

ADDENDUM to Representation on Green Infrastructure: Item 9 on 9.10.2017**(for addition to Mr Taylor's 'GB Boundary in Hampton' Representation dated 14.2.2017)****The following subsequent evidence is submitted for consideration to be read with the previous submissions noted above:-****1/ Planning Application.**

As advised in my barrister's Opinion dated 13.2.17 (emailed), a planning application for residential development of my land was validated by LBRUT on 6/6/17 (LPA Ref: 17/1178). Consultation has been completed. I have been advised that *'the site's current designation.... is clearly identified as within the Green Belt'* – see email dated 15.8.17 (attached).

2/ Liaising with LBRUT over my Representation

- Following receipt of the Examination Guidelines recommending establishing a dialogue with LBRUT Council in advance of the hearings, I asked local Cllr Martin Elengorn to consider my representation document dated 14.2.17. In 1995 Cllr Elengorn was rotating Chair of LB Richmond planning committee and signatory author of the 1995 Local Plan (that contains the erroneous and contradictory GB Plans in Hampton).
- In direct response to Cllr Elengorn's investigation, the LBRUT senior planning office for Hampton (Simon Graham-Smith) confirmed that my land had been omitted from the 1996 LP Green Belt proposed additions and that such omission *'was a mistake'* – see email dated 8.8.17 (attached).
- On 18.8.17 Cllr Elengorn recommended to the Planning Policy & Design Team Manager (Ms Kitzberger-Smith) that the council should *'seriously consider'* Mr Taylor's arguments (in order to correct their historic error) (email attached).

Richmond planning officers have not accepted Cllr Elengorn's recommendation *'because all the operational Thames Water Land adjacent and in the vicinity is also designated Green Belt and this site was formally operated by Thames Water. It therefore must have been considered that this land met the criteria for Green Belt designation'* – see email dated 21.8.17 (attached). Spelthorne BC never considered that this pocket of TW land justified GB designation criteria whilst in their council's custody. The reasoning of Mr Cronin is fatally flawed because he has failed to appreciate the error that my submissions to the inquiry clearly explained in February this year. The 1996 map that contains the error also shows that some settlement beds owned by Thames Water in Station Road, Hampton, were not washed over with GB designation (ringed on extract attached). Mr Cronin appears to conflate land erroneously being shown as GB thereby requiring the development plan to be corrected with an application to remove land from GB designation. My submissions of course are aimed at the former. Nonetheless as the council continues to treat this topic as one requiring justification for removing the land from GB, I have added to these submissions (without prejudice to my main argument) further submissions that deal with removing the

site from the GB if for some reason I do not succeed in showing that the land was never within the GB in the first place.

3/ LP Examination documents

Despite hard evidence to the contrary, LBRUT's planning department continue to claim that my land is designated as Green Belt notwithstanding it now admits – see above – that it was omitted from the 1996 Plan GB expansion consultation. Nonetheless, the Council has included for the 2017 LP Examination a 'Green Infrastructure in Hampton' map on page 12 of the 'Village Plan' for Hampton SPD (dated March 2017) – see inquiry document Ref PS-030. This was produced after public consultation beginning in February 2016. This map clearly shows Richmond Council considers my land is NOT designated as Green Belt.

4/ Removing land from Green Belt

Notwithstanding submissions on the correctness of the local plan map of 1996 (and its successors) showing my land within GB designation, I would make the following submissions as to why the land should come out of the GB:-

- The pocket (55m x 30m) of land does not harm the purposes of GB land in NPPF 80:
 - The land is completely constrained by the operational Thames Water reservoirs immediately to the east and north, and the long-established residential property to the south and west. There will therefore be no encroachment of the countryside.
 - There is zero risk of facilitating potential future urban sprawl or the merger of the neighbouring Hampton and Lower Sunbury villages.
 - The land is effectively part of the group of 12 long-established houses to the east of Lower Sunbury;
 - It is nowhere near any historic town or settlement.
- The land is a previously developed brown-field site, currently containing both derelict storage sheds and garages and concrete hardstanding covering 209 sq metres of the site. Without the claimed Green Belt designation, the land could assist re-regeneration of the adjacent settlement through recycling the land for housing.
- Physically my pocket of land reads more naturally as part of the immediately adjacent existing residential settlement.
- Restoration of the Green Belt boundary as designated when the site was part of Spelthorne BC would satisfy the requirement of NPPF 85 by '*not including land which it is unnecessary to keep permanently open*' (my land has never been 'open') AND ensure that LBRUT/ Hampton Village's western Green Belt boundary is again defined '*using physical features that are readily recognisable and likely to be permanent*' (ie reservoir embankments).
- NPPF sets out an overall presumption in favour of sustainable development in economic, social and environmental terms:

- The land is highly sustainable for residential development with comprehensive social facilities (shops, restaurants, libraries) available within 2 kilometres at both Lower Sunbury and Hampton.
- There is a high-frequency bus service stop to Staines & Kingston less than 500 metres away; Hampton railway station, with half-hourly trains to London, is only a kilometre away.
- The current land has virtually zero bio-diversity (having been used to graze goats in recent years). Providing above-average size gardens for any residential development will substantially improve bio-diversity.
- Low energy use by new-build property can be ensured through appropriate planning conditions.
- The use of local labour in the construction of any housing would be economically beneficial and once occupied residents would add through spending to the local economy.

(4 copy emails & 2x maps attached)

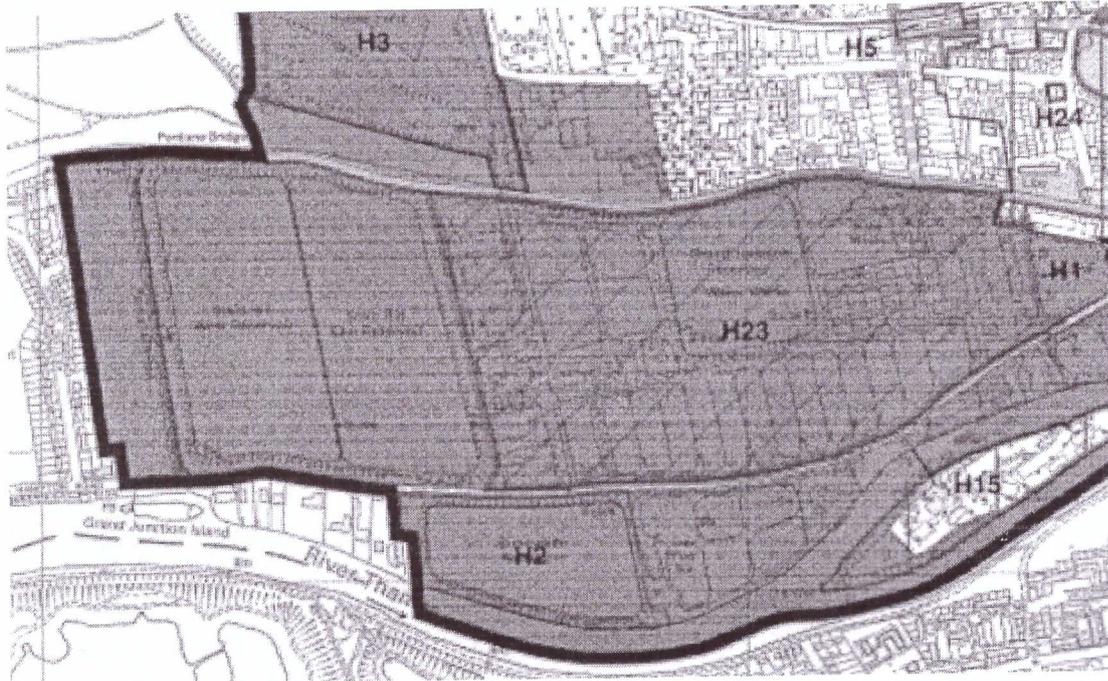
David Taylor. 8.9.2017

XX

From: Ross Harvey [mailto:Ross.Harvey@richmond.gov.uk]
Sent: 15 August 2017 09:31 XX
To: Colin Eades <ceades@ehwarchitects.com>
Cc: david harvey taylor <davidharveytaylor@hotmail.com>
Subject: RE: L/A Sunnyside Reservoir Lower Hampton Road

Dear Colin,

As advised previously, for all assessment purposes the site is designated as Green Belt. The extract below is from the Local Plan Proposals Map 2015. You will note that the site is situated at the 'kink' to the left of 'H2'. The green area signifies Green Belt. This map can be found at http://www.cartogold.co.uk/richmond_2015/richmond.htm



We understand that you are currently disputing the validity of the Green Belt designation as part of the Local Plan process. However, that process is completely independent of the planning application process, where we can only assess proposals against current statutory requirements. We therefore can only assess your proposal under the site's current designation which is clearly identified as being within Green Belt.

The above would be the principle reason for a refusal. Moving forward you can withdraw the application and wait for the Local Plan matter to be resolved. Alternatively we can refuse the application and you can appeal.

Please advise.

Kind regards,
Ross

XX **From:** Cllr Martin Elengorn
Sent: 18 August 2017 12:45 XX
To: Andrea Kitzberger-Smith
Cc: Ross Harvey; Cllr Gareth Roberts; Cllr Suzette Nicholson; Caroline Steenberg; Simon Graham-Smith; davidharveytaylor@hotmail.com
Subject: Re: Assumed erroneous Green Belt designation?

Dear Andrea

It seems fairly clear that there was a slip of the pen on the map attached to the first Local Plan after the borough boundaries were amended. If the change to the Green Belt boundary had been deliberate it would have been flagged up and specifically consulted on.

There is an opportunity up to September 7th for the Council to concede Mr Taylor's arguments and spare the Local Plan Inspector having to adjudicate. I hope that course of action will be seriously considered.

There is also the question of planning application 17/1178 on which I note a report has been written and is now with senior officers. Is there a case for deferring a decision on this until the issue of the Green Belt boundary has been resolved?

Kind regards

MDE

Martin Elengorn
Liberal Democrat Councillor for Teddington
Opposition Spokesperson on Environment and Planning, LB Richmond upon Thames

XX On 8 Aug 2017, at 12:30, Simon Graham-Smith <S.Graham-Smith@richmond.gov.uk> wrote:

Dear Councillor Elengorn

I have no objection to Mr Taylor seeing the email.

In reply to your question it is true that changes in the Green Belt would need to be flagged up when a new development plan is being considered. For the 1996 plan the changes to the Green Belt following border changes were shown on the detail below which omits the land owned by Mr Taylor. In my opinion this was a mistake and it should have been included for the reason I have given previously – namely that all operational Thames Water land in the vicinity was included. Had this been raised at the time it could have been dealt with. However, whether my opinion is correct or not, it has been shown and is regarded as Green Belt on successive plans since 1996.

<image001.png>

Dear Cllr Martin Elengorn

Andrea Kitzberger-Smith has forwarded me the email chain relating to land that Mr Taylor has purchased that is designated Green Belt.

Whilst I do not agree that there was a 'slip of the pen on the map', the land (since having been transferred from Spelthorne BC to Richmond) has always been designated as Green Belt. It appears that the reason why it was included as Green Belt when the land was transferred is because all the operational Thames Water Land adjacent and in the vicinity is also designated Green Belt, and this site was formerly operational land used by Thames Water. It therefore must have been considered that this land met the criteria for Green Belt designation.

As my officers have already pointed out, it should have been raised by the owner as part of the development of the 1996 Plan that this land should not be designated as Green Belt. There have been numerous successive plans since 1996, and this issue has never been raised before.

It is worth noting that when Mr Taylor acquired the land in 2016 (see <http://www.rightmove.co.uk/property-for-sale/property-40030158.html>); set at a value of £85,000), it would have been clear on the Council's maps that this land is designated Green Belt and as such any prospective buyer should have known that residential development on the land would be contrary to national, regional and local planning policies.

With regard to the Local Plan process, the Council has already outlined at previous occasions as part of this Local Plan Review why it will not remove the Green Belt designation from this land. No borough-wide Green Belt review has been undertaken as part of the Local Plan Review because the Council can demonstrate that its strategic housing target can be met without using greenfield sites. It is also important to note that what we have submitted in May 2017 to the Inspectorate for examination is what the Council considers to be a 'sound' Plan. This is also the Plan that the Inspector will be examining. The Inspector has asked the Council for its response on all the Regulation 19 comments made, and this is published online: http://www.richmond.gov.uk/media/14606/lp_publication_all_responses.pdf (see page 54 for the officer response against Mr Taylor's representation). It is therefore not possible, nor would the Council want/desire to, amend the Local Plan with respect to this site.

Mr Taylor has got the right to provide a further written statement and/or appear at the examination hearing sessions later in September/early October. It will then ultimately be for the Inspector to make a decision as to whether the Plan, as submitted, is 'sound,' and whether he considers that having this land designated as Green Belt may make this Plan 'unsound'.

In relation to your question regarding the current planning application, this will need to be assessed against the adopted development plan for the borough, which sets out that this land is designated Green Belt.

I hope this addresses your query.

Regards

Tim

Tim Cronin

Assistant Director Planning and Transport

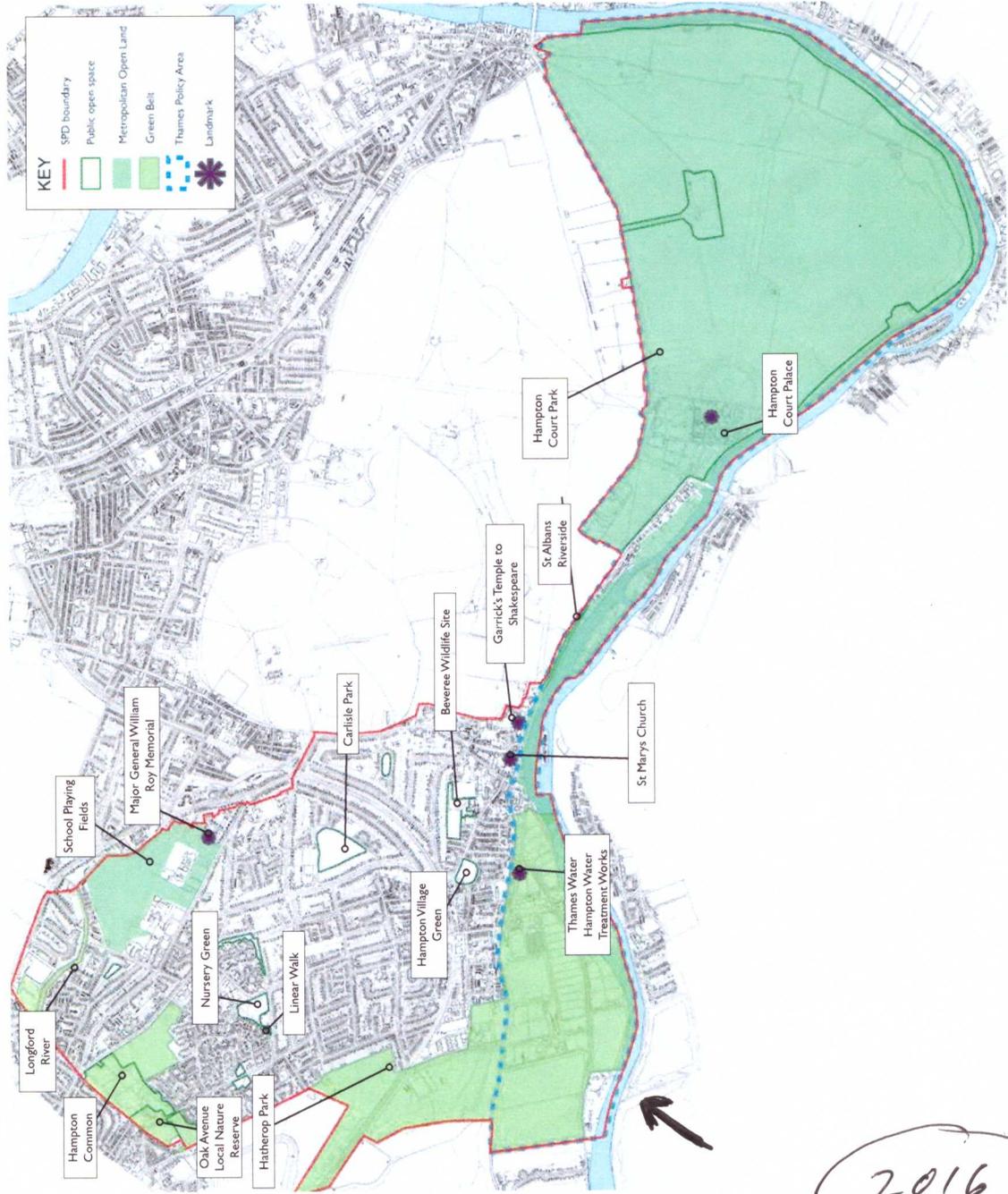
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Green Infrastructure in Hampton



Hatherop Park



Nursery Green

2016