



**Canal &
River Trust**

Making life better by water

Canal & River Trust Statement to the London Plan Examination in Public (2019)

Matter 65: Green Belt and Metropolitan Open Land

Would Policies G2 and G3 provide an effective strategic context for the preparation of local plans and neighbourhood plans? Are the policies and detailed criteria justified and necessary and would they provide an effective basis for development management? In particular:

a) Is Policy G2 on London's Green Belt consistent with national policy and, if not, is this justified?

b) Is the 'swapping' of Metropolitan Open Land (MOL) referred to in paragraph 8.3.2 and allowed for by Policy G3 AC justified? Do the other detailed criteria provide sufficient clarity about inappropriate development and how any boundary alterations should proceed? Should parts of the River Thames be designated as MOL?

- 1) The Canal & River Trust is the charity who look after and bring to life 2000 miles of canals & rivers. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Trust is a statutory consultee in the Development Management process. The Trust cares for 100 miles of waterways in our London region. These include: the Grand Union Canal (including the Paddington Arm), the Regent's Canal, the River Lee Navigation, the Hertford Union Canal, the Bow Back Rivers and the West India and Millwall Dock systems on the Isle of Dogs.
- 2) The Trust has no comments to make to the panel on policy G2 (Green Belt) and no direct response to the panel's question about designations of MoL (G3) on the River Thames. We have no responsibility for the River Thames. However, we wish to comment on the impacts of MoL designations on the Trust's waterways.
- 3) In this statement, we will seek to demonstrate that, despite them being important recreational assets and part of the green infrastructure and blue ribbon networks, the multifunctional nature of the Trust's waterways in London set them apart from other spaces that may be candidates for designation as MoL under the criteria of policy G3. We suggest that designating the waterways as MoL would not respond to their established functions, challenges and opportunities. We argue that to do so would not constitute the most appropriate strategy for their management.
- 4) Para 9.14.8 of the consultation version of the London Plan stated:

“The River Thames should not be designated as Metropolitan Open Land, as this may restrict the use of the river for transport related uses”.

The minor suggested amendments proposed by the Mayor would see this changed to:

“Additional stretches of the River Thames should not be designated as Metropolitan Open Land, as this may restrict the use of the river for transport infrastructure related uses”.

- 5) In responding to the consultation version, the Trust’s argument was that the same direction in para 9.14.8 of the consultation plan should apply to our waterways. These waterways are engineered structures for the purposes of navigation. This remains an essential part of their function and character.
- 6) At present, there are sections of the Trust’s waterways in London that are designated as MoL but the majority are not. There is little consistency over where they are included and where they are not. Some boroughs appear to include them if they are adjacent to MoLs on land, some only if MoLs on land straddle them, some exclude them even when MoL areas are designated either side of the waterway and some adopt a combination of approaches in different areas in their local plans.
- 7) The Trust is a charity for the waterways and wellbeing. We strongly welcome the way in which our waterways in London have become appropriated for activities that benefit the wellbeing of the communities that use them. We support their recognition as recreational assets for the city. However, as the Mayor recognises in the Plan (para 9.14.2), London’s waterways are multifunctional assets. Whilst there is some commonality, they have functions that other multifunctional open spaces, for example park or woodlands, do not. Effective management of our waterways is not best served by the use of highly restrictive Metropolitan Open Land designations that apply Green Belt development management policies from the NPPF.
- 8) We noted in our representation that the River Lee Navigation within London is designated as a Commercial Waterway in extant legislation (the Transport Act 1968, as amended). We believe that there may exist opportunities for third parties to increase the amount of freight moved on it in the future. One such opportunity may be provided by Crossrail 2, if agreed. The 2015 Crossrail 2 consultation showed a tunnel portal at Tottenham Hale, with a worksite surrounding it, which is adjacent to the River Lee Navigation. We have suggested to Crossrail 2 that shipment of material by barge from the site could be a sustainable solution, as with Crossrail. This may require new infrastructure along the River Lee Navigation to enable trans-shipment.
- 9) The Trust benefits from permitted development rights as a statutory undertaker under the General Permitted Development Order 2015 for works in connection with the movement of traffic by canal or inland navigation. However, this may be insufficient to provide infrastructure required to enable a growth in freight movements. In such cases, we suggest

that applications should primarily be judged against policies that aim to respond to the function, character, opportunities and challenges of the waterways and not be unduly constrained by Metropolitan Open Land policies that do not.

- 10) The delivery of new long-term residential and commercial (such as retail) moorings may also be adversely affected by MoL designations on the Trust's waterways, even where no new infrastructure is required, because these are usually treated as being a change of use, not benefitting from our permitted development rights. We assume that even though the London Plan is being examined in accordance with the NPPF 2012, the intention is that Green Belt policies from the NPPF 2018 will be applied by the boroughs in decision making (if this is the case then, footnote 104 of the plan should be updated). The NPPF 2018 has reintroduced 'material changes in the use of land' into the list of other forms of development that are not inappropriate in the Green Belt where these preserve its openness and do not conflict with the purposes of including land within it (para 146). Even if we are correct in assuming that this would apply also to MoL, there remains uncertainty as to how the relationship between changes of use and the purposes of MoL will be treated by local authorities.
- 11) Responding to and seeking to manage the impacts of the growth in the number of boats on the Trust's waterways is an important challenge for the organisation. We have seen an increase from approximately 2100 boats on our London waterways in 2010 to approximately 4000 boats in 2017. This figure is even higher if boats sighted on waterways/waterspace connected to our own are included. The vast majority of this growth (approximately 75%) has been from boats without a home mooring, who use the waterways as continuous cruisers. The Trust's 2017 Boat Owners' Views survey showed that approximately half of the boats on our waterways in London are used as a permanent home.
- 12) In 2018, the Trust published a [London Mooring Strategy](#), which seeks to better address the challenging issues associated with the increase in boat numbers. Through its implementation, we hope to:
 - 'balance the needs of the many different types of boater that cruise the capital's canals and rivers, as well as preserving the waterways so they can remain open and accessible for both boaters and non-boaters to enjoy'.
- 13) The development of more long term moorings is a key part of the strategy that we suggest needs to be implemented to deliver this. We believe that this is consistent with a recommendation of a report of the London Assembly's Environment Committee (2013) '[Mooring or Less](#)' that:
 - 'The Mayor should, in the next set of amendments to the London Plan, more fully reflect the residential value of London's waterways, and include a policy to increase the number of moorings'.

Alongside the development of more long-term moorings, the Mooring Strategy suggests that mooring will be limited or restricted in some places so that 'access for other users is maintained, particularly low or no cost activities such as angling, canoeing, rowing, walking

and cycling'. We believe that the provision of more long-term moorings will also have the benefit of allowing a greater investment in services, facilities and storage areas for boaters, which should also help to improve the waterway environment for non-boaters and enhance its value as a space for recreation.

- 14) Despite our objections to policies SI16 and SI17 (which we have been invited to return to at the appropriate stage of the EiP), we welcome the fact that some qualified support is given for new moorings. However, for the reasons set out above, we are concerned that the designation of our waterways as Metropolitan Open Land presents a risk to the Trust and others delivering moorings.
- 15) The Trust is concerned that, the criteria for designating MoL could be applied by boroughs in such a way that long sections of our waterways become designated. We would prefer that the London Plan directed boroughs not to designate navigable waterways as MoL and instead use appropriate policies in the London Plan or their Local Plans to provide a planning framework for them. If the Mayor is not minded to remove the suggested change from para 9.14.8 ('additional stretches') then we would request that this same position at least applies to all navigable waterways. At present, we suggest that the position adopted in the London Plan on this issue does not constitute the most appropriate strategy, as required by para 182 of the NPPF (2012).