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Andrew Seaman  
 Planning Inspector  
 c/o Chris Banks, Programme Officer

**By email only**

27 July 2017

Dear Mr Seaman

### **London Borough of Richmond upon Thames – Local Plan Examination**

Thank you for your letter of 19 July seeking clarification and further information in respect of a number of matters that have arisen in light of the Regulation 19 representations and the Council Officer responses.

The following sets out the Council's response on the matters you have raised; for ease of reference, we have used sub-headings for our responses and your original questions.

#### **Sustainability Appraisal**

##### *Inspector's letter:*

*I have received the 'Sustainability Appraisal Local Plan – Publication version for consultation'. Whilst I note its content, it would be informative if you could forward the previous iterations pertaining directly to the formulation of the submitted Local Plan which can be added to the Examination Document library. The purpose of each iteration should be clearly identified. I am currently unclear as to how reasonable alternatives to the content and policies of the submitted Local Plan have been considered and what reasons led to the preferred options being pursued and whether the reasons for discounting alternatives remain valid. I cannot readily discern this reasoning process from the submitted SA document albeit the Council's Legal Compliance Checklist provides a link to a SA – Pre-Publication Local Plan Public Consultation which I assume is relied upon. Your clarification would be helpful. However, the consideration of alternatives in the latter document appears to be restricted to a choice between two options: to have a policy or not. I am interested to understand how the Council has considered alternatives to the chosen policy position/content, for example in relation to the Site Allocations or the overall volume of housing and the ambitions for affordable housing provision, being mindful of the evidence base which includes the SHMA subsequently produced in December 2016.*

We would like to reassure you that Sustainability Appraisal (SA) has been integral to the preparation and development of the Local Plan and it has ensured that sustainable development is at the heart of the plan-making process. The SA process undertaken complies with the requirements of the UK's Strategic Environmental Assessment (SEA) Regulations. Government's guidance on SEA and SA, including the prescribed stages of the SA process, have been followed throughout the development of the Local Plan. Therefore, SA, including consideration of realistic and reasonable alternatives, has been undertaken on the site allocations as well as the policies, and this has informed the final version of the Council's Local Plan.

As you raised a number of points in relation to the SA, for ease of reference, we have used sub-headings in this section:

Previous SA iterations relating to the formulation of the submitted Local Plan

For clarification purposes, please find enclosed to this letter an attachment, which sets out a table with a detailed chronology of the SA processes (i.e. reports and purposes of the SA as well as consideration of alternatives) that have been undertaken at each stage of the Local Plan making process, setting out the function and status of the Plan at that time, and the corresponding SA Scoping document.

Please note that the Council will add all of the reports listed in the table in the Examination Document library for ease of reference.

### Consideration of reasonable alternatives

The Local Plan Review has been undertaken primarily with the aim of ensuring existing policies contained within the Core Strategy (2009) and Development Management Plan (2011) are kept up to date to reflect local evidence and need as well as national and regional policy guidance. In line with government guidance, it was also proposed that they be taken forward as one Development Plan Document (DPD) for the Borough in order to streamline the suite of policies. Furthermore, it was identified early on in the plan-making process whether higher level policies and guidance, i.e. as set out in the London Plan and or NPPF/PPG, would provide sufficient guidance for the borough, or whether additional policies at a local level were required.

The Council commenced work on its Site Allocations Plan towards the end of 2012. It was agreed by Cabinet at its meeting in July 2015 that the site specific allocations would be taken forward alongside the review of the existing policies rather than as a separate DPD. At this stage it was made clear that all the work undertaken to prepare the Site Allocations Plan was used as a basis for considering the allocations in the review of the Local Plan. This was set out at paragraphs 1.2.1-1.3.2 of the consultation on the Scope and Rationale for Review of Planning Policies together with the emerging Site Allocations (Jan/Feb 2016) (*to be added to Examination Document library*). Therefore, the existing draft Site Allocations Plan was used as a basis for consultation and this had been informed by the 2013 Sustainability Appraisal of the Pre-Publication Site Allocations Plan, which assessed and compared reasonable and realistic alternatives for the sites. The [Sustainability Appraisal Progress Report](#) of September 2013 specifically focused on Stage B in terms of developing and refining the options and alternatives for the various sites and proposals, which are set out in detail in Appendix 4 of the SA Progress Report.

In early 2016, the Council undertook a public consultation on the proposed scope and rationale for the review of the existing Core Strategy and DMP policies and on the draft development sites that are proposed to be included within the Local Plan. The consultation documents set out the initial assessment and rationale for the review. This was an additional stage of consultation, not required by legislation, which enabled the Council to get input as early as possible from interested parties, including Duty to Cooperate bodies, key stakeholders, national and local organisations, the three SA statutory bodies, developers and landowners as well as the local community.

It was made clear at the Scoping consultation stage that this is a review of existing policies. Therefore, for the purpose of the Scoping consultation in early 2016, each existing planning policy of the Core Strategy and Development Management Plan has been assessed against relevant national and regional policies and guidance, together with the rationale and scope for the review of the policies, including where there may be opportunities to consolidate some policies / rely on national or regional guidance, taking account of local evidence and needs (see [Appendix 1: Detailed review of existing policies](#), December 2015) (*to be added to Examination Document library*). This has been used to indicate whether there is a need to review each policy and what the scope of the review could be and to invite comments on the proposed scope and rationale for the review. Appendix 1 makes it clear that the London Plan is part of the statutory Development Plan for the borough, and in many instances a

reasonable alternative would be to rely upon the London Plan and/or the NPPF. In many cases the outcome has been to take forward an existing local planning policy, which has already been subject to Sustainability Appraisal either as part of the Core Strategy or Development Management Plan development, whereby some amendments and changes were considered to be required to bring it in line with regional and/or national policy and guidance, and/or to reflect local evidence and needs. The structure of the table in Appendix 1 follows the order of the policies in the existing Core Strategy and Development Management Plan, where the current strategic policy is assessed first, followed by the relevant corresponding detailed policies from the Development Management Plan.

The scope and rationale for the review of the policies was not only informed by an assessment against higher level policies and guidance, but also by:

- the information contained in the Council's Authority's Monitoring Reports;
- workshops with lead councillors;
- workshops and meetings with planning officers (to gain feedback on the application of policies when making decisions on planning applications and when supporting appeals);
- input from officers with expertise in areas such as transport, housing, pollution, biodiversity, design and conservation; and
- planning policy issues that have emerged through consultations undertaken as part of the Council's Village Planning Programme.

In response to the Inspector's specific query on the consideration of alternatives for the site allocations, the [Sustainability Appraisal of the Pre-publication Local Plan](#) consultation from 8 July until 19 August 2016 (*to be added to Examination Document library*) clearly states that in paragraph 1.1.4 that "*Each proposal site set out in the draft Local Plan has also been subject to Sustainability Appraisal. [...] The appraisal of the options for many of the proposal sites were already set out in previous Sustainability Appraisal Reports, which have been produced in 2013 and 2014 to support the then emerging Site Allocations Plan.*" Therefore, at the Regulation 18 consultation stage, it was made clear to any respondent where to find the consideration of the options and alternatives, including their assessment against the sustainability objectives.

Therefore, the above demonstrates that [Government guidance](#) on 'reasonable alternatives' was followed throughout the plan-making process. This states that "*Reasonable alternatives are the different realistic options considered by the plan-maker in developing the policies in its plan. They must be sufficiently distinct to highlight the different sustainability implications of each so that meaningful comparisons can be made. The alternatives must be realistic and deliverable.*" As this is a Local Plan Review of existing policies, plan-makers have carefully considered what alternatives would be reasonable, realistic and deliverable, and this therefore restricted the Council to limited options. In many instances a reasonable alternative was therefore not to have a policy and rely upon higher level policies and guidance, i.e. the London Plan (which is part of the statutory development plan for the borough) and/or the NPPF.

### Evidence Base

With regard to the Inspector's queries relating to the Evidence Base and its impact on the alternatives to the chosen policy position (most notably the 2016 SHMA (Submission Document 025)), the points summarised below outline a number of recommendations made within the SHMA relating to the overall housing numbers and the future provision of affordable housing.

- GL Hearn concluded that "*In the context of Richmond the availability of the land is likely to influence future development trends and therefore shall be considered when*

*setting policy targets. Taking this into account, the London Plan sets out a minimum housing target of 315 homes per annum. This is a minimum and development sites are expected to optimise housing output taking account of location and context, public transport accessibility and design standards.” (Paragraph 19)*

- There is a high level of affordable housing need, which clearly justifies policies seeking to maximise the delivery of affordable housing in the borough. This justifies a continuation of the current policy approach of 50% affordable housing provision on schemes over 10 dwellings. (Paragraph 18)
- The SHMA indicates that current policy seeking 80% social and 20% intermediate tenure split remains appropriate. (Paragraph 22)

The Council considers that evidence contained in the Borough SHMA (a [draft](#) was published in June 2016) demonstrates that there are few realistic alternatives to the overall policy position on overall housing numbers and affordable housing requirements. The Local Plan options and alternatives are realistic in that the available sites and overall capacity for sustainable growth have already been considered as part of the London Plan and its supporting evidence. Therefore, allocations seek to maximise housing and affordable housing, along with consideration of other needs, including employment, retail and social infrastructure, as the evidence is clear there is a great need, without compromising the green and open spaces in the borough.

In relation to the site allocations, the existing draft Site Allocations Plan was used as a basis for the Scope and Rationale for Review of Planning Policies together with the emerging Site Allocations (Jan/Feb 2016) (*to be added to Examination Document library*). The existing identified sites were reviewed and considered in terms of their existing use and indications as to how they could assist in the delivery of the spatial strategy and strategic policies. Comments were invited on the development sites that are proposed to be included within the Local Plan. The Scoping consultation document also contains:

- Appendix 2 – Proposed site allocations: This appendix identified the sites that were proposed for allocation. Each site was supported by a site map as well as a description of key features and appropriate land uses.
- Appendix 3 – Proposed protection of important industrial estates and business parks: This appendix sets out the details of the sites that have currently been identified as important industrial estates, business parks, creative industries and other key employment facilities that the Council would wish to protect.
- Appendix 4 – Strategic Housing Market Assessment: This appendix set the context for the borough-wide Strategic Housing Market Assessment.

In conclusion, we would like to reassure the Inspector that all procedures and regulations in relation to the SA/SEA processes have been followed. We have demonstrated that realistic and reasonable alternatives and options were considered during policy and site allocation development. These were available for representors to comment during plan preparation, including the statutory bodies with environmental responsibilities. We acknowledge that this could have been made clearer when the Plan was submitted for Examination, and we would be happy to produce and publish a note for clarification based on this response, to include all the references to the previous SA stages and iterations referred to within this letter as well as within the attachment (i.e. detailed table); this could then be placed within the Examination Document library for reference and inform the examination processes.

### **Housing (including justification for approach towards affordable housing on small sites)**

*Inspector's letter:*

*In relation to housing, I note the Strategic Vision which seeks to meet people's needs via a choice of new homes and the Strategic Objectives which include an aim to ensure a suitable stock of high quality*

housing. I have also noted the submitted background evidence which includes the 2016 SHMA, the AMR Housing 2015-16, the Whole Plan Viability Report (draft), the London Plan, the Mayor's Housing SPG and national policy including the Planning Practice Guidance. The Local Plan policies (LP34 – 39) address housing issues within the Borough wherein the Borough's housing target is stated to be 3,150 for the 10 year period to 2025. I note that the content of LP 36 expects 50% of all housing to be affordable where a contribution towards affordable housing will be expected on all housing sites subject to the policy criteria.

These matters are important to the assessment of soundness of the submitted Local Plan and I am writing to enquire if there is any additional local evidence that has not been submitted to date which explains further the justification for the Council's position which is not evidently in line with the national approach towards affordable housing as set out in the Written Ministerial Statement dated 28.11.14. For example, I have not yet been provided with the various Supplementary Planning Documents (SPDs) referenced within the submitted Plan which would be usefully received as soon as possible and I would be interested to know if there is anything such as a Housing background/topic paper that explains in more detail the Council's approach towards this matter across the Borough in its wider London context.

Council's response:

The Council considers that there are local circumstances to justify lower thresholds as an exception to national policy. This is based on:

- the context of house prices and affordability issues,
- the evidence of exceptional local affordable housing need,
- the constraints in meeting those local needs through on-site provision from larger sites,
- the subsequent reliance on contributions from small sites, and
- the importance of these to maximise opportunities to meet affordable housing delivery targets.

This approach is considered to be in line with paragraph 10 of the NPPF, which states that plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas.

In addition to the documents referred to in your letter, the Affordable Housing Supplementary Planning Document will be added as an Examination Document Library and the following information sources that are intended to be referred to as part of the Council's evidence to inform the Examination hearings (along with updated housing monitoring information):

- Hometrack - Housing Intelligence System, borough key facts – property prices and affordability, July 2017.
- Planning Inspectorate appeal decisions on small sites, which have considered that the Written Ministerial Statement does not outweigh the Council's adopted planning policies seeking affordable housing contributions from small sites include Appeal Ref: [APP/L5810/W/17/3170497](#) 54 White Hart Lane, Barnes SW13 0PZ, Appeal Ref: [APP/L5810/W/17/3168508](#), 2 - 4 Heath Road, Twickenham, TW1 4BZ, Appeal Ref: [APP/L5810/W/16/3155064](#), 24 The Causeway, Teddington, Middlesex, TW11 0HE. Note that we could compile a list of all the relevant appeal decisions received if this would be of assistance.
- [Council's letter to the Planning Inspectorate](#) in relation to the consideration of affordable housing contributions from small sites in appeal decisions (13 December 2016), and the [Planning Inspectorate's response letter](#) (March 2017)
- [Richmond Cabinet Report and appendix 22 June 2017](#), Item 526: Updating of the Homelessness Strategy.
- [Richmond Cabinet Report 13 October 2016](#), Item 11: Housing Allocations Policy adopting a revised allocations policy to meet a range of housing need in the borough.
- [London SHLAA \(2013\)](#) extract tables 3.11 and 3.16 showing assumed small sites capacity and total capacity by borough 2015-2025.
- Hometrack UK Cities House Price Index, London City local authorities - May 2017.
- [Richmond Cabinet report 23 February 2017](#), Item 487: Capital Programme 2016/17 - 2021/22.

- [Richmond Cabinet Report 21 July 2016](#): Agenda Item 12 Trust Deed Account – Variation of Term, to broaden the ability of the Council and its Registered Provider partner RHP to better support the delivery of affordable housing that meets local needs.

These documents can be added to the Examination Document Library if you wish.

Further information, including details as to why the Council strongly believes there is a local justification and need for deviating from the national approach towards affordable housing as set out in the Written Ministerial Statement, are set out in the enclosed draft Housing Background Paper. This is considered to be 'draft' and can therefore be further supplemented to take account of additional questions or matters raised by yourself during the examination process and in advance of any hearing sessions, particularly on the Council's corporate approach to affordable housing delivery and in areas of research with input from the Council's consultants. In particular it is intended that wider [housing policies, strategies and research](#), including the Tenancy Strategy, Intermediate Housing Policy Statement (currently under review) and Intermediate Housing Marketing Statement can be added to the Examination Library as appropriate during the course of the Examination.

### **Housing Monitoring Report (2016/17)**

*Inspector's letter:*

*Could you clarify when the 2016/17 Housing Monitoring Report may be available and if any revised housing trajectory exists?*

Council's response:

Final work on the analysis of the latest completions survey is being undertaken. Early indications of the housing completions data reports a net gain of 460 units in 2016/17. It is expected that a report and an updated housing trajectory will be published by the end of August 2017, to inform the Council's Statements and for the Inspector and representors to review during the Examination hearings.

### **Whole Plan Viability**

*Inspector's letter:*

*With regards to the Whole Plan Viability Report, this does not appear to test the viability of the 50% threshold sought by Policy LP 36. The reason for this is unclear to me. What evidence exists which supports the deliverability of the policy objective? For clarification, is the final report, as opposed to the draft, available?*

*I also note that the Report states at para 12.9 "...Council policy dictates that sites below 10 units may make a financial contribution towards affordable housing, as opposed to an on-site provision. The method of calculating the contribution is set out in policy LP36 of the Local Plan Review and in the Council's Affordable Housing SPD using the accompanying pro-forma. We have been advised by the Council that, based upon our proposed open market values, the maximum affordable housing contributions should be as set out below ...." I would appreciate clarification as to how the sums subsequently identified have been calculated which appear not to be those arising from a recommendation within the Report itself.*

Council's response:

As set out in 'LBR-LP-002 Publication Local Plan – all Publication responses plus Officer responses' (to comment IDs 212 and 252) the specific policy requirement does vary according to the scale and type of proposal, and the draft Whole Plan Viability Assessment is considered to reflect overall policy requirements. The 50% represents the ambition to achieve this strategic borough-wide target, in conformity with the London Plan and the Mayor's draft Affordable Housing and Viability SPG. The Whole Plan Viability Assessment was purposefully published as a draft, reflecting good practice in viability assessments, to enable comments to be made on the methodology, inputs and outcomes. The Council will be engaging Adams Integra, particularly in light of the questions raised on the 50% threshold, to update some of the viability scenarios on large sites. It is intended that an addendum will be

produced, which can be issued as a final document, for the Inspector and other representors who have commented on this matter (particularly representor ID 118 Home Builders Federation Ltd, representor ID 219 Persimmon Homes – Thames Valley, and representor ID 237 Reselton Properties Ltd) to review for the Examination hearings.

Regarding the financial contributions from small sites and the values in the table at paragraph 12.9, the specific sums are based on the existing policy approach in the adopted Development Management Plan and in line with the adopted Affordable Housing SPD. The requirement for specific percentage contributions was translated into corresponding sums, because the details of market value and unit size were identified in the scenarios tested in Appendix One of the draft Whole Plan Viability Assessment. For example, in accordance with adopted policy the contribution that would be sought for one new build house would be discounted to represent 5% affordable housing. The value of this house in Value Point 1 (VP1) is known and therefore the pro-forma Annex A to the Affordable Housing SPD calculates a maximum contribution of £65,780. As the same policy approach is continued in the Local Plan and the role of the Whole Plan Viability Assessment is to model the policy requirements to assess viability, these specific values were used. The purpose of the Whole Plan Viability Assessment was not to make recommendations on these values but to assess the cumulative impact of policy requirements of the Local Plan as a whole.

### **Gypsies, travellers and travelling showpeople**

*Inspector's letter:*

*With regard to Policy LP 37 and mindful of the 'Research on Gypsies and Travellers in the London Borough of Richmond upon Thames', can you clarify what work the Council has done with its neighbouring authorities and any other stakeholders in assessing needs and requirements, including that of travelling showpeople?*

Council's response:

The London Gypsy and Traveller Unit, the National Federation of Gypsy Liaison Groups as well as the Friends, Families and Travellers service were consulted on the Publication Local Plan and accompanying research. As set out in the [Soundness Self-Assessment Checklist for Local Plan](#) (May 2017) (Submission Document 010) no comments were received from gypsies, travellers or their representatives or groups.

The [Duty to Co-operate Statement](#) (May 2017) (Submission Document 011) sets out the topic was part of liaison with the prescribed Duty to Co-operate bodies at each stage in the preparation of the Plan, including neighbouring authorities and the Mayor of London/GLA. In addition to this, Merton Council hosted a meeting of planning officers to specifically discuss Gypsies & Travellers on 12 October 2016. This was attended by officers on behalf of Richmond, Sutton, Croydon and Lambeth, with written details also received from Kingston. Information for each borough was exchanged on Gypsy and Traveller and SHMA research, and Plan progress, as well as reviewing any opportunities for joint working. The outcome of the research undertaken for Richmond was summarised. There were no specific actions arising other than to continue sharing information such as on unauthorised encampments and travelling showpeople (although noting personal information cannot be shared due to data protection). In March 2017 details of the Councils research were also provided to the GLA, as part of a survey request, for their work being undertaken for the London Plan review on Gypsy and Traveller sites.

Richmond Housing Partnership (RHP), who manage the existing site and provide day to day support services, have provided the main source of information and intelligence for the Council. This is set out in the [Research on Gypsies and Travellers in the London Borough of Richmond upon Thames](#) (June 2016) (Submission Document 027). They are not only aware of the existing residents, but also the wider traveller community within the borough, for example through extended families and visitors. RHP have confirmed that as of July 2017

there are no new families identified, only those with an existing connection to the site, and the Council are seeking an update on the current waiting list to inform the Examination. An indefinite Caravan Site Licence has recently been granted by the Council for the site to RHP as licensee.

The Council has therefore engaged and liaised with all neighbouring boroughs, including the Mayor of London and other relevant bodies, in relation to Gypsies and Travellers, which includes consideration of travelling showpeople. There is no evidence to suggest any additional requirements and needs beyond those known to the Council / RHP and as set out in the Council's relevant research and in the Local Plan.

### **Co-operation with Mayor of London**

*Inspector's letter:*

*Notwithstanding the date of the consultation submission, it would appear that the Mayor of London does not consider the submitted Local Plan to be in general conformity with the London Plan. This is clearly a matter for me to consider and I would be interested to hear if, in line with the aspirations set out within the Duty to Cooperate Statement, there have been further discussions between the two authorities upon which I can be updated.*

Council's response:

We note you have asked whether further discussions have taken place between the Mayor of London and Richmond Council in relation to the general conformity with the London Plan. I herewith confirm that engagement and liaison has been and continues to be taking place with officers at the Greater London Authority (GLA) and Transport for London (TfL) in this regard. In the spirit of co-operation and joint working, the Council's response on the matter of co-operation with the Mayor of London within this letter has been agreed with GLA officers.

The Mayor of London has agreed to produce a Statement of Common Ground with Richmond Council in relation to both policy SA 8 (St Mary's University) as well as policy LP 45 (Parking Standards and Servicing) including Appendix 3, which sets out the detailed parking standards. It is envisaged that the Statement of Common Ground will be prepared jointly in order to identify areas of agreement and set out the confirmed points between the two parties. The Statement may also set out those areas where agreement may not have been reached. It is envisaged that the Statement of Common Ground will be produced once we know the matters, issues and questions that you would like to discuss in more detail.

In the meantime, the following information is provided to assist you in the identification of issues and matters to be discussed in relation to the general conformity with the London Plan:

1. In relation to **St Mary's University (Policy SA 8)**, both the London Plan and the Council's Local Plan set out strong policies on the protection of Metropolitan Open Land (MOL). Both parties agree that the main emphasis of the MOL policies is to protect designated land from inappropriate development, and refuse such development in MOL except in 'very special circumstances'. In addition, both parties agree that St Mary's University is a constrained site, particularly due to the majority of land not built on being designated as MOL.

The purpose of Policy SA 8 is to allow for the improvement and upgrading of existing facilities and new additional educational / teaching and other associated facilities as well as student residential accommodation to ensure the University remains a competitive and viable higher education facility in the future. Officers at the Greater London Authority have already confirmed that the Mayor supports the principle of expansion but without significant impact on designated MOL.

Both the Council and the Mayor therefore support growth and new development by maximising opportunities on land not designated as MOL whilst recognising that there may be some impact on MOL due to the constrained nature of the site. However, any proposals coming forward on this site would need to be considered against all policies set out in the 'development plan' for the borough, including those relating to MOL and Green Belt. Any 'inappropriate development' in MOL would therefore need to demonstrate 'very special circumstances' that outweigh the potential harm to MOL.

As part of the Statement of Common Ground, we will pursue with the Mayor whether some minor changes or modifications can be made to policy SA 8 to ensure general conformity with the London Plan. In this context, in response to the Mayor's Regulation 19 representation, it should be noted that the Council does not wish to de-designate the site from MOL, but we believe that an agreement can be reached with the Mayor to ensure Policy SA 8 (with some minor changes or modifications) can be retained within the Plan.

2. In relation to **Policy LP 45 (Parking Standards and Servicing) and Appendix 3**, it is noted that the Mayor seeks the Local Plan to state clearly that the standards proposed are 'maximum'. As set out in Policy LP 45, the standards proposed are 'maximum', although it is acknowledged that the supporting text to the policy clarifies that we would usually seek those standards to be met unless there are site specific circumstances; this is generally assessed on a case by case basis. The Council's reason for this policy approach is because the borough has high levels of car ownership and use within fairly densely developed residential areas with some narrow streets and where many properties have no off-street parking. The main purpose of the policy is therefore to ensure that sufficient on-site car parking is provided to meet the needs of the occupiers whilst ensuring excessive on-street parking demand is not created that could then adversely impact on the amenity and highway network of the local area. The Council has commissioned consultants (AECOM) to produce a transparent analysis of options on potential parking standards, which has been carried out in line with paragraph 39 of the NPPF. It should be noted that the provision towards the upper end of the maximum car parking standards has also been recommended by the consultants.

In relation to standards for Electric Vehicle Charging Points, these are already proposed to be in line with London Plan standards as set out in paragraph 11.2.5. The same applies to the disabled parking standards.

It is noted that the Mayor's / Transport for London's response to the Regulation 19 consultation states that '*further details will be provided to the Council*' in relation to the parking standards. Transport for London and the Greater London Authority have agreed to review the Council's evidence on parking standards (2016) to inform your examination into the Plan. The Council is willing to work with officers at Transport for London to explain the findings of the study and the methodologies used within the research. As part of this we will explore the areas that we agree on as well as potentially areas that we may disagree on. It is envisaged that this will be incorporated within the Statement of Common Ground.

## SPDs

*Inspector's letter:*

*I observe that in various parts of the Local Plan, specific policies require compliance with a SPD.*

*However, the purpose of SPD is to provide more detailed advice or guidance on the policies in a Local Plan, not to create or represent policy in itself. To do otherwise would be to elevate the content of SPD to the status of policy which, with regard to S38(6) of the Town and Country Planning Act 1990 (as*

*amended), would be potentially inappropriate. Based on the currently available evidence, the justification for such Local Plan policies and the associated requirements of the relevant SPD is not evident. It can be the case that references to necessary SPD are often placed within the supporting text to policies as suitable signposts to the further advice and guidance that is envisaged by national policy. I would appreciate your views on this point.*

Council's response:

We would like to reassure you that the Council's adopted SPDs only provide detailed advice or guidance on policies within the Plan, and that they do not create or represent policy in themselves. We have considered all the references within the Local Plan's policies and their supporting texts to SPDs, and we hope that the following provides some clarity in this regard:

- Village Planning Guidance SPDs: These SPDs only identify the key features and characteristics of the relevant village areas, including the most important aspects and features that contribute to local character and that are valued by local communities. These SPDs therefore provide useful guidance on design for prospective developers and applicants; however, they do not set out policies themselves.

Policy LP 1 states that *"All proposals, including extensions, alterations and shop fronts, will be assessed against the advice set out in the relevant Village Planning Guidance and other SPDs relating to character and design."* This reference is considered to set out a clear relationship between policy and SPD.

Policy LP 3 (and its supporting text) state that these SPDs (amongst others) will also be used as a basis for assessing development proposals that may affect a designated heritage asset and/or the setting of Conservation Areas. This reference is considered to set out a clear relationship between policy and SPD.

Policy LP 8 states that *"Applicants are expected to comply with the Council's SPDs relating to design, including Village Planning Guidance, SPDs on extensions, infill and backland developments, housing mix and standards as well as residential development standards."* We would be happy to reconsider the wording of this, such as replacing *"expected to comply with..."* with *"expected to follow the guidance set out within..."*.

Policy LP 11 states that *"Proposals for subterranean and basement developments, including extensions, as well as lightwells and railings, will be assessed against the advice set out in the Council's SPDs relating to character and design as well as the relevant Village Planning Guidance."* This reference is considered to set out a clear relationship between policy and SPD.

- Sustainable Construction Checklist SPD: This SPD describes the key principles of sustainable design and construction, which the Council expects all applicants to follow. In line with the Council's adopted [Local Validation Checklist](http://www.richmond.gov.uk/local_validation_checklist_1216.pdf) (www.richmond.gov.uk/local\_validation\_checklist\_1216.pdf), a completed Checklist is required to be submitted for certain types of planning applications. The purpose of the Checklist is to assess compliance of development proposals with the Local Plan's policies on energy consumption, carbon dioxide emissions, national standards on water usage etc. Therefore, the Checklist itself does not set out any additional requirements nor does it create or represent policy itself as it is a tool to assist applicants and developers to ensure compliance with Local Plan policies.

Policy LP 21 (supporting text) states in relation to sustainable drainage that *"Applicants and developers will need to submit evidence, as part of Flood Risk Assessments and/or requirements set out in the Council's Sustainable Construction*

*Checklist SPD, that the drainage hierarchy has been followed and SuDS have been utilised where feasible.*” In this instance, the Checklist is being used as a tool to ensure compliance with Part C of Policy LP 21.

Policy LP 22 states that *“Development of 1 dwelling unit or more, or 100sqm or more of non-residential floor space (including extensions) will be required to comply with the Sustainable Construction Checklist SPD. A completed Checklist has to be submitted as part of the planning application.”* Further guidance on this is then provided within paragraph 6.3.2 of the supporting text.

As set out above, the Checklist does not set out any additional requirements other than those set out in the policies within the Plan. Therefore, we would be happy to consider a minor modification for clarity with regard to the above, such as replacing *“to comply with...”* with *“to complete...”*.

In addition, LP 22 (Part E.) and paragraph 6.3.22 within the supporting text encourage developments that do not meet the thresholds for submission of the Checklist as part of the planning application to comply with the SPD as far as possible. Again, we would be happy to consider a minor modification for clarity in this regard, such as to replace *“to comply with...”* with *“to complete and submit...”*.

We would like to point out the table within paragraph 6.3.24 to reassure you that the Checklist itself does not set out any additional requirements over and above those already contained within the policies, and that the requirements referred to in policies regarding the Checklist relate to the need for completion and submission of the Checklist as part of relevant planning applications.

- Refuse and Recycling Storage Requirements SPD: Policy LP 24 and its supporting text in paragraph 6.5.3 state that refuse and recycling storage as well as ease of collection should be in line with the Council’s SPD on Refuse and Recycling Storage Requirements. We would be happy to consider a minor modification in this regard to refer to the “guidance and advice” set out within the Council’s SPD on Refuse and Recycling Storage Requirements.
- Affordable Housing SPD: This SPD contains guidance and advice to be addressed in all proposals for new residential use, and it supports Local Plan policy LP 36, which is a continuation of existing policy DM HO 6 of the Development Management Plan. The SPD itself does not set out any requirements or policies that go beyond those already contained within the policies.
- Policy LP 36 (Part B.b.) sets out that *“a financial contribution to the Affordable Housing Fund commensurate with the scale of development, in line with the sliding scales set out below and in the Affordable Housing SPD.”* In addition, paragraphs 9.3.2 and 9.3.8 of the supporting text refer to this SPD for guidance and advice on the mechanisms for assessing contributions from individual sites and the methodology for calculating the financial contributions from small sites. This reference is considered to set out a clear relationship between policy and SPD.
- Residential Development Standards SPD: This SPD provides general advice and guidance on residential developments, including amenity and residential space standards. However, it does not set out policies or additional requirements itself, and only provides further guidance and advice on the standards and requirements contained within the Local Plan policies. Some of the guidance is considered out of date e.g. where it predates the optional technical standards, however paragraph 9.2.12 sets out the Council’s intention to update this SPD. The supporting text (paragraph 9.5.8) within Policy LP 38 contains references to this SPD without setting

out additional requirements or policies other than those already contained within LP 35.

- Planning Obligations SPD: There are various references throughout the Local Plan to this SPD. The main purpose of this SPD is to set out the Council's approach and procedures for securing site-specific developer contributions alongside the Borough's CIL. It should be noted that this SPD does not set out any additional requirements beyond those already contained within existing policies.  
For example, the supporting text (paragraph 5.5.3) of Policy LP 16 refers to this SPD for the approach to developer contributions for trees and public realm. Within the supporting text (paragraph 6.3.14) of LP 22 reference is made to the fact that the carbon offset contribution would be agreed through a Section 106 legal agreement in line with this SPD. Policy LP 31 refers to the guidance contained within this SPD on how to calculate child yield. Policy LP 41 and paragraph 10.2.12 of the supporting text set out requirements for the provision of affordable office space, and the reference to this SPD is only in relation to how this will be secured. These references are considered to set out a clear relationship between policy and SPD.

On a more general point, we could consider some minor modifications by placing references to SPDs within the supporting text of the relevant policies rather than within the main policy texts themselves.

For information, all the Council's adopted SPDs can be found on the [Council's website](http://www.richmond.gov.uk/supplementary_planning_documents_and_guidance):  
[www.richmond.gov.uk/supplementary\\_planning\\_documents\\_and\\_guidance](http://www.richmond.gov.uk/supplementary_planning_documents_and_guidance)

Yours sincerely

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Encl.:

1. Sustainability Appraisal summary table
2. Draft Housing Background Paper – Affordable Housing Policy Thresholds

cc

Mayor of London / Greater London Authority (Kevin Reid, Brianne Stolper)