

## Draft London Plan, December 2017 Response from the Open Spaces Society, February 2018

### Introduction

The Open Spaces Society, founded in 1865, is Britain's oldest national conservation body. We campaign to create and conserve common land, town and village greens, open spaces and public paths, in town and country, throughout England and Wales. In our early years we were responsible for rescuing many London commons and open spaces, such as Hampstead Heath, Wimbledon Common and Epping Forest. We have 2,000 members, consisting of individuals, organisations and local authorities.

We welcome the consultation on the London Plan and support the response submitted by the Ramblers. We shall focus on chapter 8 which is our particular area of expertise.

### Chapter 8, Green Infrastructure and Natural Environment

#### Policy G2 London's Green Belt

**Add:** Boroughs should investigate how public access on foot, horseback and bicycle can be improved, by encouraging landowners to dedicate new paths and public-access land.

**Explanation:** As noted in 8.2.2, the Mayor will work with boroughs etc to enhance access to the Green Belt. Clearly the Mayor recognises that the Green Belt is a wonderful resource for public access and enjoyment, but to maximise its potential, we need paths which connect up into longer routes, which provide safe crossings for busy roads, and which enable people on foot, horse and cycle to be separated from vehicular traffic, and we need places where people may roam freely. If landowners are encouraged to dedicate land as town or village green (see below) or as access land under section 16 of the Countryside and Rights of Way Act 2000, there could be more public access-land available.

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### Policy G3 Metropolitan Open Land

**Add:** Boroughs should investigate how public access on foot, horseback and bicycle can be improved, by encouraging landowners to dedicate new paths and public-access land.

Similarly, the aspirations in para 8.3.3 in relation to enhancing access to MOL should be included in the policy box. The explanation is as for Green Belt.

### Policy G4 Local green and open space

**Add:** Boroughs should dedicate any green spaces in their ownership as town greens, under the Commons Act 2006. This will protect the land in perpetuity and give local people rights of informal recreation there.

**Add:** In appropriate cases, planning authorities should require developers to dedicate, as town or village green, land designated to form open space or other amenity land within a development. The benefits of such dedication are that the land is protected in perpetuity, and local people have rights of informal recreation there.

**Explanation:** a town green is land which has been registered under the Commons Registration Act 1965 or the Commons Act 2006. Once the land is registered, it is protected from encroachment or development by section 12 of the Inclosure Act 1845 and section 29 of the Commons Act 1876. Also, local people have legal rights of ‘lawful sports and pastimes’ there. Examples of town greens in London are Talacre Gardens, Camden; King’s Stairs Gardens, Southwark.

It should be noted that this is the strongest type of protection available for informal open spaces. The government’s designation of Local Green Space, introduced in the National Planning Policy Framework in 2012 is weak and uncertain, and it is unclear what if any protection is conferred by it.

If town greens are included within developments, local people will benefit.

**Add:** Boroughs should note the legal restrictions on commercial events on London’s open spaces. Where an event is within the legal limit, boroughs should not normally permit commercial events which restrict public access to take place on open spaces. Where, exceptionally, such events are permitted they must be after consultation with local users and have effective sanctions to ensure the site is fully restored after use.

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**Explanation:** increasingly we are seeing open spaces used for commercial events at the expense of local people who need that space for quiet recreation. There is also the risk that the site is left in a dreadful state which means that the borough has to use public funds to restore it. For example, Clapham Common was a sea of mud after the Winterville festival which was held over the new year, and it has still not recovered. Such abuse has occurred many times before. Public open spaces should not be exploited for commercial purposes.

### Table 8.1

**Add a new open space categorisation as follows.**

**Open space categorisation:** Town and Village Greens

**Description:** these are areas of land which have been registered under the Commons Registration Act 1965 or the Commons Act 2006. They are land which has been dedicated voluntarily by a landowner, or they are land on which local people have proved that they have enjoyed 20 years' use, without challenge or interruption. The land can be of any size or nature.

**Size:** Varies

**Distance from homes:** land which is registered under the 20-year rule will normally be quite close to people's homes.

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