



Consultation on Proposed Main Modification in respect of Other Open Land of Townscape Importance at St Michael's Convent, Ham Common

Council's Statement for Submission to Planning Inspectorate

Consultation 17 January to 1 March 2019

Following the [Court Order](#) (dated 20 December 2018), public consultation was undertaken from 17 January to 1 March 2019, encompassing:

- a [consultation document](#) (including the schedule of the proposed change and a map of the land subject to the Court Order) was published on the Council's website and the Council's consultation portal, and hard copies were made available in the Council's main libraries and the Civic Centre;
- a letter or email was sent to respondents since the Publication stage who had commented/taken part in discussions on the Local Plan Site Allocation SA 17; and
- advertised in a public notice in the Richmond & Twickenham Times on 18 January 2019

The Council received responses from 34 consultees which are set out in the [Schedule of All Responses](#) to Consultation on Proposed Main Modification in respect of Other Open Land of Townscape Importance at St Michael's Convent (17 January to 1 March 2019).

Council's Officer Position

The Council's intention (from the beginning of producing the Local Plan) has always been to designate the original boundary of the site, as was set out in the [Pre-Publication Local Plan \(shown as SA 16\)](#) (PS-009), [Publication Local Plan \(shown as SA 17\)](#) (SD-001) as well as in the [Proposals Map Changes](#) (SD-002) document that accompanied the Publication Local Plan.

The Council's justification and reason for designation as OOLTI is set out in detail in paragraphs 2.3.1 and 2.3.2 of the [Proposals Map Changes](#) (SD-002) document that accompanied the Publication Local Plan.

Following submission of the Plan and the Proposals Map Changes to the Secretary of State, the appointed Inspector, as part of his identified [main issues and questions](#) (ID-006A) for the examination, asked in relation to SA 17, St Michael's Convent, whether the allocation is justified by the evidence base, particularly in relation to the identified land uses and the garden designation as OOLTI (Other Open Land of Townscape Importance) and OSNI (Other Site of Nature Importance).

In response, the Council's Written Statement for [Hearing 4: Site Allocations \(Part\); SA 1 – 16 \(Document version: 8/9/17\)](#) (LBR-LP-014) set out how it considered that the original boundary of the site was considered justified. Appendix 3 to the Statement set out a detailed assessment against each OOLTI criterion as set out in Policy LP14 (attached extract of Appendix 3 only for reference). Whilst the Inspector requested further information during the examination in light of new evidence for the proposed OSNI designation, the proposed OOLTI designation for the particular strip of land (i.e. the southern part of the garden) was not queried or specifically discussed during the examination hearing sessions.

The Council's justification and evidence base, including the assessment against the criteria set out in the OOLTI policy, was therefore always based on the original boundary, including the southern part of the garden. The Council considers that the OOLTI policy criterion relating to "value to local people for its presence and openness" continues to apply to the southern part of the garden, from where there are views into and out of the site, and substantiated by the strong local community support. This support is also set out in Policies G1 – Open Spaces and O6 – St Michael's Convent in the Ham & Petersham Neighbourhood Plan, which following a successful referendum result was adopted by the Council on 22 January 2019 (available at https://www.richmond.gov.uk/services/planning/planning_policy/local_plan/neighbourhood_plans/ham_and_petersham_neighbourhood_planning).

For information, we had previously advised the appointed Local Plan Inspector, Andrew Seaman, of key updates on planning applications on major designated sites, including that the [Planning Committee on 13 December 2017](#) resolved to approve the planning applications for St Michael's Convent 16/3552/FUL and 16/3553/LBC, subject to conditions and completion of a S106 Agreement. These were both granted permission on 24/04/2018. Further since the close of the Examination hearing sessions it may be of general context to note the following update on planning applications on the site (full planning history since April 2018 below):

- [19/0227/VRC](#) Minor material amendment to planning permission 16/3552/FUL by way of variation of condition number U41852 (approved drawings). Amendments to include addition of single-storey rear additions with associated roof terraces and alteration to fenestration at first-floor level to units 18, 19, 20, 21, 22, 23. Under consideration. Note 24 objections as at 5.3.19.
- [16/3552/DD07](#) Details pursuant to condition U41858 -hard/soft landscaping. Under consideration. Note 2 objections as at 5.3.19.
- [18/4249/NMA](#) Varying the approved proposed plans to incorporate sun rooms on mews properties 18, 19, 20, 21, 22, 23. Decided as no further action be taken 24/01/2019.

Justification and evidence base for OOLTI designation of gardens for SA 17 (St Michael's Convent)

The following provides a detailed analysis of the St Michael's Convent's gardens against the OOLTI criteria as set out in paragraph 5.3.4 of Policy LP 14 (OOLTI). Taking each criterion in turn, it can be demonstrated that the OOLTI designation is justified and based on robust evidence:

- Contribution to the local character and/or street scene, by virtue of its size, position and quality – The area covered by these gardens is of significant size and not only contributes to, but largely defines the local character of this part of Ham Common. The site is valued by local people as evidenced by its recommendation for OOLTI protection by local Councillors and a large number of local residents. In addition, the designation of the gardens as OOLTI will also contribute to preserving and/or enhancing the setting of the Listed Building.
- Value to local people for its presence and openness – The substantial local support received throughout the development of this Plan for the designation of this site as OOLTI demonstrates that the gardens are of value to local people for its presence and openness. It should be noted that the Council has first published its intention to designate the gardens as OOLTI in August 2014, and strong local community support has been received ever since then.
- Immediate or longer views into and out of the site, including from surrounding properties – this is particularly relevant for the residents of Martingales Close, because its houses are on one side of the road only, the other side adjoining the Convent garden.
- Contribution to a network of green spaces and green infrastructure as set out in policy LP12 in 5.1 'Green Infrastructure' – The garden lies in the Great South Avenue of Ham House, at the heart of the wildlife corridor. The gardens provide an important link as part of the green corridor in Ham, which runs between Richmond Park to the River Thames via Ham Common, St Michael's Convent and Avenue Lodge gardens, Grey Court School playing fields, Ham House avenues and gardens, and the Ham Lands.
- Value for biodiversity and nature conservation – The Council proposes to designate the gardens as Other Site of Nature Importance (OSNI) as part of the Local Plan due to its great environmental importance and biodiversity value (*see Appendix 4 below*).

The above demonstrates that this site meets all the criteria for OOLTI and can be soundly designated as such. The Council does not consider that the criteria for OOLTI designation are 'open-ended' as suggested by Beechcroft Developments Ltd (Representor ID 26, see page 234-237 of LBR-LP-002) as these have been duly considered and agreed by the Inspector who conducted the Development Management Plan examination in 2011 (PS-079).

**Planning History (since April 2018): St Michaels Convent 56 Ham Common Ham
Richmond TW10 7JH**

Ref	Proposal	Received	Valid	Decision	Dec Date
19/0227 /VRC	Minor material amendment to planning permission 16/3552/FUL by way of variation of condition number U41852 (approved drawings). Amendments to include addition of single-storey rear additions with associated roof terraces and alteration to fenestration at first-floor level to units 18, 19, 20, 21, 22, 23.	18/01/2019	18/01/2019		
16/3552 /DD07	Details pursuant to condition U41858 -hard/soft landscaping	11/01/2019	11/01/2019		
18/4249 /NMA	Varying the approved proposed plans to incorporate sun rooms on mews properties 18, 19, 20, 21, 22, 23.	24/12/2018		decided as no further action be taken	24/01/2019
18/T081 6/TCA	5 DAY DANGEROUS TREE NOTIFICATION T1-T4 - Remove Dead Trees	30/10/2018	30/10/2018	Decided the Council raises no objection	05/11/2018
18/3413 /LBC	Dismantling of a gate pier and approximately 1.0m of boundary wall, safe storage of materials and reconstruction at a later date of both the pier and wall.	17/10/2018	12/11/2018	granted permission	07/01/2019
16/3552 /DD06	Details pursuant to condition U41858 (hard and soft landscaping) of planning permission 16/3552/FUL.	14/09/2018	14/09/2018	withdrawn by the applicant	11/01/2019
16/3552 /DD05	Details pursuant to condition U41866 (Sustainable drainage system) of planning permission 16/3552/FUL for Conversion and extension of the existing convent buildings (following demolition of some mid-20th century extensions), together with new build apartments and houses, to provide a total of 23 residential retirement units, an estate managers office and meeting rooms, parking and associated works within a landscaped site, with access via Ham Common.	24/08/2018	05/09/2018	granted permission	16/10/2018
16/3553 /DD02	Details pursuant to condition BD10 - Sample panels of brickwork of Listed Building Consent 16/3553/LBC.	24/08/2018	24/08/2018		

16/3552/DD04	Details pursuant to conditions BD12, materials to be approved, BD10 - brickwork sample, U41855 - cross section details scale 1:20 of planning permission 16/3552/FUL	10/08/2018	10/08/2018		
16/3552/DD03	Details pursuant to condition U41868 (Ecology Acid Grassland) of planning permission 16/3552/FUL for conversion and extension of the existing convent buildings (following demolition of some mid-20th century extensions), together with new build apartments and houses, to provide a total of 23 residential retirement units, an estate managers office and meeting rooms, parking and associated works within a landscaped site, with access via Ham Common (Revised Description).	11/06/2018	14/06/2018	granted permission	11/09/2018
16/3552/DD02	Details pursuant to conditions U41856 (NS04 - Submitted Arboricultural details) and U41857 (NS05 - Site Monitoring and Recording) of planning permission 16/3552/FUL for conversion and extension of the existing convent buildings (following demolition of some mid-20th century extensions), together with new build apartments and houses, to provide a total of 23 residential retirement units, an estate managers office and meeting rooms, parking and associated works within a landscaped site, with access via Ham Common (Revised Description).	29/05/2018	14/06/2018	withdrawn - unlikely to be determined	11/01/2019
16/3552/DD01	Details pursuant to conditions U41869 (Construction Management Plan, Demolition Phase) and U41870 (Construction Management Plan, Construction Phase) of planning permission 16/3552/FUL for conversion and extension of the existing convent buildings (following demolition of some mid-20th century extensions), together with new build apartments and houses, to provide a total of 23 residential retirement units, an estate managers office and meeting rooms, parking and associated works within a landscaped site, with access via Ham Common	25/04/2018	01/05/2018	granted permission	24/07/2018

	(Revised Description).				
16/3553 /DD01	Details pursuant to conditions U41873 (Archaeology WSI 1) and U41874 (Archaeology WSI 2) of listed building consent 16/3553/LBC for conversion and extension of the existing convent buildings (following demolition of some mid-20th century extensions), together with new build apartments and houses, to provide a total of 23 residential retirement units, an estate managers office and meeting rooms, parking and associated works within a landscaped site, with access via Ham Common.	25/04/2018	01/05/2018	granted permission	21/09/2018
16/3554 /FUL	Erection of a pair of semi detached residential retirement cottages, parking and associated works within a landscaped site, with access via Martingales Close.	07/09/2016	09/09/2016	refused permission	13/12/2017
16/3552 /FUL	Conversion and extension of the existing convent buildings (following demolition of some mid-20th century extensions), together with new build apartments and houses, to provide a total of 23 residential retirement units, an estate managers office and meeting rooms, parking and associated works within a landscaped site, with access via Ham Common (Revised Description).	07/09/2016	21/02/2017	granted permission	24/04/2018
16/3553 /LBC	Conversion and extension of the existing convent buildings (following demolition of some mid-20th century extensions), together with new build apartments and houses, to provide a total of 23 residential retirement units, an estate managers office and meeting rooms, parking and associated works within a landscaped site, with access via Ham Common (Revised Description).	07/09/2016	21/02/2017	granted permission	24/04/2018