you have provided if you have indicated in the response form your wish to engage in the Examination.

Part B: Your Response

3. To which part(s) of the draft Local Plan does your response relate to?

Please indicate the documents **and** the specific paragraph numbers, policy or site allocation numbers and names, maps or tables you are commenting on.

Documents		Sections	
Publication Local Plan (including changes to the Policies Map designations)	<input checked="" type="checkbox"/>	Page number(s)	
		Paragraph number(s)	
		Policy no./name	8, 10, 12, 14, 16, 35
		Place-based strategy	
		Site Allocation(s) no./ name	
		Maps	
		Tables	
Sustainability Appraisal Report	<input type="checkbox"/>	Page number(s)	
		Paragraph number(s)	
Other (for example an omission or alternative approach)	<input checked="" type="checkbox"/>	Green Belt, MOL, LGS and OOLTI Review (overarching report) (2021) Metropolitan Open Land (MOL) Review Annex Report (detailed assessment) (2021) Parcel Number 31 - Twickenham, Strawberry Hill & St Margarets – Page 101 to 103	

4. Do you consider the Local Plan is:

4.1 Legally compliant	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
4.2 Sound	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
4.3 Complies with the Duty to Co-operate	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Further information on these terms is included within the accompanying guidance note, which can be found on the website at www.richmond.gov.uk/draft_local_plan_publication_version

If you have entered 'No' to 4.2, please continue with Q5. Otherwise, please go to Q6.

5. Do you consider the Local Plan is unsound because it is not:

5.1 Positively Prepared	<input checked="" type="checkbox"/>
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5.2 Justified	<input checked="" type="checkbox"/>
5.3 Effective	<input checked="" type="checkbox"/>
5.4 Consistent with national policy	<input checked="" type="checkbox"/>

6. Please give details of why you consider the Local Plan is or is not legally compliant, unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to provide comments in support of the legal compliance and/or soundness of the Local Plan, or its compliance with the duty to co-operate, please use this box to set out your comments.

Please note your response should provide succinctly all the information, evidence and supporting information necessary to support / justify the response. After this stage, further submission will only be at the request of the Inspector, based on the matters and issues they identify for examination.

Please see accompanying cover letter.

Please continue on a separate sheet / expand box if necessary.

7. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, when considering any legal compliance or soundness matter you have identified at 6 above.

Please note that non-compliance with the duty to co-operate is incapable of modification at examination.

You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please note your response should provide succinctly all the information, evidence and supporting information necessary to support / justify the suggested change. After this stage, further submission will only be at the request of the Inspector, based on the matters and issues they identify for examination.

Please see accompanying cover letter.

Please continue on a separate sheet / expand box if necessary.

8. Do you consider it necessary to participate in examination hearing session(s)? (Please tick box as appropriate)

No, I do not wish to participate
In hearing session(s)

Yes, I wish to participate
In hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

9. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Please see accompanying cover letter.

Additionally, the applicant is the owner of a prominent site within the London Borough of Richmond upon Thames given its heritage and environmental significance. The emerging Local Plan will have a significant impact on the site and the future of the site.

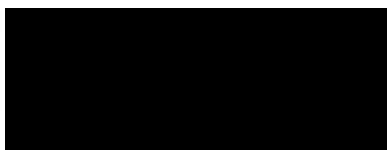
Please continue on a separate sheet / expand box if necessary.

10. If you are not on our consultation database and you respond to this consultation, your details will be added to the database. This allows us to contact you with updates on the progression of the Local Plan and other planning policy documents.

If you do not wish to be added to our database or you would like your details to be removed, then please tick this box.

Signature:

For electronic responses a typed signature is acceptable.



Date:

24/07/2023