

LBRuT meeting with the Twickenham Riverside Trust (TRT) 19.04.2023

15:00-16:30

Present

LBRuT – Anna Sadler (AS) and Emma O’Gorman (EO’G) (Pinsent Masons)

TRT – Celia Holman (CH), Mark Brownrigg (MR) and Simon Mole (SM) - Montagu Evans

CH opened the meeting and it was agreed that the group would work through the list of points raised in CH’s email to EO’G 19th April 08:09am

Additional plans

1. CH requested 2 additional plans showing brownfield site. The first would show the brownfield site allocation as it was in 2017 and the second would show the brownfield site allocation as amended subject to the December 2022 planning permission for the Twickenham Riverside scheme. LBRuT enquired as to the purpose of providing and using the plans given that the area of brownfield land was not disputed, or part of the CPO inquiry. CH noted that the brownfield land allocation was part of the planning process, and important to the TRT. AS suggested that the existing plans, held on the brownfield register site and for the current allocation included within the planning report, could be used. CH requested that new plans were produced so as to be on the same consistent base plan as other maps included as core documents in the SoC. This was required to assist the public inquiry process. LBRuT agreed to take this away and discuss it with Hopkins who produce the maps.
2. CH noted that the term ‘derelict’ is used within the SoC and requested that the land/buildings this refers to be clarified. LBRuT agreed that this could be done. CH suggested that the easiest way to identify the ‘derelict’ land would be to produce a further plan identifying this. E’OG noted that the derelict land is identified on a plan and described within the Design and Access statement. AS suggested that this would be better dealt with as a glossary term as opposed to a plan. LBRuT agreed to take this away and consider how best to clarify the definition.
3. CH requested that Plan D be broken down/overlaid with more detailed areas so as to understand the sqm of each area referred to. For example the terraces, play space. CH noted that she would send across an annotated map showing the areas to be overlaid. LBRuT agreed to review this once received.

Glossary terms

4. CH noted that there should be consistency within the glossary terms when referring to open space as per the within the meaning of the definition in section 19 of the ALA 1981.
5. CH requested a new definition to define the play area/play space and to agree one term rather than using area/space interchangeably. LBRuT agreed this should be clarified and added to the glossary.
6. CS requested a new definition to define ‘the Gardens’. LBRuT noted that they had picked this up as a requirement and would be providing this.

Comments on existing plans

Map A

- CH produced a plan on screen from planning application 03/1141/FUL – ‘annotated 2003 jubilee gardens planning application.’ It was discussed that the Jubilee Gardens were established following the approval of the 2003 planning application, and that later in 2012 the Diamond Jubilee Gardens were created. The Jubilee Gardens covered an extended area (including an area of fenced off shrubland in the south east of the current DJG) to that which was later set out as the Diamond Jubilee Gardens. CH questioned whether the shrubland in the south east corner of plan shown should be included and counted as existing public open space as it is part of the Jubilee Gardens. LBRuT noted that this space was overgrown shrubland and inaccessible to the public and therefore not consistent with the definition of open space as it was not used for public recreation. CH noted that the space in the bottom left of the DJG is also inaccessible but has been included as existing designated open space on Map A. AS responded that the Council agreed that the area within the south west of the DJG was inaccessible and that further detail on this piece of land was given in the SoC.
- CH noted that Maps C and D showed full landscape and planting details whereas Map A showed no such detail.
- CH requested the measurement for the café area and LBRuT agreed this should be provided.

Map B

- CH noted that she has reviewed the Crichel Down rules for the definition of public open space, and that TRT interpret this definition to apply to all land which is used for public recreation. CH noted that the glossary refers to s19 definition. CH asked for clarification on how a definition covering all land used for public recreation would not cover the Embankment. EO’G responded that there is case law showing that for the purposes of acquisition, land designated as highway is inconsistent with the use of public open space. AS noted that the existing highway boundaries are shown on Map I, and no highway land can be designated as public open space, but that the Council want to acknowledge that highway land can in some cases be used as public open space and this is why the Council have differentiated on each of the plans what is highway used as public open space and what is public open space.
- LBRuT asked if the explanation was accepted by the TRT. The TRT noted they wished to take away the explanation.

General comments on plans

- CH questioned why the slipway, associated steps and steps on the river front had not been designated as public open space given they were not designated highway. LBRuT noted that this required clarification and would be picked up with the wider team with a response to follow.
- CH noted that the definition of existing and future highway within the glossary referred to highway within the Scheme Land, but that the plan itself showed highway designations for an area wider than this. AS asked whether there was any dispute about what was shown on the plan, but TRT noted that this is not a material point.

CH noted that there are terms used within the Statement of Case which are not defined within the glossary. The terms include public open space, open space, public realm. CH asked whether these terms were interchangeable with terms defined in the glossary and requested that definitions be given for each of these, or that LBRuT identifies what it is referring to in each case. AS identified through a quick search of the SoC that a number of terms were used in context within the SoC, but agreed that a review of the SOC for use of these terms was to be undertaken and LBRuT would define what each term is in response to.

- C and D plans no comment
- Maps L and M. TRT dispute the 'trust management area' terminology. TRT note that they manage areas wider than the areas demised to them given their objects are not restricted to the area of demise. Therefore definition/titles should refer to TRT leased and licenced areas and that Map titles be reflected accordingly. LBRuT recognised the point and did not dispute the request but agreed to take this away to look at the impact of changing titles and definitions on already drafted documents. AS suggested that the definitions within the glossary could be refined to refer to leased and licenced areas for clarity – as Map L clearly shows which areas would be subject to a lease and which subject to a licence given the differentiation between public open space and highway land used as public open space. LBRuT will consider what an appropriate solution is, and propose this to the TRT. Map M was agreed in terms of the area shown. CH noted a request to review Map L before agreeing this – and noted that the 'river activity area' is not identified within the June 2021 planning report as being offered to the TRT. The definition for the Future TRT Management Area refers to the plan appended to the June 2021 Committee report. AS noted that this needed review from TRT and LBRuT, as TRT's management of the 'riverside activity area' was captured within the agreed HoT's but may not have been reflected within the June Committee report. Both parties to review.

General comments and questions

- CH noted that some core planning documents referred to the Statement of Case were not the latest versions on the planning portal. And that documents such as the Public Realm and Landscape Strategy and Transport Assessment had been updated. LBRuT noted to take this away and review.
- TRT asked how any clarifications agreed as a result of this meeting would be presented in the case and would a new/updated Statement of Case be released. EO'G noted that the Statement of Case would not be reissued as these were items of clarification and that she would consider and confirm how any clarifications would be presented.
- CH asked if and when we would have a decision on whether the Inspector accepted the Proposed Modifications. EO'G said it would likely be after the Inquiry as part of the Inspector's report and SM agreed that any decision would be after the Inquiry.
- MB noted that in the Glossary the Gardens is out of alphabetical order.
- SM asked for confirmation that the schedule has not changed – EO'G confirmed this on the basis that the Proposed Modifications have been requested but that request has not been decided.

Additional comments

Maps G and H

- CH asked why LBRuT had shown the flood zones on public open space, and not on the whole scheme land. TRT requested that LBRuT show the flood zones on the whole scheme land as the inspector is being asked to review the case in reference to the whole scheme. EO'G explained that the issue of flooding was one in reference to the s19 and public open space. This was disputed by the TRT. LBRuT noted the request and agreed to take it away for consideration.
- CH asked about further flooding work being carried out by LBRuT. AS responded that this work is being reviewed and may or may not be included within the proofs of evidence.

The meeting ended at 4:30pm.