

## **PROOF OF EVIDENCE**

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For London Borough of Richmond Upon Thames

Town and Country Planning Act 1990, section 174

**Appeal Reference - APP/L5810/C/23/3333609**

**Enforcement Appeal Made by Turks Launches Limited ('the appellant') relating to the Pontoon and land adjacent to Richmond Bridge Pier, Richmond Riverside, TW9 1TH ('the appeal site').**

Public Inquiry to be held between 13<sup>th</sup> – 15<sup>th</sup> January 2026

## **Introduction**

### **Qualifications and experience**

My current role at Richmond Council is Principal Urban Design Officer, as a part of the Conservation and Urban Design team which covers Richmond and Wandsworth as a shared service. I have been in this or similar positions for over 20 years. I am familiar with the site and its setting and advised on the design of the promenade at Richmond Riverside and associated works about 11 years ago.

My qualifications include an MA in Environmental Planning and a postgraduate diploma (Dip.LA) in Landscape Architecture. I am a Chartered Member of the Royal Town Planning Institute (MRTPi), a Chartered Member of the Landscape Institute (CMLI), and a member of the Urban Design Group.

My proof will concentrate on Metropolitan Open Land (MOL), local character and visual impact.

The evidence which I have prepared and provide for this appeal in this proof of evidence is true and has been prepared and is given in accordance with the guidance of my professional institutions and I confirm that the opinions expressed by me are my true and professional opinions.

I have outlined the sections of my proof below:

- Policy & guidance
- Related appeal decisions
- Character appraisal
- Views & visual impact
- Conclusions

### **Policy & Guidance**

#### **Metropolitan Open Land**

1. The site is within Metropolitan Open Land (MOL), which affords the same level of protection as Green Belt. The criteria for MOL are set out in the London Plan policy G3; of particular relevance are:
  - A. It contributes to the physical structure of London by being clearly distinguishable from the built-up area.
  - B. It contains features or landscapes (historic, recreational, biodiverse) of either national or metropolitan value.
  - C. It forms part of a strategic corridor, node or link in the network of green infrastructure and meets the above criteria.

Development in the Green Belt/MOL is considered inappropriate, with certain exceptions set out in paragraph 154 of the NPPF. Criterion (h) states that 'certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.'

2. Policy 35 in the newly adopted Local Plan is substantially unchanged from policy LP13 of the previous Local Plan.
3. I have reproduced Policy 35 for clarity below, which applies both to Green Belt and MOL. Policy 35 Green Belt, Metropolitan Open Land and Local Green Space:
  - A. The borough's Green Belt and Metropolitan Open Land will be protected and retained in predominantly open use. Inappropriate development will be refused unless 'very special circumstances' can be robustly demonstrated that clearly outweigh the harm to the Green Belt or Metropolitan Open Land.
  - B. Appropriate uses within the Green Belt or Metropolitan Open Land include public and private open spaces and playing fields, outdoor recreation and sport, biodiversity including rivers and bodies of water, open community uses including allotments and cemeteries. Development will only be supported if it is appropriate and helps secure the objectives of improving the Green Belt or Metropolitan Open Land, subject to national planning policy tests.
  - 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. Measures could include improvements or enhancements to landscape quality (including visual amenity), biodiversity (including delivering biodiversity net gain) or accessibility.
  - D. When considering developments 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.
4. As stated above, MOL should be protected from inappropriate development in accordance with the National Planning Policy Framework (NPPF) tests that apply also to the Green Belt. Substantial weight should therefore be given to any harm to MOL. Inappropriate development is by definition harmful to MOL and should not be approved unless 'very special circumstances' (VSC) exist, which will not be the case unless the benefits clearly outweigh the harms.
5. The restaurant use in issue in this appeal does not fall within any defined category of appropriate development. There is no amendment to the policy

approach towards cafés/ restaurants within designated MOL in relation to riverside uses or elsewhere.

6. Changes to the NPPF and 'Grey Belt': it is not considered that changes to the NPPF in December 2024 have any significance in relation to the appeal site. The term 'Grey Belt' is new, but this is not considered applicable either in relation to this site or MOL more generally but relates only to Green Belt.

**River-related Local Plan policies:**

**Policy 40: Rivers and River Corridors**

7. This includes reference to the Thames Policy Area where development should respect and take account of the special character of the reach as set out in various documents and resist the loss of river-related/ river-dependant uses that contribute to the special character of the River Thames.

**Policy 41: Moorings and Floating Structures:**

8. Section C of policy 41 lists criteria required for a new floating structure, which include that it does not harm the character, openness and views of the river, by virtue of its design and height; and that the proposed use is river-related or river-dependent.

**Policy 31: Views and Vistas**

9. This policy states that identified views (on the Policy Map) which contribute significantly to the character, distinctiveness and quality of the local and wider area will be protected. The protection of the setting of landmarks is specifically mentioned, as are listed buildings and conservation areas. Identified views and landmarks include the Identified views are indicated under paragraph 13 below. Both Richmond Bridge and Twickenham Bridge are landmarks in the Local Plan. Further details of views can be found in the relevant pages of the draft Local Views SPD reproduced in the Appendix to my proof. Other related designations can be seen in the Appendix to my colleague Aaron Dawkin's proof.

10. These policies are largely unchanged from the Local Plan policies considered at the last inquiry.

11. As the text following policy 31 explains, the new Policy Map designation of views and vistas incorporates views identified in the previous policy map, together with additional views which were the subject of a draft Local Views SPD. These included views from Richmond Riverside (northern bank), view F1.5.

12. The current status of the SPD is still draft but it has gone through public consultation. The purpose of the document was to set out existing protected views adopted through the Local Plan, as well as additional new locally

important views, including views of landmarks, which have now been incorporated into the new Local Plan Policy Map.

**13.** The preparation work was carried out in conjunction with consultants Arup alongside the Urban Design Study 2023. Relevant views identified in this document are:

- a. **F1.3:** Richmond Bridge (north-west)- includes views from east and west end of bridge;
- b. **F1.4:** Richmond Bridge (south-east);
- c. **F1.5:** Richmond Riverside (northern bank); includes sequential views along the riverside;
- d. **C5.2:** Twickenham Bridge (south-east); includes view towards Richmond Bridge.

See relevant extracts of the Local Views SPD in my Appendix.

#### **Relevant appeal decisions**

##### **Previous decision on this enforcement appeal site**

**14.** The previous inspector's view was that the development of the pontoon for restaurant use, in addition to heritage 'less than substantial' harm, constituted inappropriate development (paras. 78 and 80), and that very special circumstances sufficient to outweigh the harm to MOL did not exist (para. 125).

**15.** He concluded also that 'The quality of views contributes significantly to the character, distinction and quality of the local and wider area' (para. 84). The development enforced against failed to have regard to the special character of the reach and harmed the character, openness and views of the river (para. 126). It also restricted water-related uses (same).

#### **Gaucho's Grill 21/0437/FUL**

**16.** This appeal was to use the existing Richmond Landing Stage upstream from Richmond Bridge for seasonal al fresco dining as an extension to the existing riverside restaurant behind the river path. The site is also within MOL and viewable from Richmond Bridge. The inspector considered that this would be inappropriate development in MOL (paras. 8 and 9), by definition harmful, and went on to say that such development on MOL should only be permitted if the harm is clearly outweighed by other considerations so as to amount to very special circumstances necessary to justify the development (para. 25). The inspector noted also that there would be harm due to a failure to preserve or enhance the CA (para. 18).

**17.** The inspector did not consider that there were very special circumstances (para. 28).

### **Character appraisal**

**18.** The townscape and landscape character of the location is dominated by Richmond Bridge, an historic landmark. The most distinctive character elements include:

- a. The sequence of river views under landmark bridges;
- b. The sequential unfolding of river views following the bend in the river and the contrast to the semi-rural Twickenham side and island landscape;
- c. The absence of town centre commercial elements on the river itself, with a sharp cut-off at the river edge.

**19.** The Richmond Riverside development itself is the most urban element in this stretch of the river. With the exception of the appeal site, there is a dramatic contrast between the Riverside development and the river-related elements and uses on the river itself. In addition to the Richmond Riverside development, which incorporates listed buildings, there are a number of landmark buildings and structures in views downstream from Richmond Bridge, including Asgill House, also with a linear view from Richmond Hill. Views south of the bridge are landscape dominated and the Star & Garter Home can be seen at an elevated level in the distance. There is an absence of commercial elements.

### **Views in guidance**

**20.** Views are noted in various published character assessments and documents, including:

- a. Thames Landscape Strategy (updated 2012)
- b. Urban Design Study 2023
- c. Richmond Riverside Conservation Area Appraisal (updated 2022)
- d. (draft) Local Views SPD
- e. Richmond Hill Conservation Area Appraisal (updated 2023)
- f. Richmond and Richmond Hill Village Planning Guidance SPD 2016

**21.** The Thames Landscape Strategy 2012 Review includes as guidance (page 313):

- a. **9.2G:** Protect the visual links between Richmond Bridge and Asgill House, Richmond Hill and the Railway, Twickenham & Lock bridges
- b. **9.5G:** Resist the loss of boat building and storage facilities and their replacement by uses not functionally related to the river...'

**22.** In terms of landscape character, the Strategy refers to its characteristic leafy elegance, and the ‘gateways’ to the town along and across the river (04.09.2).

**23.** The Urban Design Study 2023 was prepared for the new Local Plan. Valued features identified in the Study include: many valued views and vistas, including views from Richmond Bridge in both directions, and views along the riverside (page 200). Riverside design guidance includes - preserve the openness of the riverside and preserve linear views along and across the river (page 354 see Appendix).

**24.** The Richmond Riverside Conservation Area Appraisal (updated 2022) identifies protecting key views amongst Opportunities for Enhancement and Recommendations (Section 6 Management Strategy)

**25.** The Conservation Area Appraisal under Section 2 Statement of Significance, notes that ‘long views across and along the embankment are key to its (public realm along the river) character and appearance.’ It says that the river is a unifying element in the character of the conservation area, in which there are great variations in townscape character within short distances. The Twickenham bank is noted as having a semi- rural character, while on the Richmond side a well-ordered townscape of fine buildings. The contrast between the two sides is notable and is a part of the distinctive character of this reach.

**26.** Under the Management section, the protection of key views is included. It notes that Riverside design guidance is to be developed in accordance with the Council’s Urban Design Study and the Thames Landscape Strategy. (Section 6 Management Strategy)

**27.** The Richmond Hill Conservation Area Appraisal covers both banks upstream of Richmond Bridge. The importance of views and avoiding obstructions to such views is noted here (Section 8 Management Plan). A similar comment is made in the Richmond and Richmond Hill Village Planning Guidance (SPD) for Richmond Riverside (page 44).

### **Views and Visual Impact**

**28.** A detailed visual impact assessment was carried out on behalf of the appellant for the last inquiry, so I have restricted my comments to a simplified analysis of the key views and visual impact. My conclusions on visual impact differ from that of the appellants at the previous inquiry; I do not consider that options generally are no worse than minor adverse. It is noted that a key view from the eastern side of Richmond Bridge, just above the site, was not included, and I have also commented on this. The visual impact of the pontoon will be influenced by the water level which was comparatively low when photographed. With a higher tide this would become more noticeable. Views are also influenced by time of day and season.

## Views

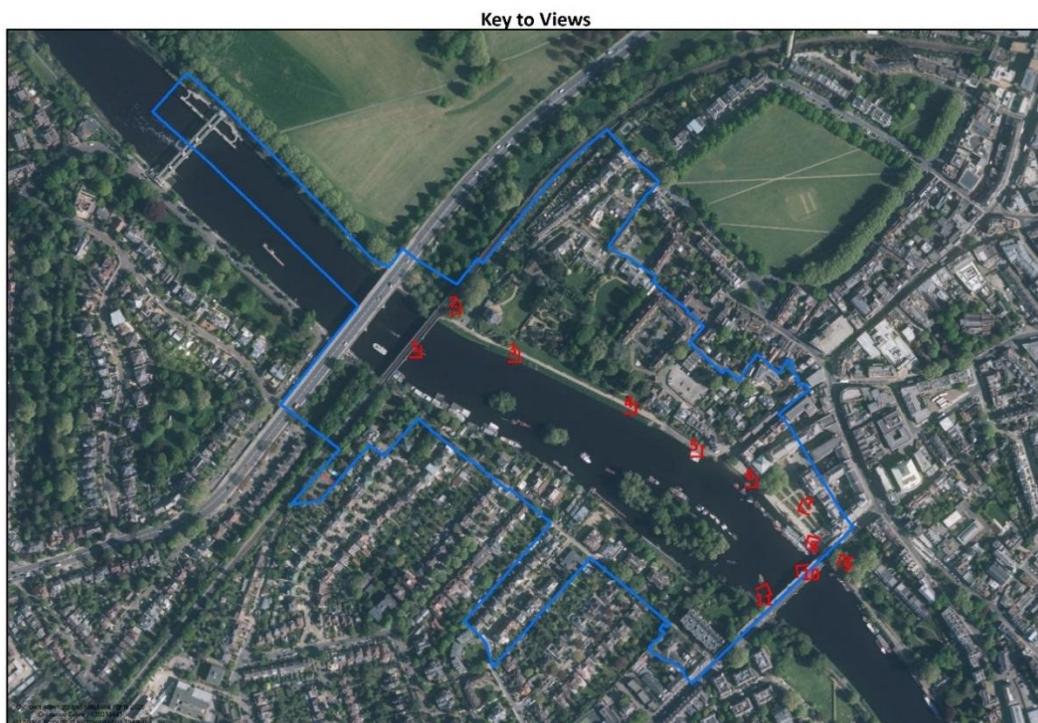
**29.** Richmond Bridge forms a dramatic landmark along the riverscape. A range of views of the site are available. The visual impact will vary according to the height of the tide. From the north looking upstream the views will be experienced as a kinetic sequence (see photos below), walking under the bridges (Richmond Railway Bridge/Twickenham Bridge) and continuing upstream towards the bridge. Because of the bend in the river, part of the view to the Richmond Bridge becomes obscured moving downstream, so that the pontoon takes up a larger percentage of the view. Looking downstream there are notable views from the bridge in particular.

**30.** The existing Jesus College Barge and its use have permission and the notes below only refer to the restaurant use and design options relating to the pontoon.

**31.** Little detail is given for the various options proposed, with no visualisations. I have grouped these as in some cases there is little difference in terms of visual impact, at least from the information provided. The impact of views will be modified by tide level, time of day and season.

**32.** For comparison I have provided site photos from before the current restaurant use of the pontoon began.

## Scheme as currently exists, and its influence on views



## Key to views

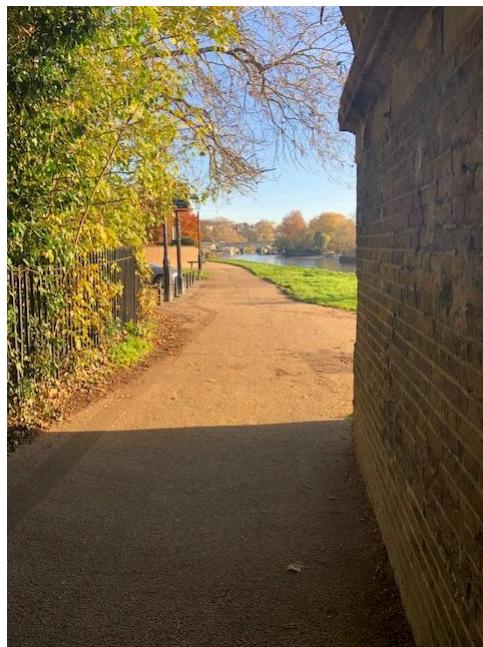
**33. From Twickenham Bridge & Railway Bridge:** Spectacular elevated views, including from frequent trains, towards the town centre and beyond. It is accepted

that the appeal site is only a small element in this view, however the view to Richmond Bridge is limited by island trees so that clutter on the pontoon takes up proportionally more of the view to the bridge arches.



**View 1: from Railway Bridge**

**34. From archway of Railway Bridge:** Photos 2 and 3 are similar views. In 2 the archway under the railway bridge frames and dramatizes the view. The bend in the river is accentuated with the view also framed by trees to both sides. Three of the main bridge arches are visible, with the eastern one visually obstructed by pontoon use.



**View 2: archway of Railway Bridge**

**35. By Asgill House:** As above, a kinetic experience moving towards Richmond Bridge. The view towards the pontoon looks cluttered and commercial and detracts from the urban/ riverscape contrast.



**View 3: by Asgill House**

**36. Cholmondeley Walk:** Photos 4 and 5 are similar views, a kinetic experience moving towards Richmond Hill, as more of Richmond Bridge comes into view. The pontoon partially obstructs the view through the easternmost main arch.



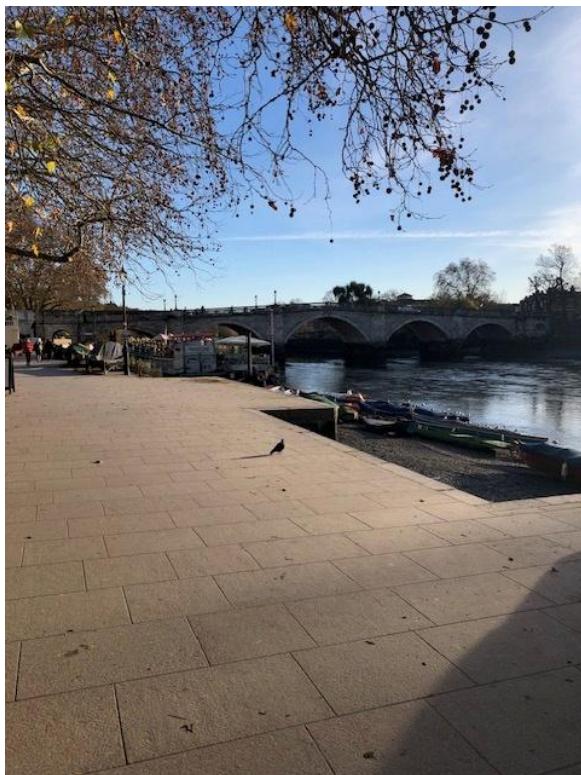
**View 4: Cholmondeley Walk**

**37. St. Helena Terrace:** Richmond Bridge now comes fully into view, as the view to the bridge is not obstructed by vegetation or the bend in the river here. The pontoon obstructs the view through the easternmost main arch.



**View 5: St. Helena Terrace**

**38. Richmond Riverside promenade:** There is a full view of Richmond Bridge upstream. The pontoon element obstructs the view through, in particular, the second arch from the east, which if clear would form a particularly important visual link to the view and landscape upstream from this point, reducing character and openness. This is caused by umbrellas and also restaurant-associated clutter.



**View 6 Richmond Riverside promenade**



**View 6A: Similar view in 2015**

**39. Richmond Riverside terraces:** There is a full view of Richmond Bridge from the south-facing terraces to the front of the Richmond Riverside development, which is a popular seating location. Depending on the viewing position, the view to Richmond Bridge is cluttered up by umbrellas, restaurant paraphernalia and lighting, or the view south to the Twickenham bank mansion block and plane trees has a cluttered foreground. In any case the distinction between the edge of the town centre and contrasting river setting, in terms of character and openness, is weakened.



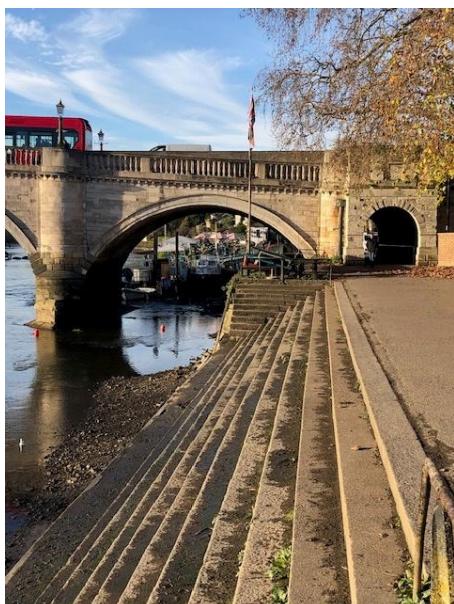
### View 7: Richmond Riverside terraces

**40. By the base of Richmond Bridge downstream:** This is a very cluttered view immediately to the south side of the appeal site which is obstructed by parasols and other elements looking downstream obscuring the view to the bridges and riverscape.



### View 8: base of Richmond Bridge downstream

**41. By the base of Richmond Bridge from upstream:** Full panorama of Richmond Bridge, cluttered view through easternmost arch, which reduces the sense of extent of the view and landscape beyond. Moving further upstream the view towards the appeal site is obscured by the booking office structure associated with the landing stage.

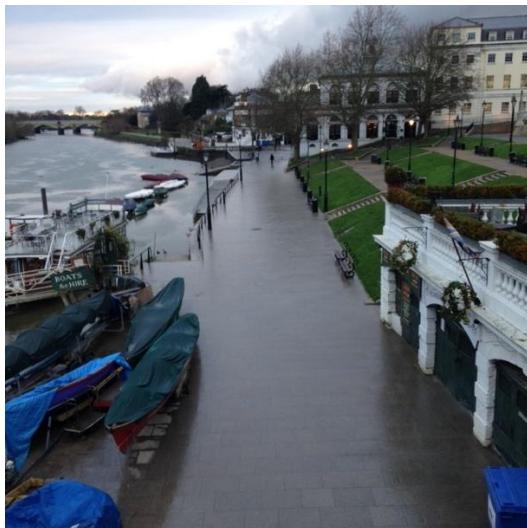


**View 9: base of Richmond Bridge downstream**

**42. Richmond Bridge east:** This view was not included in the previous appeal visual analysis but is a well-used river viewing point, with the railway bridge, Twickenham Bridge and Asgill House in the distance. It gives the most detailed view over the pontoon, which adds a distinct commercial element to the picturesque view.



**View 10: from Richmond Bridge east**



**View 10A: Similar view 12.2014**

**43. Richmond Bridge west:** This view allows a panorama of the Richmond Riverside development and terraces, which to some extent would be replicated from the river and the road. Whilst the buildings dominate the view, the presence of umbrellas, railings and associated elements are very apparent and the dramatic break from townscape to river is missing. Views from upstream on the Twickenham bank are much more limited.



**View 11: from Richmond Bridge west**

**Options 1-4: These options include the retention of some umbrellas and railings.**

- Option 1: removal of umbrellas, railings and tables and chairs at upstream end only (four umbrellas retained)
- Option 2: removal of umbrellas, tables and chairs, and raised area at upstream end, but railings retained
- Option 3: removal of railings, tables and chairs, and raised area at upstream end; removal of umbrellas from the central section
- Option 4: removal of railings, tables and chairs, and raised area at upstream end; removal of table, but not the umbrella, from the central section.

**Options 5-6: These options include railings, however remove umbrellas.**

- Option 5: retain railings and tables and chairs on raised downstream and central section
- Option 6: retain raised downstream end; railings and tables, and chairs on central and upstream section (raised area removed from upstream section)

**Option 7: This option appears to remove all elements from the pontoon except for the kitchen.** This is raised off the level of the pontoon by 1370mm. This is the closest option to the pre- Peggy Jean use of the pontoon.

**44.** Details of the proposal are not clear, as to how it would work in practice, any need for railings for safety purposes, and what control there may be for example, for demountable umbrellas, movable furniture etc.

## Assessment in relation to options (in particular their effect on character and openness)

**45. Options 1-4:** these options all retain some umbrellas. These block views to and through the Richmond Bridge arches, and whilst most visible at closer range, a smaller proportion of arches are visible in views towards Richmond Bridge from further downstream because of the bend in the river and island vegetation, the proportion of visible bridge arches is reduced, and consequently the impact of umbrellas and other non-river related elements is increased. Whilst there may be some visual benefits with lower umbrellas, they will still obstruct key views through the arches of the bridge and visually extend the restaurant use into the river area, as well as harm in relation to the setting of the bridge, especially at higher tides.

**46. Options 5-6:** these options do not have umbrellas on the pontoon but retain some disposition of railings. The raised kitchen on the pontoon is retained. The removal of parasols will reduce visual obstruction, however the restaurant use, railings, tables and chairs will all detract from the quality of the views at closer range. In distance views these would be less apparent.

**47. Option 7:** this option does not include umbrellas or railings. The kitchen is retained on the pontoon and will create some obstruction to the view. This would be the least visually obtrusive option. However, this can only be assessed as shown, without any tables, chairs, parasols or railings, which might appear subsequently possibly in demountable form.

**48.** In relation to the issue of openness, the previous inspector commented: '*The restaurant element of the mixed use of the pontoon and the activity associated with it encroach into strategic open land and reduce the openness of the MOL in spatial terms. The enlargement of the pontoon has increased its physical presence in the MOL and, consequently, has not maintained openness in spatial or visual terms. The enlarged form and the activity associated with the restaurant element of the mixed use weaken the contrast between land-based and water-based activities that is characteristic of this part of Richmond.*' (para. 79). I agree with these comments. All of the options are harmful to both the distinctive character and sense of openness in varying degrees and may be affected by non-river related or dependant activities as well as physical structures.

**49.** The above review of options should be read in conjunction with my colleague Lauren Way's analysis in her Proof of Evidence.

## Conclusions

**50.** Richmond Bridge is a pre-eminent landmark on the river and key element in views in this area. It is part also of a distinctive sequence of views related to a group of very notable bridges. With the exception of the current pontoon there are generally unobstructed views under the bridges in this visual sequence to the

riverscape and landscape beyond. It is considered that the options proposed would all cause a varying degree of obstruction and commercialisation of the view, negatively affecting character and openness, the least harmful being Option 7. However, it is difficult to assess the full extent of the impact of the appearance and use of the pontoon without more information on how this would work. In any case, even Option 7 is contrary to MOL policy outlined above, as being an inappropriate use.

**51.** All of the options will reduce the distinction between the urban town centre and the landscape-dominated river MOL, which I consider to be a key distinguishing element in the location.

**52.** The existing situation and all of the options presented will conflict to some extent with MOL policy by the introduction of a commercial, non-river related/ dependant element into the riverscape.

**53.** Of the Options indicated, Option 7 would appear to be the least invasive visually in terms of character and openness, however even here there is the bulky kitchen area, and operational question marks remain about the use of the pontoon with portable furniture, lighting and other paraphernalia (unless controlled by condition). More generally in relation to MOL, the pontoon would no longer largely function as a river-related/dependent feature.

**54.** Whether the harm caused to the MOL (and any other harm) is clearly outweighed by other considerations is for others to judge.

#### **View 12: aerial context**

