

CHAPTER 7

OPEN ENVIRONMENT

Introduction

- 7.1 The Royal Borough is fortunate to possess extensive areas of open land, including agricultural landholdings in the south of the borough and the Hogsmill Valley, which have remained predominantly open despite surrounding twentieth century development. Two small areas of ancient woodland also still exist in the north-east and south-west corners of the borough.
- 7.2 Open spaces of all sizes are greatly appreciated by Borough residents, yet are often under considerable pressure for development, and require appropriate planning and management. The Council seeks to control these pressures, and protect and maintain the open environment network. At the same time, the value of open land as a recreational resource is to be promoted and reconciled with the need to protect valuable landscape features and wildlife habitats, taking opportunities to increase biodiversity where appropriate.
- 7.3 To complement the land use policies the Council will work together with voluntary groups, in particular the Lower Mole Countryside Management Project, and with land owners, to enhance the Green Belt, Metropolitan Open Land and other open spaces. Moveable Dwelling Prohibition Orders made under the Surrey County Council Acts will continue to operate in the interests of the open rural character and visual amenity of the Green Belt and MOL. Just as the Council is committed to the management of its own land in terms of nature and landscape conservation, so it will also use its powers under section 39 of the Wildlife and Countryside Act 1981 to enter into management agreements with landowners as and when appropriate, to conserve and enhance the natural beauty of land.
- 7.4 The Thames, Hogsmill, Beverley Brook and their tributaries provide Kingston with water resources which are important for leisure, for nature conservation, transportation as well as for visual qualities. In 1994 a Thames Landscape Strategy was produced jointly by the London Boroughs of Hounslow and Richmond, the Borough of Elmbridge and the Royal Borough as well as representatives from the principal environment agencies. This important policy document offers a more strategic view of the stretch of the Thames from Hampton to Kew as well as detailed information. The Council recognises the Strategy and considers that it complements the policies contained in the UDP, in particular OL15, relating to riverside development and in the designation of relevant Proposal Sites along the Thames.

STRATEGIC POLICIES

Safeguarding and Enhancing Open Land STR7

THE COUNCIL WILL GIVE HIGH PRIORITY TO PROTECTING OPEN LAND WHICH CONTRIBUTES TO THE CHARACTER OF THE BOROUGH AND WILL:

- 1. SAFEGUARD THE OPEN CHARACTER OF GREEN BELT, METROPOLITAN OPEN LAND, GREEN CORRIDORS AND OTHER OPEN SPACES OF IDENTIFIED IMPORTANCE;**
- 2. PROMOTE GREEN CHAINS IN CONNECTION WITH ADJACENT BOROUGHES AND GREATER ACCESSIBILITY TO THE OPEN ENVIRONMENT NETWORK;**
- 3. PRESERVE AND ENHANCE APPROPRIATE AREAS FOR OUTDOOR RECREATION;**
- 4. PROTECT KEY LANDSCAPE FEATURES AND AREAS OF HIGH NATURE CONSERVATION VALUE.**

7.5 The quality of the environment in the borough is of great importance to the Council. Green areas perform a vital role in providing a setting for the built up area of London, and visually and physically defining local communities, as well as providing opportunities for recreation and other countryside activities. Strong policies of protection will continue to be pursued to protect land designated as Green Belt (OL1), Metropolitan Open Land (OL4) and other open land which contributes to the character of the borough (OL6).

7.6 Larger open areas provide visual and recreational links both inside and outside the borough. The Council has designated the open land surrounding the borough's major watercourses as Green Chains (See Map OL3). These Green Chains, which link into similar designations in adjacent boroughs, can be defined as a series of elongated undeveloped green spaces linking the Green Belt and broader areas of open land within the urban area, which may provide walking or cycling routes and permitting relief from the effects of traffic. Parts of the Green Chain network of strategic importance have been designated as Metropolitan Open Land. More detailed recreational and open space policies on Footpaths and Bridleways and Green Corridors seek to open up these Green Chains and provide further links between them.

7.7 Although open space is limited, the Council places emphasis on improving outdoor recreation provision where possible, to provide accessibility to all groups in the community, so as to ensure the needs of residents for recreation are met on a local scale. This has to be done in the context of preserving and, where possible, enhancing the relationship between the open landscape, the built environment and views between the two.

Biodiversity

STR7a

THE COUNCIL WILL SEEK TO CONSERVE AND ENHANCE THE BOROUGH'S FLORA AND FAUNA AND IMPROVE BIODIVERSITY VALUE WHERE PRACTICABLE.

- 7.8 Many of the areas protected for open space and many of the borough's watercourses are also important in the protection of nature and wildlife as they accommodate varied habitats for many species of animals and plants. However, biodiversity is a wider concept, recognised at international, national and local level, which is concerned with all living things and their habitats throughout the built and open environment.
- 7.9 The Council is concerned that the borough plays its part in developing a more diverse and therefore more sustainable natural environment and will seek to ensure consistency between land use development and emerging Biodiversity strategies and Action Plans at a national, London-wide and local level. This will be done not only through the designation of Sites of Nature Conservation Importance (OL11), where significant nature conservation interest has already been identified, but through policies which seek to protect and enhance nature conservation interests as they emerge.

Water Resource Management

STR7b

THE COUNCIL PLACES IMPORTANCE ON SUSTAINABLE AND POSITIVE MANAGEMENT OF THE BOROUGH'S WATER RESOURCES, THROUGH:

- i) PROTECTING WATERCOURSES AND RIVERSIDE AREAS FROM INAPPROPRIATE DEVELOPMENT AND SEEKING ENHANCEMENTS, INCLUDING RIVERSIDE ACCESS, AND PROMOTION OF NATURAL RIVERSIDE VEGETATION WHERE PRACTICABLE;**
- ii) PROMOTING GOOD RIVERSIDE DESIGN OF DEVELOPMENT, ESPECIALLY ALONGSIDE THE RIVER THAMES;**
- iii) PROMOTING RECREATIONAL AND TRANSPORTATION USES OF WATERCOURSES AND WATER FEATURES WHICH DO NOT ADVERSELY AFFECT LOCAL AMENITY OR NATURE CONSERVATION VALUE;**
- iv) PRIORITISING FLOOD PROTECTION AND TAKING DUE ACCOUNT OF WATER CONSERVATION, WATER QUALITY AND DRAINAGE ISSUES.**

- 7.10 The Council is dedicated to maintaining and, where possible, enhancing all the borough's watercourses and riverside areas. Key watercourses in the borough are shown on Map OL3.
- 7.11 The Thames, in particular, provides Kingston with one of its most important resources and, following on from the 1994 Thames Landscape Strategy, and in accordance with Strategic Guidance, the Council has designated the Thames

and surrounding area a Thames Policy Area (OL14, OL15), where special considerations relating to design, use, protection and enhancement, apply.

- 7.12 Policies OL15, OL16 and OL17 set out in detail how water-related recreation and transportation interests are to be promoted, but only where local amenity and nature conservation interests are not adversely affected. As well as being important parts of the local landscape, it should be noted that watercourses and water features and adjacent buffer zones tend to have special biodiversity value. For example, the Thames, Hogsmill, Beverley Brook and Bonesgate are all designated as Sites of Nature Conservation Importance.
- 7.13 Significant parts of the borough, notably Kingston Town Centre, are built on traditional floodplain land. Indeed all the major watercourses have built development on their banks at some point. Whilst it is unreasonable to restrict all further development, for example in Kingston Town Centre, simply because it happens to be located within the flood plain, the Council takes the threat of flooding seriously and supports a precautionary approach to flood protection.
- 7.14 Government advice in PPG25 (Development and Flood Risk) sets out a sequential test to be used for allocating land and development control decisions. The sequential test uses a risk-based search sequence to locate developments in areas which avoid flood risk or, otherwise, manage the risk effectively, whilst recognising the uncertainties that are inherent in the prediction of flooding. The Council considers that, based on current information, its land-use allocations are consistent with the sequential approach in PPG25. There are no major built development allocations proposed on functional flood plain land or undeveloped/sparsely developed areas of high flood risk. Where proposals come forward for new development in existing developed areas of high flood risk, the Council will use Policy OL18 to refuse development which increases the risk of flooding, and require appropriate mitigation measures to ensure new development does not exacerbate existing risks. At the same time, the Council will, in partnership with the Environment Agency, continue working towards reducing the risk of flooding in all parts of the Borough.
- 7.15 As well as having the potential to exacerbate the risk of flooding from watercourses, urban drainage from new development can be a problematic issue in its own right. Policy OL19 outlines the Council's approach for moving towards more sustainable and positive drainage management.

DETAILED POLICIES

The Green Belt OL1

EXCEPT IN VERY SPECIAL CIRCUMSTANCES APPROVAL WILL NOT BE GIVEN FOR DEVELOPMENT (OTHER THAN THE CHANGE OF USE OF AN EXISTING BUILDING) WITHIN THE GREEN BELT, AS DEFINED ON THE PROPOSALS MAP, FOR PURPOSES OTHER THAN:-

1. **AGRICULTURE AND FORESTRY;**
2. **OUTDOOR SPORT;**
3. **CEMETERIES;**
4. **APPROPRIATE RESIDENTIAL INFILL DEVELOPMENT OR A MODEST EXTENSION WHICH DOES NOT CHANGE THE SCALE OF AN EXISTING PROPERTY AND WHERE NO MORE THAN 25% OF THE PLOT IS DEVELOPED IN THE FORM OF BUILDINGS, GARAGES AND HARDSTANDINGS;**
5. **OTHER USES WHICH ARE OPEN IN CHARACTER AND APPROPRIATE TO A RURAL AREA.**

- 7.16 The detailed boundaries of the Borough's Green Belt were first defined in the Borough Plan (1989), providing long-term defensible barriers to the growth of the urban area. These boundaries were carried through to the Unitary Development Plan with no significant changes.
- 7.17 In accordance with PPG2 and Draft Strategic Guidance for London Planning Authorities, there will be a strong presumption against new development which is not classified as an appropriate use in order to maintain the open nature of the Green Belt. This policy is compatible with both the Surrey Structure Plan and the UDPs of London Boroughs which adjoin Kingston. The change of use of existing buildings within the Green Belt is dealt with in Policy OL2. Cases where an applicant can demonstrate that very special circumstances exist to the extent that the Council is minded to grant planning permission for development that would not normally be acceptable in the Green Belt will be very rare indeed. If there is an exceptional case where the Council is so minded, it will be treated as a departure from the development plan and will be referred to the Secretary of State under the Town and Country Planning Act (Development Plans and Consultation) Directions 1992.
- 7.18 Development within built up areas in the Green Belt should be restricted to a minimum to protect its character and visual attractions. Redevelopment will only be considered where the scale and character of the proposal does not detract from the physical or visual character of the area and generally provides for buildings of equivalent site coverage. Normally at least 75% of the plot should be kept free from development. The Council will not permit major extensions to existing dwellings which upset the relationship of the building with adjoining properties and/or result in a more intrusive building out of scale and character with its surroundings.
- 7.19 Infilling' will be considered to have occurred where there is a substantially built-up frontage with only a small gap in an otherwise continuous line of development. It will normally constitute a single plot similar in size to those adjoining and the development (buildings, garages and hardstandings) can only account for 25% of the plot. For the avoidance of doubt the Council does not consider that the area which lies between the filling station and the Fox and Hounds Public House on the Leatherhead Road constitutes an infill site. For clarity, the Council considers Malden Rushett to be within the Green Belt and a suitable location for appropriate infill development but not expansion.

- 7.20 Not all of the specified uses listed above will necessarily be appropriate on all sites. Proposals for individual types of development will be considered having regard to their effect on the visual amenities and ecology of the area (see Policy OL11) and on existing rights of way which the Council will seek to reroute if necessary. The Council supports initiatives which improve the appearance of the Green Belt and will seek appropriate environmental improvements to statutory undertakers' operational sites within the Green Belt.

Reuse of Buildings in the Green Belt OL2

THE COUNCIL WILL ONLY PERMIT PROPOSALS FOR THE CHANGE OF USE OF BUILDINGS IN THE GREEN BELT WHERE:

- 1. THE REUSE WOULD NOT LEAD TO THE UNACCEPTABLE APPEARANCE OR USE OF LAND ADJACENT OR ANCILLARY TO SUCH BUILDINGS OR TO THE UNACCEPTABLE EXTENSION OF THE BUILDING;**
- 2. A BUILDING IS OF PERMANENT AND SUBSTANTIAL CONSTRUCTION AND IS CAPABLE OF CONVERSION WITHOUT MAJOR OR COMPLETE RECONSTRUCTION;**
- 3. THE NEW USE WOULD NOT HAVE A MATERIALLY GREATER IMPACT THAN THE EXISTING ONE ON THE OPENNESS OF THE GREEN BELT AND THE PURPOSES OF INCLUDING LAND IN IT;**
- 4. THE USE IS NOT OF A RESIDENTIAL NATURE UNLESS OTHER USES ARE IMPRACTICAL OR UNACCEPTABLE.**

IN GRANTING PERMISSION FOR THE USE OF AGRICULTURAL BUILDINGS FOR NON-AGRICULTURAL PURPOSES, THE COUNCIL WILL NORMALLY ATTACH AN APPROPRIATE CONDITION WITHDRAWING FURTHER RELEVANT PERMITTED DEVELOPMENT RIGHTS.

- 7.21 PPG2 makes it clear that the reuse of existing buildings in the Green Belt should normally be permitted, since the buildings are already there. In Kingston, this must be seen in the context of the Green Belt forming a distinctive edge to Greater London where there is a clean break between the city and the countryside, but where there is considerable pressure from, sometimes inappropriate, urban uses to utilise buildings and land in the Green Belt.
- 7.22 While the Council will therefore consider applications that reuse buildings, due to the highly pressured nature of Kingston's Green Belt it will very critically examine all the possible impacts. The Council will expect any reuse to have a minimal impact on the appearance of land adjacent or ancillary to a reused building in order to maintain the openness of the Green Belt. Furthermore, the Council will not permit development where it would have a materially greater impact than the existing use on the openness of the Green Belt, for example by leading to a need for additional hard parking areas or outside storage.
- 7.23 If, in the Council's opinion, a building is not capable of conversion without major or complete reconstruction, the Council will view this as a new construction and

not permit it. The Council may, in exceptional circumstances, allow such a reconstruction, for example if it involved the proper restoration of a listed building or meant the removal of other visually intrusive buildings or features. Similarly, reuse of buildings will only be permitted where the building is of a permanent and substantial nature.

- 7.24 In line with PPG2 and PPG7, the Council will not normally allow buildings in the Green Belt that could be reused to benefit the rural economy or for recreational, agricultural or other appropriate Green Belt purposes outlined in OL1, to be reused for residential purposes. Given the proximity of the built up area, residential uses will not normally need to be accommodated in Kingston's Green Belt. Furthermore, the creation of a residential curtilage around a newly converted building can have a material impact on the openness of the Green Belt and would be contrary to part 3 (and on occasions part 1) of this policy.
- 7.25 Where the Council has permitted the reuse of an agricultural building, it will generally attach conditions withdrawing relevant permitted development rights. This is in order to avoid a proliferation of new buildings being built under permitted agricultural rights and subsequently reused for other purposes.
- 7.26 When assessing the reuse of buildings the Council will take account of other policies within the plan and will pay particular regard to amenity and landscaping issues. In line with PPG2, through use of appropriate conditions when granting a change of use, the Council will seek to improve the appearance of any existing building that it considers has an adverse effect on the landscape items of visual amenity.

Agriculture in the Green Belt

OL3

IN CONSIDERING APPLICATIONS ON EXISTING AGRICULTURAL LAND WITHIN THE GREEN BELT THE COUNCIL WILL HAVE REGARD TO:

- A. THE QUALITY OF AGRICULTURAL LAND;**
- B. THE EFFICIENCY AND UPKEEP OF AGRICULTURAL HOLDINGS;**
- C. THE LOCATION AND DESIGN OF AGRICULTURAL BUILDINGS, AND WHERE NECESSARY THE NEED TO ATTACH AGRICULTURAL OCCUPANCY CONDITIONS.**

IN CONSIDERING APPLICATIONS ON LAND ADJACENT TO AGRICULTURAL LAND THE COUNCIL WILL HAVE REGARD TO ANY ADVERSE EFFECTS ON THE EFFICIENCY AND UPKEEP OF AGRICULTURAL HOLDINGS.

WHERE AGRICULTURAL USE IS NO LONGER VIABLE IN THE EVENT OF NEW TRANSPORT INFRASTRUCTURE, A CHANGE TO PREDOMINANTLY DECIDUOUS WOODLAND AND OPEN GRASSLAND WITH PUBLIC ACCESS WILL BE ENCOURAGED, SUBJECT TO THE NEED TO PROTECT ATTRACTIVE VISTAS OF OPEN LAND AND VALUABLE WILDLIFE HABITATS.

- 7.27 It is recognised by Government guidance in PPG7 'The Countryside and the Rural Economy' that changes in agricultural production have led to greater

efficiency and output. This has reduced the previous priority of retaining as much land as possible for agricultural use to one of retaining those areas of the highest quality. In line with PPG7, the Council will therefore seek to retain areas of good quality agricultural land, graded 1, 2 and 3a as defined by the Ministry of Agriculture, Fisheries and Foods (MAFF) Agricultural Land Classification. Elsewhere emphasis will be placed on retaining the open character of the land and the function of the Green Belt.

- 7.28 In resisting the loss of high quality agricultural land, the Council will provide a positive framework through the policies of the plan within which farming can continue and develop, given that it retains the open rural nature of the Green Belt. In order to support the viability of agriculture, account will be taken of any advantages that arise from diversifying farm activities and providing recreational activities.
- 7.29 Whilst the Council seeks to support agriculture this should not be at the expense of other aims of the plan. New development should be consistent with Green Belt policy and acceptable in terms of landscape, other visual or residential amenities, ecological interests and highway safety. In particular, in areas of significant ecological interest, the Council will encourage the management of the land for nature conservation.
- 7.30 Insensitive siting of development can impose operational constraints on farm activities. The Council will support the viability of holdings by resisting development close to farms which could affect their efficiency and upkeep by virtue of disturbance.
- 7.31 Although the Council recognises the need for dwellings for genuine agricultural workers, this will not be allowed to undermine the restrictive policy towards development in the Green Belt. To ensure the genuine need for workers' accommodation on a holding, the Council will consult with the appropriate authorities, including the Ministry of Agriculture Fisheries and Food. Any permission issued will be subject to an agricultural occupancy condition. However, as no part of the borough's Green Belt is more than 1 km from a settlement it is extremely unlikely that any agricultural dwellings would be justified.
- 7.32 Where new transport infrastructure has been introduced, existing agricultural use of adjacent land may no longer be viable because of field division. In these circumstances, the Council will encourage a change to deciduous woodland and open grassland with public access which should incorporate the use of appropriate native tree species.

Metropolitan Open Land OL4

EXCEPT IN VERY SPECIAL CIRCUMSTANCES APPROVAL WILL NOT BE GIVEN FOR DEVELOPMENT WITHIN METROPOLITAN OPEN LAND, AS DEFINED ON THE PROPOSALS MAP, FOR PURPOSES OTHER THAN:-

- 1. AGRICULTURE, WOODLANDS, ORCHARDS, ALLOTMENTS AND NURSERY GARDENS;**
- 2. PARKS, OPEN SPACES, NATURE CONSERVATION AND OUTDOOR SPORT;**
- 3. CEMETERIES;**
- 4. OTHER APPROPRIATE USES WHICH ARE OPEN IN CHARACTER.**

7.33 In conformity with the requirements of Government guidance, the boundaries of Metropolitan Open Land were reviewed through the Borough Plan to remove areas which no longer contribute effectively to the function of MOL; to reflect the built up nature that some sites on the edge of MOL exhibit; and to establish long-term defensible boundaries wherein a firm policy of restraint can be applied.

7.34 The Council views protection of the borough's MOL to be as important as that of Green Belt and will resist development that will undermine its local as well as strategic importance. In particular the Hogsmill/ Bonesgate Valley area of MOL is important because it provides an extensive area of public open space forming a 'green chain' of open land linking Chessington to Kingston town centre; is of ecological value; and acts as a valuable break in, and contrast to, the surrounding built-up areas. The Council will continue to enhance this area in conjunction with voluntary groups and landowners using its programme of minor environmental improvements and sensitive management.

7.35 Unlike in the Green Belt the reuse of buildings for uses other than those normally appropriate will not be permitted. MOL in the borough is under considerable development pressures and the reuse of buildings within it for inappropriate uses would add to this pressure.

7.36 Operational needs of statutory undertakers occupying sites within MOL will be expected to take account of the restrictions justifiably imposed to resist inappropriate built development. Where possible, future operational needs should be met on sites within the urban area. It will be necessary for statutory undertakers to demonstrate, environmentally or economically, that it is not possible to meet these needs within the urban area before any consolidation or extension of their activities is considered on existing sites within MOL. Where there is no reasonable alternative site the Council will not operate the MOL policies to restrict essential operational needs provided that due regard is paid to Policies OL8 and BE9. Should any land become surplus, the only appropriate uses will be for the uses outlined above as acceptable in MOL.

New Buildings in the Green Belt and Metropolitan Open Land

OL5

NEW BUILDINGS WITHIN, ABUTTING, OR CLEARLY VISIBLE FROM THE GREEN BELT AND AREAS OF METROPOLITAN OPEN LAND SHOULD:-

- (A) RESPECT THE SETTING IN SCALE, FORM AND DESIGN;**
- (B) PROVIDE A HIGH STANDARD OF LANDSCAPING, ESPECIALLY WHERE THIS PROVIDES A BETTER DEFINITION TO THE BOUNDARY BETWEEN THE BUILT UP AND OPEN AREAS;**
- (C) ACCOMMODATE ANCILLARY USES SUCH AS CAR PARKING WITH PARTICULAR CARE.**

7.37 Buildings will only be permitted within the Green Belt or Metropolitan Open Land where necessary, in connection with appropriate uses and should not harm the character of those areas. In particular, buildings in excess of two storeys will usually be unduly dominant, harming the open aspect and views within the Green Belt and MOL. A high standard of landscaping will always be essential to enhance the appearance of the development, soften its visual impact and help screen it from adjoining areas of open land, so that the open aspect of these areas is maintained and improved. Ancillary uses such as car parking, which can also have an unduly dominant and harmful visual effect on the appearance of Green Belt and MOL, must be carefully designed for the same reasons. The Council will, likewise, exercise care over the appearance of buildings and ancillary uses abutting or visible from the Green Belt or MOL. The Council will refuse permission for developments which are likely to detract from the appearance of the Green Belt and MOL.

Protection of Other Open Land

OL6

APART FROM ANY ANCILLARY DEVELOPMENT ALLOWED UNDER POLICY OL7, BUILT DEVELOPMENT WILL BE RESISTED ON OPEN LAND WHICH IS:

- A) LISTED IN THE SCHEDULE OF PROTECTED LOCAL OPEN SPACES IN APPENDIX 6; OR**
- B) WITHIN AN AREA OF OPEN SPACE DEFICIENCY AND HAS POTENTIAL FOR USE AS PUBLIC OPEN SPACE; OR**
- C) OF LOCAL AMENITY IMPORTANCE OR PERFORMS AN IMPORTANT RECREATIONAL, HISTORICAL, STRUCTURAL, VISUAL OR ECOLOGICAL FUNCTION.**

7.38 Green Belt and Metropolitan Open Land are not the only open spaces in the borough which contribute to the Borough's character and deserve protection. Smaller open spaces, from parks and playing fields to grass verges, allotments and back gardens can be equally important at the local level. Together with the larger open areas, these important small open spaces make up an open space network within the borough which the Council does not wish to see eroded.

Accordingly, this policy is equally applicable to public and private open land, hard-surfacing and green areas.

- 7.39 In appendix 6, the Council has produced a schedule of local open spaces which, besides those designated as Green Belt and Metropolitan Open Land, are identified as contributing to the open environment of the borough and deserving protection against inappropriate built development. These are also shown on the proposals map.
- 7.40 The schedule in appendix 6 is not an exclusive list of open spaces which contribute to the borough's character. In determining applications on any other open land, the Council will firstly consider whether the site has potential for Public Open Space to help alleviate open space deficiency areas. Deficiency areas are identified on map OL1 as residential areas (excluding those of low density) more than 400 metres from a local park or public open space. The map is based on LPAC's Open Space Hierarchy, as suggested by PPG17. Secondly, the Council will consider whether the open space is of importance to local amenity or is important in any of the following terms:
- i) Recreational – whether it is required for formal or informal recreation. Where appropriate the Council will refer to PPG17, Policies in the Recreation and Leisure Chapter and the advice of Sport England.
 - ii) Historical – whether the open space is of local historical importance. Where appropriate the Council will refer to policies in the Built Environment Chapter and consult with the Garden History Society/English Heritage. Although at the present time, English Heritage have not included any of the Borough's Parks and Gardens on their statutory list; any future designations would be protected through this criterion.
 - iii) Structural – whether the open space provides visual or accessible links into other areas of open space (eg Green Chains – Policy STR7), is significant to the local balance between open space and buildings or has the potential to improve accessibility.
 - iv) Visual – whether the open space is important to local townscape or skylines.
 - v) Ecological – whether the open space contains ecological interest including protection of wildlife habitats and corridors, species of conservation concern, or areas which offer important open space functions within the local area.
- 7.41 Through contributing to both educational recreation needs and the green network of the borough, school playing fields are a valuable open space resource. Accordingly, twenty-one of the larger school playing fields in the borough are listed in appendix 6 and protected under criterion A). Whilst hard-surfaced school playgrounds also have recreational value, they, along with smaller green areas, have generally been excluded from the appendix 6 designations to provide a degree of flexibility for schools where extensions may be required to cope with statutory requirements (eg to provide sufficient classrooms for reduced class sizes). Whilst as a general rule, it is considered that extending onto playing fields is less appropriate for such development than playgrounds, the recreational needs of the school should be considered as a whole. Applicants should seek to minimise the footprint of extensions onto open

recreational land. Over-intensive development of school sites will be resisted in accordance with Policy BE12.

Open Space Improvement and Ancillary Development OL7

THE COUNCIL WILL SEEK IMPROVEMENTS TO THE QUALITY OF THE BOROUGH'S OPEN SPACES IN TERMS OF INCREASING ACCESSIBILITY OR VEGETATION COVER, CREATING ANCILLARY FACILITIES INCLUDING SEATING, IMPROVING BIODIVERSITY, LANDSCAPING, OR REORGANISING THE TYPE OF OPEN SPACE PROVISION IN ACCORDANCE WITH LOCAL NEEDS.

IN CONSIDERING PROPOSALS FOR DEVELOPMENT ANCILLARY TO AN APPROPRIATE USE OF OPEN SPACE, THE COUNCIL WILL SEEK TO ENSURE THAT:-

- 1. THE LAND REMAINS IN PREDOMINANTLY OPEN USE APPROPRIATE TO ITS PARTICULAR LOCATION;**
- 2. THE BUILT DEVELOPMENT ELEMENTS OF THE SCHEME DO NOT ADVERSELY AFFECT THE CHARACTER, APPEARANCE OR ECOLOGICAL VALUE OF THE LAND BY VIRTUE OF THEIR LOCATION, MASSING, SCALE, MATERIALS AND DESIGN.**

7.42 Notwithstanding the protection given to open spaces under Policy OL6, it is recognised that improvements, including ancillary development of facilities, may be desirable to make optimum use of the borough's open spaces. This policy will be applied to secure appropriate open space improvements and ensure that developments which are intrinsically related to an appropriate use of the open space do not detrimentally affect its character.

7.43 Besides determining applications from outside applicants for ancillary facilities, the Council intends to use its own resources and work with local groups to improve the borough's open spaces that are under its control. Where appropriate, the Council will also seek opportunities in terms of development partnerships and section 106 agreements to improve open spaces, as outlined in Policy RES6.

7.44 The type of improvements will depend on the individual open space. In assessing what improvements are most beneficial, the Council will have regard to current strategies, on issues such as Biodiversity and individual parks, and will take the advice of internal expertise and external organisations such as Sport England, the Greater London Authority, London Wildlife Trust and the Lower Mole Countryside Management Project or other local groups.

7.45 In assessing local needs and determining whether a reorganisation of open space provision is desirable, the Council will have regard to the Open Space Deficiency Map (Map OL1) and the Open Space hierarchy developed by LPAC on which it is based.

- 7.46 In all circumstances, improvements to Open Space must take place within the context of other policies in the plan. This means that where improvements are sought within designated Green Belt and Metropolitan Open Land, regard must be had to the strict restriction on new built development contained within earlier policies in this chapter.

Appearance and Underuse of Open Land

OL8

THE POOR APPEARANCE AND UNDERUSE OF OPEN LAND WILL NOT BE ACCEPTED AS SUFFICIENT JUSTIFICATION FOR DEVELOPMENT.

- 7.47 The Council wishes to emphasise to landowners that the misuse or neglect of land to secure 'hope value' will not provide a means of overcoming Open Land policies.
- 7.48 In implementing this policy the Council will use its statutory powers to enforce the cleaning up of derelict and neglected land. In addition the Council will provide a positive approach to the maintenance of open land.

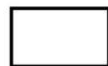
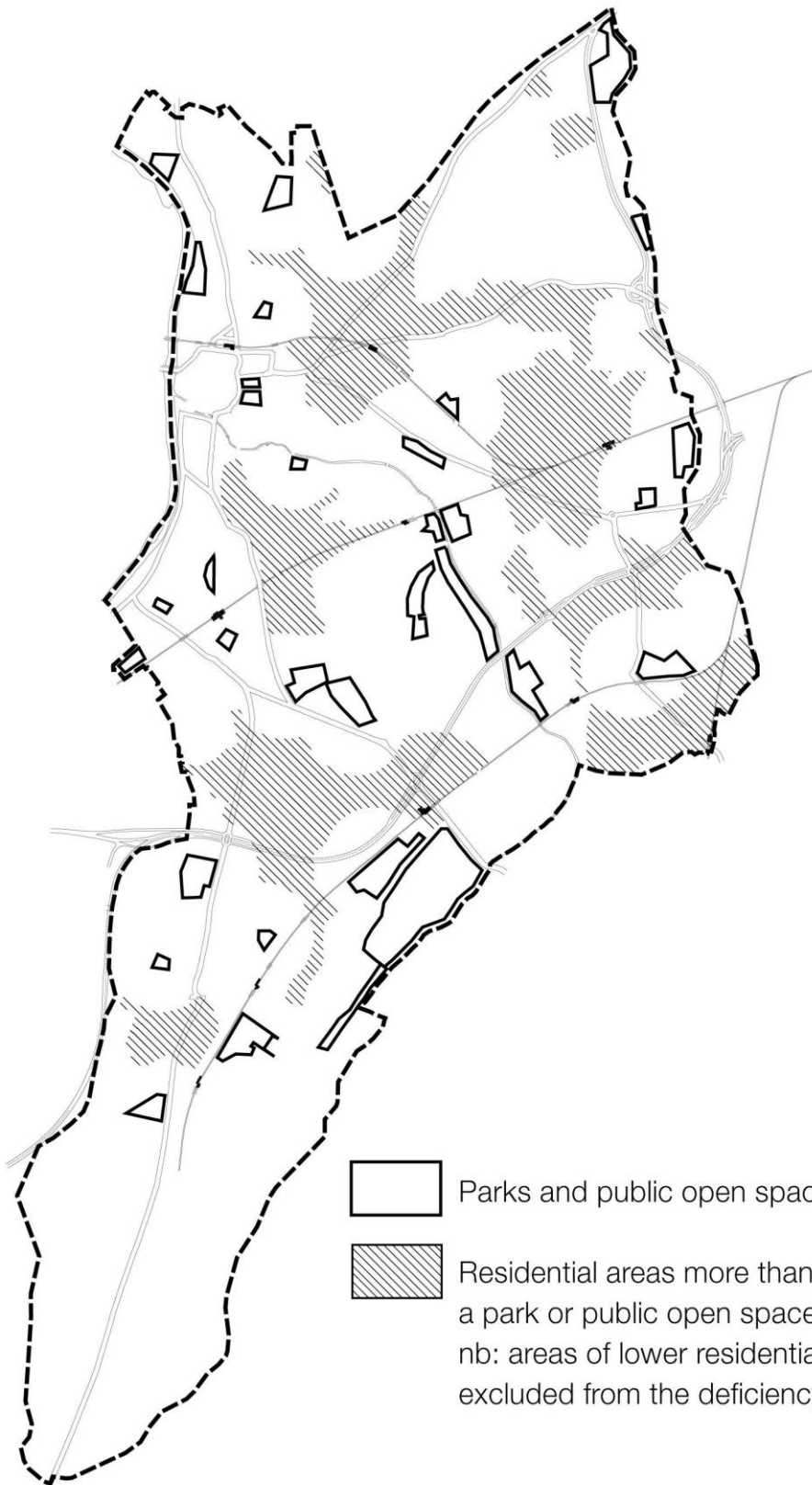
Development Adjoining Open Space

OL9

WHERE NEW DEVELOPMENT IS TO BE LOCATED ON LAND ADJOINING AN EXISTING OPEN SPACE, WHETHER PUBLIC OR PRIVATE, IT SHOULD NOT ADVERSELY AFFECT ITS SETTING, AMENITY OR ECOLOGICAL VALUE BY VIRTUE OF ITS HEIGHT, SCALE, MASSING, LOCATION, OR FUNCTION.

- 7.49 The enjoyment and amenity value gained from local open spaces is not only derived from the open space itself, but is affected by the form of development surrounding the site. The Council will ensure the protection of local open space by controlling the form of development adjacent to open space to prevent any detrimental impact.
- 7.50 The Council operates similar policies in the Green Belt and MOL which restrict buildings which harm the open aspect of the land (Policy OL5).

**MAP OL1: Open space provision
Policy OL10**



Parks and public open spaces



Residential areas more than 400m from a park or public open space.

nb: areas of lower residential density are excluded from the deficiency areas.

New Public Open Space Provision OL10

THE COUNCIL WILL SEEK THE PROVISION OF AREAS OF PUBLIC OPEN SPACE AND BRING FORWARD PROPOSALS FOR NEW AREAS OF PUBLIC OPEN SPACE AS OPPORTUNITIES CAN BE IDENTIFIED. WHERE APPROPRIATE, THE COUNCIL WILL REQUIRE THE INCORPORATION OF PUBLIC OPEN SPACE IN DEVELOPMENT PROPOSALS.

- 7.51 The Council will continue to identify land in its ownership which is surplus to requirements and which has potential for use as public open space.
- 7.52 In accordance with Policy RES6, the Council will also seek open space as community benefit in residential developments of a scale where this is physically and economically feasible, bearing in mind that any community benefit must be related in scale and kind to the development proposed. In assessing where this would be appropriate, the Council will have regard to the range of existing local open space provision in the local area including the Open Space Deficiency Map (OL1), LPAC's open space hierarchy and advice on open space provision in PPG17.

Green Corridors OL10a

THE COUNCIL WILL SEEK TO PROTECT AND ENHANCE GREEN CORRIDORS AS SHOWN ON THE PROPOSALS MAP, TAKING ADVANTAGE OF DEVELOPMENT OPPORTUNITIES WHERE APPROPRIATE.

- 7.53 Green Corridors are relatively continuous areas of open space leading through the built environment, which may link sites to each other and to the Green Belt or Metropolitan Open Land. They often consist of railway embankments and cuttings, roadside verges, canals, parks, playing fields and rivers. They may allow animals and plants to be found further into the built up area than would otherwise be the case and provide an extension to the habitats of the sites they join. Transportation corridors can play a significant role in ensuring that the natural environment complements the built environment to its fullest extent. Whilst access is clearly their primary function, the boroughs roads and railways also offer opportunities for providing 'green' frontages and wildlife corridors, which may assist in achieving air quality objectives (see MW6).
- 7.54 The Council has identified several road and pedestrian corridors on the proposals map entering Kingston Town Centre which would benefit from a green, landscaped approach and, where appropriate, will use the community benefit policy to obtain s106 contributions to help secure this. Railway embankments have also been designated due to their role as wildlife corridors and alongside the railways the Council will seek management policies which recognise their nature conservation role. Open land adjoining Green Corridors

can also assist wildlife movement and their supporting role in this regard should not be constrained by inappropriate development.

Sites of Nature Conservation Importance OL11

THE COUNCIL WILL NOT ALLOW DEVELOPMENT PROPOSALS WHICH WOULD CAUSE UNACCEPTABLE HARM TO SITES OF SPECIAL SCIENTIFIC INTEREST, NATIONAL NATURE RESERVES, LOCAL NATURE RESERVES OR SITES OF NATURE CONSERVATION IMPORTANCE AS IDENTIFIED ON THE PROPOSALS MAP AND LISTED IN APPENDIX 6, AND WHEN CONSIDERING DEVELOPMENT PROPOSALS ON SITES ADJOINING THESE AREAS, THE COUNCIL WILL TAKE INTO ACCOUNT THE EFFECTS ON LOCAL BIODIVERSITY AND WOULD SEEK NO NET LOSS.

- 7.55 This approach is in accordance with Strategic Guidance which supports the inclusion of land use policies on nature conservation and also with PPG9 on Nature Conservation. Appendix 6 contains a list of Sites of Special Scientific Interest National and Local Nature Reserves and Sites of Nature Conservation Importance, which include the habitats considered most crucial to the maintenance of biodiversity in the Borough and the wildlife corridors. These are also to be found on the Proposals Map.
- 7.56 PPG9 states that special protection ought to be given to internationally designated sites. Richmond Park is a National Nature Reserve. Richmond Park and Wimbledon Common are candidate Special Areas of Conservation under the European Union's Habitats Directive. Apart from Robin Hood Lodge (which is included within the Richmond Park designations), these designations are just outside the borough's boundaries. In accordance with PPG9, the Council will attach considerable importance to the protection of the Robin Hood Lodge area for nature conservation. The Council will also use Policy OL11 to ensure that development proposals within the Borough do not unacceptably affect designated sites just outside borough boundaries.
- 7.57 When considering development proposals within or adjoining Sites of Special Scientific Interest or of Nature Conservation Importance, the Council will pay particular attention to the preservation of particular habitats. When appropriate, advice will be sought from English Nature, the Greater London Authority, the Lower Mole Countryside Management Project, the Environment Agency and other appropriate organisations. In particular, the Council will, in consultation with English Nature, investigate and, if considered appropriate, designate and manage areas as Local Nature Reserves, in accordance with Section 21 of the National Parks and Access to the Countryside Act 1949. Where relevant, the Council will take ecological factors into account when considering proposals for development and will seek nature conservation benefits through formal agreement where appropriate. The Council will encourage sympathetic and positive management of these areas to enhance their ecological value and will manage its own land holdings accordingly.

- 7.58 The sites of nature conservation importance will be reviewed and others added if and where they are of sufficient value. The Council will protect these areas not only for their intrinsic nature conservation interest but also for their potential in meeting leisure, educational and social need. Elsewhere in the borough the Council will take into account the impact of development on the ecology of a site and its neighbours in line with Policies RES3 and OL6.

Species Protection OL11a

PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT OR LAND USE CHANGES WHICH WOULD HAVE AN ADVERSE EFFECT ON PROTECTED SPECIES WITHOUT APPROPRIATE MITIGATION MEASURES. THE COUNCIL WILL APPLY SIMILAR PROTECTION TO SPECIES THAT HAVE BEEN IDENTIFIED AS BEING OF HIGH CONSERVATION CONCERN IN THE LOCAL CONTEXT.

- 7.59 The presence of a protected species is a material consideration when the Council considers a development proposal which, if carried out, would be likely to result in harm to the species or its habitat. The Council will consult English Nature before granting planning permission. They will consider attaching appropriate planning conditions or entering into planning obligations under which the developer would take steps to secure the protection of the species, particularly if a species listed in Annex IV to the Habitats Directive would be affected. The Council will also advise developers that they must conform to any statutory species protection provisions affecting the site concerned.
- 7.60 Through evolving Biodiversity Action Partnerships, work is also being carried out at the national, London wide (co-ordinated by the GLA) and local level on identifying locally important species. Many locally important species, such as kingfishers, water voles, bats, herons and stag beetles are already protected species under the Wildlife and Countryside Act. However, other species may be identified through the Biodiversity Action Plan process as being of high conservation concern. Where relevant, the Council will take such information into account when determining planning applications.

Stables, Riding Schools and Other Similar Establishments OL12

STABLES, SHELTERS, RIDING SCHOOLS AND OTHER ESTABLISHMENTS ASSOCIATED WITH THE KEEPING OR RIDING OF HORSES WILL ONLY BE PERMITTED WHERE IT CAN BE DEMONSTRATED THAT THE PROPOSAL WILL NOT:-

- (A) RESULT IN THE FRAGMENTATION OF OR DETRIMENTAL EFFECT UPON AN AGRICULTURAL UNIT;**

- (B) INVOLVE INSUFFICIENT EXERCISE OR GRAZING LAND FOR THE NUMBER OF HORSES INVOLVED;**
- (C) ADVERSELY AFFECT THE VISUAL AMENITIES OR CHARACTER OF THE LOCAL AREA;**
- (D) BE POORLY LOCATED IN RELATION TO BRIDLEWAYS OR OPEN AREAS, OR WOULD RESULT IN THEIR OVERUSE;**
- (E) DETRIMENTALLY AFFECT A SITE OF NATURE CONSERVATION IMPORTANCE OR SITE OF SPECIAL SCIENTIFIC INTEREST;**
- (F) ADVERSELY AFFECT THE RESIDENTIAL AMENITIES OF THE OCCUPANTS OF ANY NEIGHBOURING DWELLINGS.**

- 7.61 Policy OL12 reflects the experience of both this Council and nearby authorities, including Surrey County Council, and it incorporates the findings of a Lower Mole Countryside Management Project Survey conducted in 1983.
- 7.62 The erection of stables or looseboxes may, in certain cases, constitute permitted development under the terms of Schedule 2 of the General Development Order 1995 and will not therefore require planning permission.
- 7.63 Any permitted developments connected with horses must be of a design and materials sympathetic to the visual amenity and character of the surrounding area and comply with Policy OL5 where applicable.

Footpaths and Bridleways OL13

THE IMPROVEMENT OF PUBLIC RIGHTS OF WAY, FOOTPATHS AND BRIDLEWAYS, TOGETHER WITH THE ESTABLISHMENT OF NEW FACILITIES, WILL BE SUPPORTED. INITIALLY PRIORITY WILL BE GIVEN TO THE:-

- (A) COMPLETION OF LINEAR WALKS THROUGH THE HOGSMILL/ BONESGATE VALLEY AND ALONGSIDE THE BEVERLEY BROOK;**
- (B) PROVISION OF PEDESTRIAN LINKS TO HORTON COUNTRY PARK, TO CHESSINGTON WORLD OF ADVENTURES AND ELSEWHERE IN THE GREEN BELT;**
- (C) COMPLETION OF A THAMESIDE WALK FROM THE BOROUGH BOUNDARY IN THE SOUTH TO THE BOROUGH BOUNDARY IN THE NORTH;**
- (D) ESTABLISHMENT OF CIRCULAR PATHS USING EXISTING AND NEW PATHS LINKING PARTICULAR POINTS OF INTEREST.**

- 7.64 Public rights of way, footpaths and bridleways provide pleasant, safe and quiet alternative routes for pedestrians, to footways along busy roads. In addition they have a valuable recreational role in providing routes through and linking public open spaces and alongside rivers and streams. Improvement and extension of the footway and bridleway network are an effective way of increasing provision for informal recreation. In particular, it is the intention of this policy to improve access within and between designated Green Chains

(see Strategic Policy STR7, Map OL3), linking in to areas of Green Belt in accordance with Strategic Guidance. Creating a circular walk in the Tolworth Court Farm (East of Kingston Road) area represents a particular opportunity. Where improvements are carried out, care will be needed to minimise damage to nature conservation interests.

- 7.65 The Council will continue to seek to establish a pedestrian footpath through the Hogsmill/ Bonesgate Valley with the eventual aim of linking the Thames riverside walk in Kingston town centre with the open areas of Green Belt south of Chessington, Horton Country Park and Ashted Common.
- 7.66 To achieve the aim of fully realising the potential of the footpath network, the Council will support appropriate treatment of surfaces. This is an important part of the Lower Mole Countryside Project. In addition the Council is committed to the maintenance and waymarking of public rights of way as part of its statutory duties involving access to the countryside as set out in the National Parks and Access to the Countryside Act 1949.
- 7.67 The provision of a riverside walk for the entire length of the River Thames within the borough is of major importance and is almost complete. Guidelines on the design of the Thames Path have been produced by the Countryside Commission to provide consistency and visual appropriateness in the waymarking and construction of stiles and gates etc. along the route. The Council intends to continue this approach.
- 7.68 The London Walking Forum (LWF) has identified the Hogsmill Walk as part of the 'London Loop', an orbital walk around the whole of the capital. The Capital Ring, London's inner orbital walking route also passes through the north-east corner of the Borough. The Hogsmill Walk also forms part of the Thames Down Link which links the Thames Path to the North Downs Way. The Chessington Countryside Walk in the Green Belt and the Beverley Brook Walk on the eastern side of the borough are also promoted by the Council in conjunction with adjoining boroughs. The Proposals Map includes a proposed route for the extension of the Beverley Brook Walk.
- 7.69 Walking is a particularly sustainable travel mode and is therefore promoted in the transport chapter, in particular through Strategic Policy STR16 and Policy T14.

Thames Policy Area OL14

NEW DEVELOPMENT IN THE THAMES POLICY AREA SHOULD RESPECT AND ENHANCE THE SPECIAL CHARACTER OF INDIVIDUAL REACHES OF THE RIVER AND BE OF HIGH QUALITY DESIGN IN ACCORDANCE WITH POLICY BE1.

APPLICATIONS FOR SIGNIFICANT DEVELOPMENT PROPOSALS WITHIN THE THAMES POLICY AREA SHOULD BE ACCOMPANIED BY DESIGN STATEMENTS.

- 7.70 The London Plan advises all relevant local Authorities to provide detailed boundaries for a Thames Policy Area. The purpose of the Thames Policy Area is to forge a consistent London-wide approach to planning policies relating to the Thames, to develop a Thames strategy for protection and enhancement and to ensure high quality design of new development.
- 7.71 In Kingston, the Thames Policy Area, which has been designated in accordance with The London Plan, takes the same boundary as the Thameside Strategic Area of Special Character (SASC). Development proposals in the Thames Policy Area must therefore accord with the SASC townscape and design policy outlined in BE1. In addition, in accordance with The London Plan, applications for significant development proposals in the Thames Policy Area should be accompanied by a design statement. Design statements should include an assessment of scale, mass, height, silhouette, density, layout materials and colour in relation to local context, views and skyline and local landmarks, historic buildings and structures. They should also address proposals for river edge treatment, visual and physical permeability and accessibility between river and land, landscaping open spaces, street furniture and lighting, and include the results of consultation with relevant bodies.
- 7.72 To aid the implementation of Policy OL14, the Council will seek to prepare detailed appraisals, for adoption as supplementary planning guidance, on the existing character and future opportunities for the following three reaches of the Thames:
- i) Portsmouth Road (southern boundary to northern end of Queen's Promenade)
 - ii) Kingston Town (northern end of Queen's Promenade to railway bridge)
 - iii) Canbury Gardens/Ham Lands (Canbury Gardens to northern boundary)
- The boundaries of these reaches originate from the Thames Landscape Strategy, which the Council will use as a basis for preparing the appraisals and will refer to as appropriate when implementing this policy in the interim period.

Appropriate Riverside Uses OL15

WITHIN THE THAMES POLICY AREA, DEVELOPMENT SHOULD NOT ENCROACH INTO THE RIVER. THE PREFERRED USE OF SITES ADJOINING OR SEPARATED FROM THE THAMES ONLY BY A ROAD OR PATH WILL BE:-

- 1. PUBLIC OPEN SPACE;**
- 2. WATER-RELATED RECREATIONAL USES. ALTERNATIVE USE OF SUCH SITES MAY BE ACCEPTABLE WHERE THE PROPOSAL INCORPORATES APPROPRIATE LEVELS OF ASSOCIATED PUBLIC OPEN SPACE AND/OR MAKES ACCESS AVAILABLE FOR WATER-RELATED RECREATIONAL USE. ALTERNATIVE USES INCLUDE:-**
 - i) OTHER LEISURE OR COMMUNITY USES;**
 - ii) RESIDENTIAL;**
 - iii) HOTEL; AND**
 - iv) IN THE KINGSTON TOWN INSET AREA ONLY, KIOSKS AND SMALL SPECIALITY RETAIL UNITS (A1 USES), CRAFT WORKSHOPS AND PUBS, RESTAURANTS ETC. (A3 USES).**

IN ALL CASES THE FORM OF ANY DEVELOPMENT MUST BE APPROPRIATE TO ITS SPECIFIC LOCATION, THE PHYSICAL CAPACITY OF THE RIVER FOR WATERBORNE TRAFFIC, AND HAVE REGARD TO OTHER POLICIES IN THE PLAN. THE LOSS OF EXISTING PUBLIC OPEN SPACE OR WATER-RELATED RECREATIONAL USES WILL BE STRONGLY RESISTED.

- 7.73 Policy OL15 ensures that only appropriate uses for the riverside are permitted with priority being given to the most appropriate uses, these being public open space, including informal open areas where nature conservation is important, and water-related recreational uses such as boating facilities. For the purposes of this policy a site is considered as adjoining the river if it has a river frontage or is separated from the river only by a road or path rather than by an intervening area of land.
- 7.74 Sites along the Thames offer the opportunity to develop mixed use schemes, which include public access to the river. The Council will, in these circumstances, seek to ensure that riverside access including for water-related recreational activity is secured or maintained, and sufficient levels of public open space are incorporated into the proposal. It is recognised that on small sites the ability to provide open space will be constrained.
- 7.75 Greater recreational use of the Thames is in line with Strategic Guidance and Strategic Advice. The stretch of the river contained within the borough is particularly suited to meeting recreational needs as opposed to stretches found in East London where the Thames is used more heavily for freight movement and as a mode of transport.
- 7.76 The borough's own approach, of consulting the Environment Agency (EA) and having particular regard to their own Thames Leisure Strategy when new riverside recreational proposals are submitted, is consistent with PPG17 on Sport and Recreation, and proposals will only be permitted where they do not

have a damaging effect on the area's physical and social character, the needs of local communities, ecology, or on the river's capacity.

- 7.77 Any recreational or leisure proposals which are incongruous or cause excessive noise and intrusion, such that the essentially quiet character of the riverside and the amenities of adjoining residents are seriously affected, will be resisted. Where water-related recreation uses are provided on redevelopment, the Council will seek additional controls through planning obligations and the withdrawal of permitted development rights.
- 7.78 It is the Council's intention, in particular, that the stretch of riverside north of Canbury Gardens should retain its present character, which is essentially one of informal recreation. This area has a distinctive environment which contrasts with the surrounding built-up urban area.
- 7.79 The Council will resist the loss of existing open spaces and river-related leisure facilities, including boating facilities and boat repair facilities, not only to make best use of the Thames as a recreational facility, but also to enhance the liveliness and attractiveness of the river scene. All developments should have regard to the importance of the river in terms of nature conservation. The policy, by allowing community uses, does not preclude facilities for non-recreational passenger services should they be viable, though locks on the river are likely to prove a deterrent because of their effect on speed of services.
- 7.80 The valuable contribution that the pedestrian ferry from Hart's Boatyard to Hampton Court Home Park makes is recognised by the Council and it will seek to retain such a link across the river.

Moorings OL16

**This policy has been partly superseded by K+20 policy-
Riverside Strategy (K13) which replaces the relevant part of
OL16 (i.e the areas that are located within the Kingston Town
Centre Area Action Plan)**

THE COUNCIL WILL SEEK TO CONTROL THE DEVELOPMENT OF MOORINGS WITH THE CO-OPERATION OF THE ENVIRONMENT AGENCY IN THE FOLLOWING MANNER:

- A) SOUTHERN BOROUGH BOUNDARY TO SOUTHERN END OF HART'S BOATYARD – EXISTING MOORINGS;**
- B) SOUTHERN END OF HART'S BOATYARD TO NORTHERN END OF QUEENS PROMENADE – LONG STAY / SHORT STAY PLEASURE CRAFT MOORINGS;**
- C) NORTHERN END OF QUEENS PROMENADE TO EAGLE WHARF-LONG STAY/SHORT STAY MOORINGS;**
- D) CHARTER QUAY TO KINGS PASSAGE:**
 - i) RESIDENTIAL MOORINGS SOUTH OF REED BED**
 - ii) TEMPORARY MOORINGS/OPEN WATER ALONGSIDE REED BED**
 - iii) SHORT STAY MOORINGS NORTH OF HOGSMILL CREEK**
- E) KINGS PASSAGE TO SOUTHERN END OF CANBURY GARDENS – LONG STAY/SHORT STAY MOORINGS AND OPEN WATER;**

- F) SOUTHERN END OF CANBURY GARDENS TO NORTHERN END OF LOWER HAM ROAD - MOORINGS RESTRICTED TO EXISTING PROVISION;**
- G) NORTHERN END OF LOWER HAM ROAD TO NORTHERN BOROUGH BOUNDARY – NO MOORINGS APART FROM THOSE LICENSED TO ADJOINING PROPERTIES.**

PERMANENT MOORING OF BOATS, OTHER FLOATING STRUCTURES, AND ASSOCIATED DEVELOPMENT NOT IN ACCORDANCE WITH THIS POLICY WILL BE STRONGLY RESISTED.

- 7.81 The Council's Mooring Policy is generated from its Riverside Management Policy adopted in March 1985.
- 7.82 Recognising that boats can provide vitality and character to the river, the Council is keen to encourage the provision of short stay moorings at appropriate locations. However, in order to protect amenity and ecology and provide a pleasant riverside environment, it is necessary to control the mooring of boats along Kingston's stretch of the Thames, and to seek the removal of any unauthorised moorings which are not in accordance with policy and do not have the necessary planning permissions or the consent of riparian landowners. The majority of Kingston's riverside frontage is controlled by the Council, but as the status of stretches varies, including public open space, highway and private land open to the public, it is likely that a variety of statutory provisions will have to be used, including the relevant local government legislation. On privately owned land, moorings can be controlled through the co-operation of the riparian owner or by action initiated by the Environment Agency, as navigation authority and landowner of the riverbed.
- 7.83 The redevelopment of Charter Quay included a review of moorings in the Hogsmill Creek area. A jetty has been developed on a five year temporary basis whilst the Council and the Environment Agency seek to secure alternative locations for moorings to compensate for those lost from the river frontage outside the Charter Quay site.
- 7.84 Additional new permanent moorings on the riverbank for uses not directly associated with the river and which require service facilities and access arrangements, eg restaurants, would be incompatible with the character of the riverside area, impede direct access to the river and riverside walk and reduce the scope for short-term moorings and navigation. These activities are better sited on land.
- 7.85 The development of necessary structures, such as landing stages associated with the use of the river and the public at large, are not prevented by this policy, but will be regulated in consultation with the Environment Agency.

The River and Water Environment OL17

THE COUNCIL WILL SAFEGUARD AND PROMOTE THE BOROUGH'S RIVERS AND WATER ENVIRONMENT, IN CONSULTATION WITH THE ENVIRONMENT AGENCY, BY:



- 1. RESISTING CHANGES IN LAND USE WHICH WILL LEAD TO A DETERIORATION IN THE QUALITY OF UNDERGROUND OR SURFACE WATERS;**
- 2. RESISTING DEVELOPMENT WHICH WOULD HAVE AN ADVERSE IMPACT ON THE NATURE CONSERVATION, FISHERIES, LANDSCAPE, PUBLIC ACCESS OR WATER-RELATED RECREATION USE OF RIVERS IN THE BOROUGH;**
- 3. VIEWING FAVOURABLY PROPOSALS THAT RESULT IN THE CONSERVATION OR RESTORATION OF THE NATURAL ELEMENTS WITHIN THE RIVER CORRIDORS, RESULT IN LANDSCAPE IMPROVEMENTS, OR WHICH IMPROVE PUBLIC ACCESS.**

7.86 The Council recognises that the rivers and local watercourses in the borough add interest to the areas through which they flow, and provide many opportunities for recreation and enjoyment. They are also recognised by Strategic Guidance as important wildlife corridors and effective green chains linking across borough boundaries and providing extended pathways for the public. Strategic Advice similarly supports the preservation of watercourses. In the context of this policy, the Council will continue conserving land adjacent to watercourses and promote the provision of accessible walkways and environmental improvements along the river corridors.

7.87 New development can have a significant effect on the quality of surface and underground water. The Council, in consultation with the Environment Agency, will therefore seek to prevent developments which it considers likely to place the quality of watercourses or groundwater at risk. Similarly the Council will resist developments that would have an adverse impact on other important aspects of the river corridors, namely nature conservation, fisheries, landscape, public access and recreation. The Council has already been successful in improving the appearance of the riverside, especially in Kingston town centre, and will continue to promote and permit well designed new riverside developments as well as the sympathetic refurbishment of buildings.

**MAP OL 2: Areas at risk of flooding
Policy OL18**

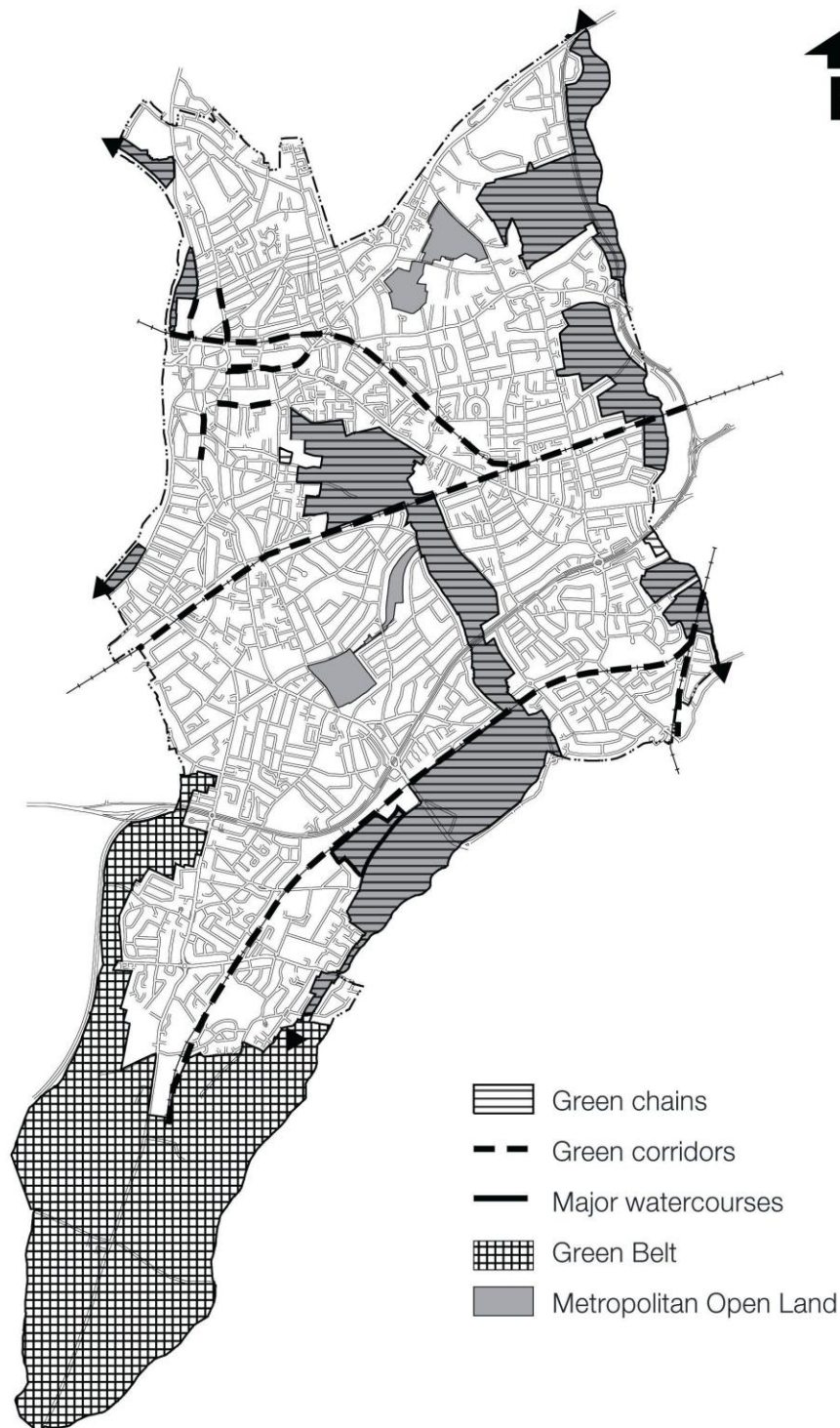


- Zone 2  Extent of a flood with an annual probability of flooding of 0.1% (1 in 1,000) or greater
- Zone 3  Extent of a flood with an annual probability of flooding of 1% (1 in 100) or greater

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05/058/A

MAP OL 3 : GREEN CHAINS, GREEN CORRIDORS AND MAJOR WATERCOURSES



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Flooding OL18

IN AREAS AT RISK FROM FLOODING, THE COUNCIL WILL RESIST DEVELOPMENT WHICH WILL INCREASE THE RISK OF FLOODING. WHERE ANY DEVELOPMENT IS PERMITTED, THE COUNCIL MAY REQUIRE APPROPRIATE FLOOD PROTECTION MEASURES IN CONJUNCTION WITH THE ENVIRONMENT AGENCY.

- 7.88 Map OL2 shows 'flood zones' drawn up by the Environment Agency. These can be viewed in more detail through either the Council or the Agency themselves (www.environment-agency.gov.uk). Flood Zone 2 shows the extent of a flood with an annual probability of flooding of 0.1% (1 in 1000) or greater. Flood Zone 3 shows the extent of a flood with an annual probability of flooding of 1% (1 in 100) or greater. In the flood zones indicated on map OL2 or as identified in any updated maps by the Environment Agency, new development or the intensification of existing development, including raising levels, will be strictly controlled to ensure that the flow of flood water is not impeded or that the risk of flooding elsewhere is not increased. Developers of major schemes in flood risk areas are advised to contact the Environment Agency at an early stage in drawing up proposals. The Council will consult the Agency on all relevant applications.
- 7.89 In implementing this policy, the Council will have regard to the sequential test set out in PPG25, which establishes categories of flood risk, and to the current level of flood defence. However, it should be noted that flood defences can only reduce the risk of flooding and cannot eliminate it entirely. If the residual risks are not agreed to be acceptable, the development will not be permitted. Areas of undeveloped land close to the borough's watercourses, which may be functional floodplains or at high risk from flooding, are additionally protected from built development through Metropolitan Open Land and Local Open Space policies as outlined earlier in this chapter.
- 7.90 Developers should note that resources are not normally available to provide flood defences in anticipation of possible future development. In flood risk areas, developers may need to commission detailed hydrological investigations or Flood Risk assessment in line with Appendix F of PPG25. In addition, where flood protection measures are found to be necessary for a development to be acceptable, the Council will normally seek to negotiate legal agreements as outlined in Policy RES2 and in accordance with Circular 1/97 and PPG25, to ensure the costs of flood protection measures required by the development scheme are fully met by the developers.

Water Conservation and Control OL19

THE COUNCIL ENCOURAGES DEVELOPMENT PROPOSALS TO INCLUDE WATER CONSERVATION AND RUN-OFF ATTENUATION MEASURES SUCH AS GREYWATER RECYCLING AND SUSTAINABLE URBAN DRAINAGE SYSTEMS.

DEVELOPMENT PROPOSALS WHERE SURFACE WATER RUN-OFF IS CONSIDERED LIKELY TO INCREASE THE RISK OF FLOODING WILL NOT BE PERMITTED.

- 7.91 In accordance with sustainability principles, the Council encourages developers to consider water flow within new development carefully and conserve resources where possible. One method of doing this is through systems which distinguish between 'grey water' (e.g. bathwater) which can be recycled for other uses such as gardening, and other water. Factors such as site layout and landscaping can also help conserve water resources. The Environment Agency are developing the concept of Sustainable Urban Drainage Systems (SUDS) which mimic natural drainage processes and the Council supports and encourages the appropriate incorporation of SUDS within development or redevelopment schemes. Where applicable, developers should also seek to incorporate benefits for nature conservation (see STR7a).
- 7.92 Developers are encouraged to consult the relevant water utility company (with regard to foul drainage) and/or the Environment Agency (with regard to surface water run-off and water conservation) at an early stage in drawing up development proposals, especially for major development or where there are likely to be large scale impermeable surfaces (e.g. car parks).
- 7.93 The Council will consult the Environment Agency to assess the impact of any proposals which appear likely to have significant surface water run-off consequences prior to their determination, and may require appropriate attenuation measures to be included, before development proposals are considered acceptable.