



Report to the London Borough of Richmond upon Thames

by Andrew Seaman BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Date: 26 April 2018

Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of the Richmond upon Thames Local Plan

The Plan was submitted for examination on 19 May 2017

The examination hearings were held between 26th September and 12th October 2017

File Ref: PINS/L5810/429/10

Abbreviations used in this report

AA	Appropriate Assessment
AMR	Annual Monitoring Report
DCLG	Department for Communities and Local Government ¹
DtC	Duty to Co-operate
EqIA	Equalities Impact Assessment
Framework	National Planning Policy Framework
GB	Green Belt
HMA	Housing Market Area
HRA	Habitats Regulations Assessment
KOA	Key Office Areas
LDS	Local Development Scheme
LGS	Local Green Space
MM	Main Modification
MoL	Metropolitan Open Land
OAN	Objectively assessed need
OOLTI	Other Open Land of Townscape Importance
OSNI	Other Site of Nature Importance
PPG	Planning Practice Guidance
PPTS	Planning Policy for Traveller Sites
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
WMS	Written Ministerial Statement
the Plan	Local Plan

¹ Now Ministry for Housing, Communities and Local Government

Non-Technical Summary

This report concludes that the London Borough of Richmond upon Thames Local Plan (the Plan) provides an appropriate basis for the planning of the Borough, provided that a number of main modifications [MMs] are made to it. The Council has specifically requested me to recommend any MMs necessary to enable the Plan to be adopted.

The MMs all concern matters that were discussed at the examination hearings and the majority were proposed by the Council. Following the hearings, the Council prepared schedules of the proposed modifications and produced an addendum to the Sustainability Appraisal in their regard. The MMs were subject to public consultation over a six week period. In some cases I have amended their detailed wording and/or added consequential modifications where necessary.

I have recommended their inclusion in the Plan after considering all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- To ensure an adequate acknowledgement of the role of Neighbourhood Planning.
- To ensure the approach to issues including design, heritage, local character and amenity considerations is justified and effective in its implementation;
- To clarify the approach towards housing delivery, particularly in seeking to maximise the delivery of affordable housing;
- To ensure a robust and justified approach to open space, green infrastructure, other open land and local green space;
- To ensure a justified and robust approach to the Borough Centres and issues affecting employment, office and industrial land;
- To ensure there is a clarity of approach towards the Plan's Site Allocations
- To ensure adequate reference to environmental and air quality issues; and
- To ensure adequate monitoring of the Plan is proposed to ensure its effectiveness.

Introduction

1. This report contains my assessment of the Local Plan in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate (DtC). It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (the Framework) (paragraph 182) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The London Borough of Richmond upon Thames Local Plan (the Plan), submitted in May 2017 is the basis for my examination. It is the same document as was published for consultation in January 2017.

Main Modifications

3. In accordance with section 20(7C) of the 2004 Act, the Council requested that I should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. My report explains why the recommended MMs, all of which relate to matters that were discussed at the examination hearings, are necessary. The MMs are referenced in bold in the report in the form **MM1, MM2, MM3** etc, and are set out in full in the Appendix.
4. Following the examination hearings, the Council prepared a schedule of proposed MMs and carried out sustainability appraisal (SA) of them. The MM schedule was subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report and in this light I have made some amendments to the detailed wording of the main modifications and added consequential modifications where these are necessary for consistency or clarity². None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and SA that has been undertaken.

Policies Map

5. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map includes the set of plans identified as 'Proposals Map Changes Local Plan – Publication Version for consultation' as set out in SD2.
6. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it.

² MMs 7, 20, 23

However, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the policies map which should be considered by the Council.

7. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in the Plan and the MMs.

Assessment of Duty to Co-operate

8. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
9. The Council has provided a range of evidence to indicate how it has sought to discharge its duty. This includes the Duty to Cooperate Statement (SD12), the Legal Compliance Checklist (SD11), the Soundness self-assessment checklist (SD10) and relevant Hearing Statements. Within its specific London context, the combined evidence demonstrates adequately that the Council has sought to engage with relevant prescribed bodies on strategic matters.
10. Overall I am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to co-operate has therefore been met.

Assessment of Soundness

Background

11. The Council has described the submitted Local Plan as a review of its extant development plan documents which include the Core Strategy of 2009, the Development Management Plan of 2011 and site specific policies from the saved Unitary Development Plan of 2005. It is intended that the Local Plan would replace these documents and be read alongside the retained Twickenham Area Action Plan of 2013 and the Joint West London Waste Plan of 2015. In this context the Local Plan represents more than a review and is a single cogent document setting out the vision and spatial strategy for the borough for the period until 2033. I have considered the Plan in this context.

Main Issues

12. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings I have identified eight main issues upon which the soundness of the Plan depends. Under these headings my report deals with the main matters of soundness rather than responding to every point raised by representors.

Issue 1 – Is the Plan legally compliant? Does the Plan contain a robust spatial vision and justified strategic objectives consistent with national policy and in general conformity with the London Plan?

13. The Council has prepared an extensive evidence base that supports the submitted Local Plan. This evidence includes, the Local Development Scheme, the Legal Compliance Checklist, the Duty to Cooperate Statement, the

Soundness Self-Assessment Checklist, the Statement of Consultation, the Equalities Impact Assessment, the Habitats Regulation Assessment, the SA and correspondence conducted following submission of the plan for Examination. With regard to this and all other matters, I am satisfied that the Plan has been prepared in accordance with the statutory procedures and associated regulations.

14. The Plan iterates the role of the Borough Council and summarises its strategic context within London and within its community. It contains a clear Strategic Vision built around three primary themes which are supported adequately by the evidence base including the Corporate Plan and the Community Plan. These themes link to a series of logical Strategic Objectives. The Council has used the SA as a means of assessing the vision and objectives of the Plan and, overall, I am satisfied that they are justified, consistent with national policy and in general conformity with the London Plan.
15. The Council's evidence base, which includes various Statements of Common Ground, indicates how liaison has been had with neighbouring Boroughs and the Mayor of London. Notwithstanding individual matters referenced further within this report, the evidence indicates how the Council has sought to work cooperatively and satisfactorily on strategic matters. This is an ongoing commitment which will include contributions and liaison upon the emerging London Plan. The Council has recognised the potential importance of Neighbourhood Planning through suggested changes to the Plan which I consider necessary as main modifications to ensure consistency with national policy. I recommend accordingly (**MM1**).
16. Subject to the MM, the Plan is legally compliant and does contain a robust spatial vision and justified strategic objectives which are consistent with national policy and in general conformity with the London Plan.

Issue 2 – Is the approach of the Plan to 'Community Facilities' justified by the evidence base, consistent with national policy and will it be effective in operation?

17. Section 8 of the Plan addresses the provision of Community Facilities. The Council's evidence includes information from the Infrastructure Delivery Plan (IDP) in relation to the provision and needs for various types of social infrastructure and is supported by documents such as the Joint Strategic Needs Assessment, the School Places Planning Strategy, the Indoor Sports Facility Needs Assessment and the Council's overarching monitoring data.
18. Policy LP 28 specifically refers to 'Social and Community Infrastructure'. This term is reasonably defined in part within the supporting text of the policy and I agree with the Council that attempts to supply a precise and consequently potentially exclusive and inflexible definition would not be appropriate. The policy expresses the Council's commitment to ensuring the adequate provision of community services and facilities through the provision of new infrastructure to meet needs whilst resisting the unwarranted loss of such elsewhere. Such an approach is consistent with national policy and the thrust of the London Plan. The policy and its supporting text justifiably seek an inclusive approach for all sections of the community whilst sensibly seeking a multi-use approach for existing and proposed buildings. The policy also

recognises the potential effects of major housing developments on social and community infrastructure and the potential need to mitigate impacts which I am satisfied is appropriate and necessary.

19. I have noted the Statement of Common Ground between the Council and Sport England which recites the position with regard to indoor sports facilities and with which I do not dissent. I recommend a main modification to require that the effects of development upon such facilities are assessed appropriately which will ensure consistency with, albeit without the need to repeat, national policy (**MM14**).
20. Policy LP 29 addresses issues affecting 'Education and Training' and is evidenced adequately by a range of sources including the Council's School Place Planning Strategy which is an iterative document constantly subject to review. The totality of evidence, which includes clear partnership working, supports the thrust and content of LP 29 which I consider to be robust in its justification and ambition.
21. Part B of the Policy seeks to promote 'Local Employment Agreements'. The Council has subsequently clarified the justification for this element which offers clear positive opportunities for the local community and is in line with the objectives of the London Plan. I recommend a main modification to clarify the link between the policy and its means of implementation through legal agreements to ensure it is legally compliant and consistent with national policy (**MM15**).
22. The Council's approach towards 'Health and Well Being' is set out within Policy LP 30. Once again, the evidence base for the Plan as whole indicates a commitment to partnership working where appropriate and this is seen within the Joint Strategic Needs Assessment, the IDP and the work of the Clinical Commissioning Group. The Plan has benefitted from a Health Impact Assessment in addition to the robust Equalities Impact Assessment (EqIA).
23. Part A of the policy addresses positively the pattern of land use and facility provision and is both consistent with national policy and in general conformity with the London Plan. Part B seeks to retain and improve facilities for the community and the Council has suggested a number of changes which clarify the approach and the link between Policies LP 28 and 30 which I consider necessary main modifications to ensure their effective implementation (**MM16**).
24. Part B takes a restrictive approach towards new fast food takeaways. As presented, the policy is not strongly supported by the evidence base as to why such outlets should be restricted within 400 metres of schools. The evidential link between obesity in children and hot food takeaway locations is fragile. Not all A5 uses are necessarily unhealthy albeit Public Health England acknowledges that access to unhealthier food sources is a contributory factor to obesity. As worded the policy is neither positive nor adequately justified.
25. The London Plan encourages positive measures to promote healthy lifestyles and national policy promotes access to healthy food. As a consequence there is scope for Policy LP 30 to take a positive management approach towards the promotion of healthy food within a reasonable walking distance of schools which contain a key and logical part of the community. I recommend

accordingly (**MM16**) to enable a justified and effective policy position to be established consistent with national policy and in general conformity with the London Plan.

26. Open space, sport, recreation and play facilities are addressed by Policy LP 31. I am mindful of the submissions of Sport England, the subsequent Statement of Common Ground, the IDP and the various Council studies which include the Playing Pitch Assessment, the Playing Pitch Strategy, the Open Space Assessment and the Indoor Sports Facility Needs Assessment. The cumulative effect of the evidence base relied upon by the Council is sufficiently up-to-date and robust as to enable the Council to plan suitably and adequately for future provision over the plan period.
27. Policy LP 31 is worded flexibly to enable suitable site specific assessments to be undertaken where necessary and is consistent with national policy, including where the loss of facilities including playing fields is proposed. To ensure clarity, effectiveness and consistency with national policy I recommend changes to the policy wording (**MM17**) to be inclusive of new and existing playing fields and associated sports facilities.
28. Overall and subject to the modifications, the Plan is supported by a sufficiently robust evidence base and the approach towards 'Community Facilities', which includes allotments as referenced by justified Policy LP 32, is consistent with national policy and will be effective in operation.

Issue 3 – Is the Local Plan's approach to housing provision sufficiently justified and consistent with national planning policy and in general conformity with the London Plan? With particular regard to deliverability, has the Plan been positively prepared and will it be effective in meeting the varied housing needs applicable to the Borough over the plan period?

29. The Council's approach to the provision of housing is set out specifically within Policies LP 34 - 39. This is informed by a broad evidence base that includes the Council's Housing Strategy which in turn has been produced with an awareness of the Revised London Housing Strategy, the Council's Tenancy Strategy and associated research. I am mindful that the Council has undertaken its own Strategic Housing Market Assessment (SHMA).
30. The Council's SHMA appears methodologically robust and has had regard to the Framework, the Planning Practice Guidance and existing London based evidence such as the Mayor's Housing SPG. Within the wider London housing market area, Richmond has a housing market closely integrated with its neighbours in the south and west of the city and the inter-relationships between administrations is recognised within the SHMA. The SHMA has not unreasonably had regard to the GLA long term migration projections. It has also been mindful of the DCLG Household Projections (July 2016) and the ONS Subnational Population Projections (2014 base) in addition to noting the content of the 2013 London wide SHMA. I find its content to be cogent and adequate.
31. The Council's SHMA has had suitable regard to available market signals which confirm that the Borough experiences relatively high housing costs and issues of affordability. Overall, I find the evidence has adequately and appropriately informed the Plan's approach towards housing issues which is sufficiently

robust notwithstanding the acknowledged potential to utilise alternative methods in calculating levels of housing need. The Council identify a minimum unconstrained demographic based need for 1047 dwellings per year.

32. The London Plan currently sets a minimum target for the Borough of 3,150 homes (2015-2025) and this would be satisfied by the submitted Plan. As indicated within its Housing Annual Monitoring Report (AMR), the Council has a housing trajectory which indicates that it can fulfil its intended requirement. It also, particularly in terms of its 5 year housing land supply and previous performance, supports a 5% buffer provision which I find to be consistent with national policy.
33. Whilst meeting the London Plan target, the submitted Local Plan does not propose to meet its identified housing need, citing constraints in terms of available land and sites, particularly in light of the existing Metropolitan Open Land and Green Belt designations. Within this context, I am mindful that at present the housing market area of London informs the overall London housing need which is disaggregated across the Boroughs to ensure an adequacy of supply; the Council has worked with its neighbours and the GLA, who do not raise a conformity concern, in assessing its housing requirement and provision. The Council has sought to discharge its duty to cooperate through engagement with both London and non-London Boroughs albeit I note that the Richmond upon Thames needs are not being met by the latter.
34. I have noted concerns that the London-wide housing needs, in addition to those of the wider south-east of England, and the overall requirement contained in the London Plan may not be met. However a shortfall of the latter is not certain. I note that some nearby Boroughs are seeking to provide a greater level of housing than the London Plan identifies as a minimum and that the strategic issue of housing provision across the south-east is more properly a strategic matter for London as an administrative whole and other relevant Councils.
35. I am aware that a new London Plan is emerging which will revisit the issue of housing provision across the city and engage within the wider south-east of England on housing requirements. This is a key point and opportunity for the Council to address positively the content of any new London Plan and challenge itself to review the content of its own Plan to accommodate strategic changes. This may necessitate a reassessment of its currently identified constraints, for example a review of its designated GB and the urban capacity of its existing sites and centres.
36. In the interim, I am satisfied that the submitted Local Plan is based upon robust evidence, is justified by the evidence base, is consistent with national policy and is in general conformity with the London Plan as regards housing. Policy LP 34 establishes the minimum housing target and the broad areas within the Borough which will accommodate the growth. For the effectiveness of the Plan in the immediate term, I recommend the Council's proposed modification to the text of Policy LP 34. This clarifies that the indicative targets are not to be considered limits and that the overall housing target is to be exceeded in addition to clarification that a potential review of the Local Plan may be required following the adoption of any new London Plan (**MM3**).

37. Policy LP 36 sets out the Council's approach to affordable housing. It is not in dispute that the Borough has both a considerable level of need and significant issues of affordability. These issues are magnified by the constraints on land availability which exist within the Borough.
38. I am mindful of the government's Written Ministerial Statement (WMS) which seeks to tackle the potentially disproportionate burden of developer contributions on small scale developers. As iterated in the Draft Housing Background Paper on Policy Thresholds (LBR-LP-005) plus the SHMA and its associated research, there is a persuasive basis for requiring affordable housing (either through provision on site or via a financial contribution to the established Affordable Housing Fund) on all sites, including those below a capacity of ten or more units. The Council's viability evidence illustrates the relatively high land value within the Borough.
39. The Council has sought contributions towards affordable housing on small sites for some years and the cumulative nature of its evidence supports adequately the inclusion of this approach within the Plan. In so doing, the policy makes clear that the number of units should be considered as 'gross' rather than 'net' but in the context of the need this is justified. The policy allows for the consideration of development viability such that I am satisfied it is sufficiently flexible to be effective in implementation. Whilst I am mindful of the weight to be afforded to national policy, the evidenced local circumstances of the Borough exceptionally warrant the content of LP 36 in this regard.
40. The policy contains an ambitious expectation that 50% of all housing units will be affordable housing units; 40% should be housing for rent and 10% intermediate housing. Given the level of need and the direction of travel contained in the Mayor's draft Affordable Housing and Viability SPG I consider that ambition is acceptable and should not be lightly set aside.
41. The Council has updated its Whole Plan Viability Assessment which has considered the cumulative effect of plan policies and specifically LP 36. While there are variations in land values across the Borough, I consider a single approach towards viability is adequately justified and can be effective. It is clear that the 50% target is a challenging one in some of the scenarios tested and that the past experience of the Council is that the actual level of affordable housing secured from development sites is considerably below 50%. Nonetheless, the level of need and the issues of affordability do justify an ambitious approach. The viability evidence supports the potential for some sites to realise proportions approaching 50% and LP 36 does contain sufficient flexibility for site specific circumstances to be considered in agreeing any final figure.
42. The Plan references Starter Homes and self-build opportunities adequately within the context of the Borough. Overall, the policy is justified adequately. LP 36 and its supporting text require modification in line with the Council's suggestions to ensure clarity, effectiveness and an appropriate cross reference to the London context. I recommend accordingly (**MM3**).
43. Policy LP 37 addresses the housing needs of different groups, which are defined in part by the supporting text at Plan paragraph 9.4.2. Once again, the policy approach has been informed by evidence such as the SHMA, the

Council's existing Housing Strategy and the London Plan such that I am satisfied the Plan is adequately informed and robust. The Council relies upon its AMR to assess the effectiveness of the policy approach and I have no reason to consider that this is not capable of being effective.

44. With regard to gypsies, travellers and travelling showpeople and as illustrated by its Research on Gypsies and Travellers (SD27), the Council has sought to engage with neighbouring authorities in addition to relevant representative bodies, including the Richmond Housing Partnership (RHP), in assessing the level of need within the Borough. The Council concludes that there is no demonstrated need for any additional pitches within the Borough nor are there any signals that there is an unmet need for gypsy or traveller accommodation into the future. The RHP manages the single existing Borough site which is deemed to be adequate. The Council's research has found no needs arising for travelling showpeople within the Borough. On the basis of the available evidence which appears proportionate to the issue at hand, I have no reason to reach a different conclusion.
45. Policy LP 35 sets out the Council's requirements for its housing mix and applicable standards. This has had regard to the evidence base, including the SHMA. I am satisfied that part A of the policy contains a justified emphasis upon family sized accommodation whilst retaining sufficient flexibility for site considerations to be accounted for, thus ensuring the policy will be effective in implementation.
46. Parts B and E of the policy require compliance with the Nationally Described Space Standard and clarifies the application of Building Regulation Requirement M4 (2 and 3). These requirements have been considered for their effect upon development viability and their adequate justification is summarised within the supporting text of the plan which also allows some flexibility for circumstances where the requirements of the policy may be impractical. I find these parts of Policy LP 35 to be justified and effective.
47. Part D of Policy LP 35 seeks to ensure that the amenity space for new dwellings is adequate. The criteria listed are reasonable and there is sufficient flexibility in the phrasing of both the policy and its supporting text to enable suitable judgements to be reached on the acceptability of development proposals such that I am satisfied it would be effective in implementation.
48. In contrast, Part C of the policy introduces a prescriptive requirement for compliance with specific external space standards. Whilst I have had regard to the extant LDF Development Management Plan adopted prior to the Framework being published, I note that this does not contain the same specific policy requirements and cross references the guidance contained in the Council's Residential Standards SPD (2010). The Local Plan explains that the SPD will be updated and I consider that this will be an opportunity to ensure that the guidance, rather than overly prescriptive policy, is appropriate to the current Richmond upon Thames Borough context.
49. There is insufficient evidence and justification for Part C to require compliance with the Council's current external space standards as expressed within LP 35. Consequently, I recommend that this part of the policy is modified to reference the need to provide appropriate external space with a cross

reference to the intended updated guidance of the SPD. This will ensure flexibility in the application of the policy, enabling the site specific circumstances of development to be more reasonably considered and thus ensuring its effective implementation (**MM3**).

50. Policy LP 38 relates to the 'loss of housing' and in light of the overall evidence available is consistent with the objectives of the Plan and is both justified and capable of effective implementation.
51. Policy LP 39 sets out the Council's approach towards infill, backland and back garden development. The policy requires that infill and backland development should address 10 factors. I am satisfied that the factors are reasonable and should be considered cumulatively and proportionately to ensure appropriate forms of new development are delivered.
52. Part B of the Policy sets out a presumption against the loss of back gardens in order to maintain local character. Whilst this is not an unreasonable aim, the policy contains an unnecessary reference to 'exceptional cases' being permissible where no significant adverse effect occurs. Provided that such adverse effects are avoided there is no need for the reference to exceptional cases and therefore I recommend a modification to ensure clarity for its effective implementation (**MM3**).
53. The Local Plan's approach to housing provision is sufficiently justified and consistent with national planning policy and in general conformity with the London Plan. Subject to the modifications, I find that it has had adequate regard to deliverability, has been positively prepared and will be effective in meeting the varied housing needs applicable to the Borough over the plan period.

Issue 4 - Does the Plan take a justified and suitably evidenced based approach towards design, 'Green Infrastructure' and climate change? Is the Plan consistent with national policy in such regards and will it be effective in implementation?

Design

54. The Council has a proportionately detailed understanding of the design qualities of its Borough, particularly as evidenced by its Village Plan SPDs. Policy LP 1 (A) sets out the Council's aspirations and criteria for assessing design quality which are justified by the submitted evidence base and deliverable. Policy LP 1 (B) relates to shop fronts and whilst somewhat prescriptive does contain sufficient flexibility to be effective in practice. LP1 (C) relates to advertisements and hoardings and I have no reason to consider it is not justified as far as it relates to the Richmond context.
55. The Borough Wide Sustainable Urban Development Study (SD 41) is relied upon by the Council for informing the content of Policy LP 2 'Building Heights'. Criteria 1-4 provide adequate clarity on what factors the Council will take into account when determining new development proposals. Criterion 5 is intended to provide guidance that there are alternative and more appropriate ways to create local landmarks other than using height and creating tall buildings; whilst this is correct, the wording of the policy is potentially limiting

and I recommend a modification to address this matter in the interests of flexibility and effective delivery (**MM4**).

56. Criterion 6 addresses tall and taller buildings and is supported by the reasoned justification to the policy. Whilst paragraph 4.2.3 defines 'tall' and 'taller' buildings, there is potential ambiguity as to how this would apply to LP 2 (6) which states that the Council will 'resist buildings that are taller than the surrounding townscape'. It cannot be the Council's reasonable intention to allow no structure to be built higher than existing buildings in the townscape which would be inflexible and would not represent positive planning; this is one interpretation of the submitted policy. The construction of the policy and its text suggest that the Council wishes to manage the erection of 'taller' buildings (as defined in para 4.2.3) whilst proposals for 'tall' buildings would be potentially clustered close to the rail stations of Twickenham and Richmond. This stance is supported by the evidence base and to achieve this objective I recommend a modification to the policy in the interests of effectiveness (**MM4**). Buildings which may not fall within the definition of 'taller' would nonetheless be subject to the considerations of criteria 1 to 5 which will provide the Council with adequate means to manage design quality and the appropriateness or otherwise of development proposals.
57. Policies LP 3, 4 and 7 relate to Heritage Assets of which the Borough has a rich variety. Following discussion with Historic England, the Council has proposed changes to the wording of its policies to ensure consistency with national policy and effectiveness. I recommend the changes as a main modification accordingly (**MM2**).
58. Policy LP 5 seeks to protect the quality of views and vistas from within and through the Borough. The policy is informed by the London View Management Framework and is in general conformity with the London Plan. It is justified and, as secured by the additional changes to clarify the wording as proposed by the Council, will be effective in operation (**MM2**).
59. Policy LP 8 relates to 'amenity and living conditions'. The objectives of the policy are justified and I appreciate that it is informed by the existing guidance of the Council's range of SPDs, such as those relating to extensions and residential standards. The criteria listed are, on the whole, flexibly worded and proportionate to the objectives of securing appropriate living conditions for residents into the future. However, there is insufficient justification for stipulating that a minimum separation distance of 20m between main facing windows of habitable rooms as included within criteria 2; to do so would be prescriptive, unjustified and inflexible for effective operation. This advice exists within the SPD although I note that this pre-existing reference is more flexibly worded. I therefore recommend a main modification to delete this criterion and to clarify that the Council's SPDs are guidance rather than a set of expected 'rules' in all scenarios (**MM5**). This will ensure a flexible, justified and effective policy.
60. Policy LP 10 seeks to address issues of local environmental impact, pollution and land contamination. I agree with the Council's assessment that such a policy is required. The policy addresses a number of specific matters and I have noted the recent Air Quality Plan update produced by the Council which reiterates that Richmond is a Borough which is an Air Quality Management

Area and which clarifies the levels of air pollution in certain locations. The policy is justified in principle and contains justified criteria to manage the potential effects of new development albeit a modification is required, for reasons of effectiveness, to clarify that 'emissions neutral' development should be the policy objective (**MM6**).

61. The policy has been considered, albeit in a set of general assumptions, for its effects upon development viability which I find adequate. The Council refers to a charge for the monitoring of any Construction Management Statement. This may only be acceptable in justified circumstances and therefore a modification is required to avoid the blanket application of an unwarranted charging regime (**MM6**).
62. Basement and subterranean developments are addressed by Policy LP 11 which the Council evidences adequately as a matter that necessitates inclusion within the Plan. Mindful of the impending Article IV directions on this issue within the Borough, I agree. The policy detail is derived from shared experience across London and the Environment Agency is content with the policy wording itself, cross referencing Policy LP 21 as appropriate. I have no reason to consider otherwise and find that the policy is justified and is capable of being effective in implementation.

Green Infrastructure

63. In support of Policy LP 12 (Green Infrastructure) the Council's evidence includes its Open Space Assessment and the IDP. The principle underpinning LP 12 is consistent with national policy and the London Plan whilst the hierarchy of public open space is similarly clearly defined. Whilst there is a degree of ambiguity in the use of potentially synonymous phrases such as 'green spaces', 'green assets' and 'green infrastructure network', the thrust of the policy is clear, seeking to protect and enhance the wider green infrastructure network. I am satisfied, mindful of the Council's useful minor clarification of terminology, that Policy LP 12 is justified and consistent with national policy.
64. Policy LP 13 addresses matters affecting Green Belt (GB), Metropolitan Open Land (MoL) and Local Green Space (LGS) and is similarly based on evidence which includes the documents cited above, the Council's extant development plan, the London Plan and national policy. The Council is clear that it did not consider it appropriate for this submitted Plan, as a review of its extant documents, to undertake a GB/MoL review. Whilst, on balance, this is a justified position to take at this moment in time, I consider that it may be necessary to review the GB/MoL boundaries during the life of the plan to take account of requirements of the intended replacement London Plan which, by current estimates, may require further assessments of how best to accommodate the growth and development needs of London and the Borough itself.
65. Part A of Policy LP 13 provides a clear statement of intent that is consistent with national policy. The second part refers to 'appropriate uses' which is not a term found within national policy but which of itself does not contradict the thrust of the latter which seeks to manage directly the construction of new buildings. In this regard, it seems that new buildings which are inappropriate

by definition would be dealt with against the content of criterion A and national policy.

66. However, Part B of the policy provides three further criteria which would be applied as necessary to proposals seeking new small scale structures. These criteria are not consistent with national policy which simply identifies (NPPF para 87, 89 et al) that inappropriate development should not be approved except in very special circumstances and that new buildings should be regarded as inappropriate except where specifically provided for (eg facilities for outdoor sport etc). I therefore cannot find the content of criteria B justified or consistent with national policy; it is insufficiently clear why this part of the policy is necessary. The supporting text of LP 13 endeavours to recognise that there may be exceptional circumstances where inappropriate development could be acceptable, for example water plants and associated facilities, yet such development would fall to be reasonably considered under Part A of the policy in any event. The imposition of further criteria is unnecessary. I therefore recommend that Part B of the policy is modified to ensure effective implementation in line with national policy (**MM7**).
67. Part C of the policy identifies that the Council will take into account the possible visual impacts of development outside of the GB/MoL on its character and openness. I am mindful of national policy as it applies to GB areas and, on balance and whilst recognising that this is a matter of both planning judgement and legal interpretation in its potential implementation, I do not find the policy unsound through its phrasing.
68. Part D of the policy provides protection to identified LGS. National policy makes provision for the development plan process to designate LGS where three criteria are satisfied albeit also states that the designation will not be appropriate for most green areas or open space. The Council has, at para 5.2.10, created a number of additional criteria to be considered for the designation of LGS. The rationale for these is not clearly explained in the pre-submission evidence. Critically however and as accepted by the Council during the Examination Hearings process, there is no clear methodology which explains how the criteria have been applied and what means of value analysis has been applied to the sites identified to be designated as LGS. Thus the justification for any decision to designate land is more one of assertive opinion rather than evidential analysis and consequently is insufficiently robust. In the absence of such analytical process the inclusion of land as LGS cannot be supported at this time. Nonetheless, the LGS references within the Plan can be retained subject to modification to ensure clarity and consistency with national policy (**MM 7**).
69. I have noted the volume of representation received in relation to the Udny Park Playing Fields. It is clear that a large section of the community supports the designation of the land as LGS, albeit this is not universal and I note the submissions to the contrary. Regardless of the particular development aspirations that may apply to the site, my focus is upon whether designation of the land as LGS can be justified. In light of the absence of robust analysis as to its value against the criteria of the Framework and how any judgements have been objectively assessed in relation to, for example, its beauty, historic significance, recreational value etc, the designation is not justified adequately. The land is close to the community but it is unclear how it 'serves' that

community and submissions have been received which argue that the land is both special or, in the contrary, not special and the rationale for both is not well developed beyond assertion. I am unable to conclude that the designation is justified at this time. The site will retain its existing designation as Other Open Land of Townscape Importance (OOLTI). As a simple point of fact, the absence of a LGS designation of itself does not mean the site is, or is not, suitable for development.

70. As iterated above, I accept that the Council can rely on the established GB/MoL designations and I note that the London Plan generally resists the release of designated land. In the absence of a wider GB/MoL review there is no compelling reason to assess the perceived anomalies in the designated boundaries at this time, for example as affecting the Old Deer Park or the location of St Paul's School. The Plan is not unsound as a consequence. Similarly, I note the concerns expressed at the location of the MoL boundary at Belmont Road and a request to release designated land. However, and as justified by the Council in its Hearing submissions, at this moment in time the reliance on established boundaries, remains sound.
71. Thames Water considers that its Hampton Water Treatment Works should retain its previous status as a Major Developed Site. However, such terminology is no longer part of national policy and is not part of the Plan. I consider that the submitted Plan in conjunction with the application of national policy will enable due consideration to be given to development proposals on any site and their justification.
72. Submissions were made to the Examination that land historically used as settlement beds in Station Road, Hampton has erroneously been shown as being within the GB on the Policies Map (and its predecessor). There appears to be a relatively complex background to this matter. However, as noted above, the GB is not being reviewed at this time. The established designations remain in force. It is for the Council to ensure that these designations are accurately depicted on its policies map and it must be noted that the policies map is not of itself under examination for soundness.
73. Consequently, it must remain for the Council to satisfy itself that the established GB boundary, which of itself is not affected by this Plan, is accurately identified on the policies map with due regard to the history of the site and its iterations within the plan production process. Should the Council identify that the previous depiction is inaccurate, it has the ability to correct it as a matter of fact. It has alternatively been suggested that the land in question should be released from the GB. As identified above, there is no justification or requirement to do so outwith a wider GB review and the Plan is not unsound as a consequence.
74. Policy LP 14 relates to OOLTI which is a pre-existing designation for land within its extant development plan. The policy recognises locally important open land and is justified adequately by the available evidence albeit the Council has necessarily confirmed that new OOLTI designations will only be made through the development plan process. Such modifications are necessary to ensure effectiveness and transparency of the policy application (**MM 8**).

75. Policy LP 15 relates to biodiversity and is supported adequately by the available evidence base and is consistent with national policy whilst being in conformity with the London Plan. I note that Natural England raise no objections to its content and have no reason to disagree.
76. The Council's approach towards trees, woodlands and landscape is provided by Policy LP 16. Given the context of the Borough with its relative abundance of natural assets the policy is justified and maintains flexibility in its intended application, for example by clarifying that only where practicable will replacement trees be required or a financial contribution be sought for off-site provision. The policy is justified and capable of effective implementation.
77. Policy LP 17 requires green and/or brown roofs to be incorporated within major schemes in the interests of maximising the sustainability of such developments following the lead of the London Plan and the draft London Environment Strategy. The effects upon development viability have been considered to an adequate degree in proportion to the average amount of major schemes forthcoming within the Borough. Overall the policy is justified and capable of implementation.
78. Following discussion with the Port of London Authority, the Council has suggested some changes to clarify the approach of Policy LP 18 which addresses the importance of the river environment. I consider that these are necessary to ensure their effectiveness (**MM9**). I am also satisfied that the policy is supported adequately by the evidence base, including that at the strategic London level, and is capable of being implemented reasonably.
79. Allied to Policy LP 18, LP 19 relates to moorings and other floating structures. This recognises that the River Thames is MoL and establishes the circumstances where new structures may be permitted in this sensitive context. I am satisfied that it is a policy adequately supported by the available evidence which can be effective in its delivery.

Climate Change and Sustainable Design

80. The issue of climate change is explicitly referenced in the Plan's Vision and the Plan has been prepared with an awareness of national policy and longer term considerations of environmental change. Policy LP 20 promotes development to be resilient to the effects of climate change and to ensure new development minimises impacts arising from overheating and energy consumption. The objectives of the Plan are supported by the content of the Council's Sustainable Construction Checklist SPD. I find the policy to be justified and consistent with national policy.
81. Issues of flood risk and drainage are addressed by Policy LP 21 which, in line with national policy, seeks to avoid or minimise flood risk with due regard to climate change. I am mindful of the Council's evidence base which includes its Strategic Flood Risk Assessment Level 1 Update and Flood Risk Sequential Test Report. I also note that the Environment Agency remains satisfied with the submitted Plan and its approach. I recommend a number of modifications to the Policy and its supporting text to ensure clarity, consistency with national policy and effectiveness in implementation (**MM10**) and conclude that the approach of LP 21 is justified and will be effective.

82. Policy LP 22 relates to matters of sustainable design and construction. The Council has had regard to the content of the London Plan and seeks to achieve high standards of design to mitigate climate change. The policy makes specific reference to its Sustainable Construction Checklist SPD, water consumption rates, BREEAM standards³, zero carbon aspirations for certain developments, the Energy Hierarchy, decentralised energy networks and retrofitting. I am satisfied that the Council has had adequate regard to the potential effects of the policy requirements upon development viability, both in terms of existing viability work undertaken for the London Plan and in work for the submitted Local Plan.
83. Subject to modifications to the Policy to clarify the status of the SPD and the application of a threshold for non-residential buildings which are necessary for reasons of effectiveness and legal compliance (**MM11**), I find the Council's approach to be justified, positively prepared, effective and consistent with national policy.
84. The Council has developed Policy LP 24 'Waste Management' in the context of the London Plan targets for waste and recycling and in the context of the West London Waste Plan which contains a suite of policies and a range of identified waste sites serving the Borough. An allowance for the effects of the policy has been made in the Whole Plan Viability Assessment which I consider adequate and I find the approach of the Plan in this regard to be consistent with national policy and in general conformity with the London Plan. The Council has suggested clarification to the policy and its supporting text which I consider necessary for reasons of legal compliance and to ensure effective implementation (**MM12**).
85. Arlington Waste Works is a site that has a relatively small geographic area but is identified as a waste management site in the WLWP. I note the Council's recognition, in changes to the submitted Plan (MM12), that 'the existing waste management sites as set out in Appendix 2 of the West London Waste Plan were identified at a snapshot in time. This list can be revised'. As such the continued identification of the Arlington Works site is justified albeit the Council retains the flexibility to assess its retention through its monitoring processes. The submitted Plan is sound in this regard.
86. Overall and subject to the MMs, the Plan does take a justified and suitably evidenced based approach towards design, 'Green Infrastructure' and climate change. It is consistent with national policy in such regards and will be effective in implementation.

Issue 5 - Does the local plan provide the most appropriate and robust strategy towards the economy and the Borough centres with due regard to cross border issues? Is the approach evidenced adequately and consistent with national policy and in general conformity with the London Plan? Will the approach be effective?

87. Policy LP 25 addresses the issue of development in established centres, the hierarchy of which is clearly identified and adequately justified by a broad evidence base that includes the extant development plan, the Council's Retail

³ Building Research Establishment Environmental Assessment Method

Study and research such as The Analysis of Town Centres. The policy provides a clear structure for the consideration of development proposals that may affect the vitality and viability of centres. The Retail Study justifies appropriately the 200sqm threshold for the application of the sequential test whilst the requirement for a Retail Impact Assessment is also suitably reasoned. In such regards I am satisfied the policy is consistent with national policy and, being conscious in its evidence base of the position of Richmond and its neighbours within London, in general conformity with the London Plan.

88. Given the objective of the policy, the focus upon main town centre uses and the requirement that the Local Plan should be considered as a whole, I do not consider that residential uses require specific reference within Policy LP 25. Such uses are not precluded by the submitted policy wording.
89. Policy LP 26 identifies both Key and Secondary shopping frontages which have been adequately informed by an assessment of retail needs, town centre health checks and monitoring data. As supported by the evidence base, Policy LP 26A seeks to resist the loss of retail floorspace and enhance its provision where appropriate. The policy is clear and justified such that it will be effective in its application. Any redevelopment proposal not aligned with the policy objective for retail frontages will remain capable of advancing site specific considerations to be weighed in the balance by the Council or any decision maker.
90. Part B of LP 26 relates to Secondary shopping frontages and enables non-retail uses to be considered in accordance with criteria. I consider the approach to be clear and justified in the interests of meeting the retail needs of the centres. Similarly, Policy LP 26C establishes an approach to resist the over-concentration of uses in an area that is sufficiently justified by the available evidence. The policy approach to essential goods, post offices and changes of use in non-designated frontages is capable of being effective in its implementation and is warranted by the Council's evidence and the Borough context.
91. I note that Policy LP 26F sets a marketing requirement for changes of use which are not supported by policy. This introduces a helpful flexibility to the implementation of the objectives of the Plan which is appropriate. The marketing period is relatively long, at two years, and the marketing approach is prescriptively detailed in Appendix 5. Such requirements are potentially helpful but should be capable of amendment where justified in order to be effective. I therefore recommend a main modification to avoid repetitive prescription and enable effective implementation (**MM 13**). Whilst otherwise justified by the evidence base, this modification also affects the content of Policy LP 27 A3 and B.
92. As regards Borough Centres, the Plan does provide the most appropriate and robust strategy that is capable of being effective and is supported by evidence that is consistent with national policy and in general conformity with the London Plan.
93. Section 10 of the Plan addresses Employment and the Local Economy. Policy LP 40 sets out the Council's ambition to support a diverse and strong local economy. This is to be secured by retaining land in employment use, directing

major new employment development towards Richmond and Twickenham, encouraging small, affordable and flexible workspace and within mixed use development proposals identifying the retention and enhancement of existing employment floorspace. The principles underpinning this approach are gleaned from the evidence base which includes the Council's Employment Sites and Premises Study (Stages 1 and 2), which I find to be robust, and the wider London context as described by the London Plan and supporting information from the GLA.

94. The Council's evidence identifies that there have been substantial losses of both office and industrial space over recent years whilst the Council considers that the demand for space and the buoyancy of the existing market is demonstrated by extremely low vacancy rates within its existing stock. I do not disagree and consider that the content of Policy LP 40 is robust albeit that the Council's suggested change to criterion 4 is necessary to ensure clarity and effectiveness through avoiding ambiguity of interpretation (**MM18**).
95. Policy LP 41 represents a multi-part approach towards office accommodation. The Borough has experienced a considerable rate of loss of B1a floorspace over the last few years, particularly through residential conversion. The vacancy rate of existing stock is below that normally considered reasonable to accommodate business 'churn'. As a consequence the Council considers its approach, to carry a presumption against the loss of office floorspace, to be warranted.
96. The Council has identified Key Office Areas (KOAs) through its Stage 2 study and which in parts of the Borough are supplemented by Article IV Directions removing permitted development rights for the conversion of B1a space to residential use. I heard concerns expressed at how the KOAs have been identified, particularly where a mix of uses may exist.
97. Outside of KOAs, Policy LP 41 does contain a degree of flexibility to manage circumstances for a reduction in office space where compelling evidence exists. This incorporates a reasonable sequential approach to enable alternative employment uses etc before considering residential. On the facts of the evidence available, I am satisfied that this is a proportionate and justified approach which can be effective in operation.
98. Within KOAs, the policy states that the net loss of office floorspace will not be permitted. Whilst there is some variation in rental levels and yields in some areas, such as around Electroline House, the overall thrust of the evidence supports a robust approach towards retaining the employment uses within KOAs which is justified adequately by the available evidence. Whilst the aim to increase the net supply of office floorspace in mixed use redevelopment proposals is supported by the level of general need in the Borough, this should reasonably apply where the characteristics of the site and the development make it feasible rather than a predetermined requirement. For reasons of effectiveness I recommend accordingly (**MM19**).
99. Policy LP 42 addresses the issue of industrial land and business parks. The Council relies in part upon its Employment Sites and Premises Study and has made reference to the GLA London Industrial Land Demand study (2017). These indicate that the Borough has experienced losses of industrial land of a

higher rate than anticipated and that it retains a positive demand for industrial space into the future. I am mindful that the Borough is categorised as a 'restricted transfer' Borough by the GLA and that its rate of land release has been exceeding anticipated levels. The Council aims to carefully manage its industrial land and floorspace stock. As a consequence, Policy LP 42 seeks to protect and where possible enhance its existing industrial land which is a logical and justified response to the available evidence across the Borough.

100. Policy LP 42 carries a presumption against the loss of industrial land in all parts of the Borough. With regard to the available evidence, this is justified. Where industrial space is not located in the identified locally important industrial land and business parks, the Policy allows for its loss where robust and compelling evidence is provided and following the application of a sequential approach. This would enable the consideration of redevelopment proposals for office or alternative employment uses or mixed uses including employment or community activity. Once again this is adequately justified by the evidence. I appreciate that the Council's Development Management Plan makes reference to the potential loss of employment land in locations with *severe site restrictions* which is not explicitly reflected in Policy LP 42. However, I consider that criterion 1 of LP 42 allows for the submission of compelling evidence which clearly demonstrates the absence of demand for industrial based uses in such locations and therefore a modification to the submitted policy is not necessary to ensure flexibility and soundness.
101. The two year marketing period is lengthy but not unreasonable in the context of a Borough with high levels of occupancy and a minimal stock of land. I find that the detail contained within Appendix 5, whilst potentially prescriptive, is capable of appropriate and proportionate application such that it will provide an effective process to manage the provision of industrial space.
102. The Plan identifies a number of locally important industrial land and business parks within Appendix 6 supported by its Assessment of Light Industrial and Storage Stock and its Employment and Site Premises report. The principles of the Plan's approach are in conformity with the London Plan. In such areas the Plan seeks clearly to ensure the retention of its industrial land and floorspace. As a consequence, the loss of industrial floorspace will be resisted unless replacement floorspace is provided; development of new industrial floorspace and improvement and expansion of existing premises is encouraged; and proposals for non-industrial uses will be resisted where the introduction of such uses would have an adverse impact on the continued operation of the existing services. Such principles are justified adequately by the evidence base.
103. The Council is seeking to manage its industrial land and floorspace stock in the face of evidence which suggests that it is cumulatively in decline and not readily capable of being enhanced. Nevertheless, whilst the principles referenced above are not fundamentally disputed, concerns have been expressed and evidence submitted as to whether the identified sites are justified adequately by the Council's evidence base and whether the approach of Policy LP 42 is consequently justified with regard to their individual characteristics.

104. I have had regard to the submitted evidence and have noted the limitations, for example means of access and surrounding residential uses, which exist around some sites and which may affect their future use. Indeed, the Council accepts that some locations are 'far from ideal employment sites'. Given the overall context of the Borough and the diminished pool of sites with a high degree of occupancy in those that remain, I nevertheless accept that the Council is justified in its policy approach. The totality of evidence supports the identified locally important industrial land and business parks but only if a degree of flexibility is introduced into the otherwise rigid policy position to enable a responsive approach to effective future use based on an assessment of the site characteristics and the nature of any redevelopment proposed. I recommend accordingly to ensure an effective policy framework for effective implementation (**MM 20**).
105. I conclude, subject to modifications, that the Plan does provide the most appropriate and robust strategy towards the economy and the Borough centres with due regard to cross border issues. It is evidenced adequately and consistent with national policy and in general conformity with the London Plan such that it will be effective in its implementation.

Issue 6 - Does the Plan address adequately transport issues and the provision of necessary infrastructure to support the delivery of the strategic objectives and the vision?

106. The Plan's Strategic Vision identifies a need to support sustainable growth with a commensurate sustainable approach to transport, particularly through cycling, walking and high quality public transport. Policy LP 44 provides some detail to this aspiration and includes a commitment to working in partnership to achieve the vision. The Policy is informed by a broad range of evidence which includes the IDP, the wider London context including the draft Mayoral Transport Strategy and an awareness of various transport related schemes already in development.
107. I note that the Council has sought to work with Transport for London in the production of the final Plan and the content of the subsequent Statement of Common Ground. The Plan acknowledges adequately the relevance of development locations and the Public Transport Accessibility Level in addition to the cross cutting relevance of air quality within the Borough. Furthermore, the Plan identifies the breadth of transport modes available within Richmond, including the River Thames, such that I consider the approach of the Plan and Policy LP 44 to be both justified and consistent with national policy.
108. Parking standards and the servicing of development is addressed by Policy LP 45 and Appendix 3. The thrust of the policy is to require new development to accommodate vehicles in order to meet the needs of that development whilst minimising the impact of car based travel. Appendix 3 sets a Borough parking standard for different types of development which in many instances is the same as that contained in the London Plan.
109. I am mindful that national policy enables the setting of local parking standards for residential and non-residential development taking into account matters such as development accessibility, its type, mix and use, the context of public transport and local car ownership levels. The Council has commissioned

research⁴ into its parking standards which has included the consideration of different options and ultimately supports the submitted position. The Council considers that Appendix 3 sets appropriate maximum parking standards whilst providing flexibility on a justified basis. However, Transport for London considers that Policy LP 45 and Appendix 3 are not in general conformity with the London Plan as the intended flexibility for parking standards in PTAL areas 2 and 3 would not encourage shifts away from car use in line with the aims of the London Plan, particularly in the absence of clarity on the maximum parking standard applicable and the way in which minimum provision may be applied.

110. Having regard to the Council's evidence which provides a detailed assessment of the Borough and its parking issues, I consider that the submitted Plan contains a level of bespoke flexibility that is reasonably applicable to the Borough circumstances and that is justified with regard to national policy. The objectives of the Plan are clear and the flexibility will enable the Council to consider the site specific circumstances of individual development proposals against both the development plan and salient material considerations. Whilst the detail is partly at variance with the London Plan, the underlying objectives remain similar and I do not find that the content of Policy LP 45 and Appendix 3 are so divergent as to constitute the submitted Plan being out of general conformity with the London Plan when both are considered as a whole. I note that the Council has suggested clarifications to the text of the Plan which I recommend to ensure the effective implementation of Policy (**MM21**).
111. With regard to the provision of necessary infrastructure, the Council has maintained a constant review of its IDP in liaison with appropriate partners and it also highlights its CIL Regulation 123 list. I have no reason to doubt the iterative nature of the IDP and the ability of the Council to maintain its focus on areas of necessary infrastructure requirements. Consequently, I am satisfied that the Council's monitoring activity, its Reg 123 list and the IDP underpin its robust ability to ensure necessary infrastructure is provided to support the Borough population and its future development.
112. Overall the Plan, subject to modification, does address adequately transport issues and the provision of necessary infrastructure to support the delivery of the strategic objectives and the vision.

Issue 7 - Are the Plan's monitoring targets justified adequately and of a level of detail that is appropriate to a Local Plan? How will the effectiveness of the Plan be managed?

113. The Council has an established Local Plan Monitoring Framework with which to assess the effective implementation of the Plan and its policies. The Council publishes a series of documents which collectively constitute its Monitoring Report. Table 2A of the Monitoring Framework lists the policies of the Plan and identifies appropriate indicators, targets and data sources which will be used to capture relevant information to assess the efficacy of the Plan as a whole. Not all policies have specific indicators for practical reasons but I am satisfied that the Council, in conjunction with the work undertaken for the London Plan Annual Monitoring Report, has a commitment to ensuring that the

⁴ SD39

delivery of the Plan and its objectives is monitored and managed suitably and proportionately.

114. For reasons of effectiveness, I recommend modifications to section 13 'Implementation' of the Plan to clarify the potential need for a review of the Plan in light of possible changed circumstances, such as national policy or the new London Plan, to clarify the position regarding planning obligations and pooling restrictions, to clarify the marketing requirements contained in Appendix 5 and to clarify some glossary definitions (**MM22**). Overall, I find the level of detail contained in the Monitoring Framework and the Council's approach towards monitoring is appropriate.
115. A critical purpose of monitoring is to ensure that the effectiveness of the Plan is optimised. This is recognised by the Council who intends to use its Monitoring Framework as a means to identify signals for change, alongside reviews of its IDP and decisions on planning applications to assess the effectiveness of its policies. This 'plan, monitor, manage' approach is proportionate and justified such that I am satisfied that the effectiveness of the Plan can be managed appropriately.
116. The Council has consulted upon its changes to the Policies Map to ensure that there is a suitable spatial representation of the content of the Plan. The Council has considered the Green Belt and MoL designations and is not proposing additional changes to these boundaries. There is insufficient evidence to find that such an approach is not proportionate and justified.
117. The Plan's monitoring targets and arrangements are justified adequately and of a level of detail that is appropriate to a Local Plan; subject to modification referenced above I find that they will support adequately the effective management of the Plan.

Issue 8 - Are the Site Allocations justified by the evidence base and of sufficient detail so as to be effective in delivery?

118. In 2012 the Council commenced work on its programmed Site Allocations DPD. Following stages of preparatory work and public consultation the Council decided not to pursue this DPD and alternatively to include specific allocations within the emerging Local Plan. Consequently the evidence for the Local Plan has its roots in this earlier work. Such evidence includes the SA which included a proportionate assessment of potential alternatives to the final chosen options for site development. I am mindful of this work in addition to the sources of evidence referenced by both the Council and other interested parties.
119. Not all allocations are referenced within this report due to the adequacy of the evidence base and the absence of matters that required further examination.

SA 2 Platts Eyot, Hampton

120. The Council has agreed a clarification with Historic England on the way in which heritage assets at Platts Eyot are referenced. This clarity, whilst useful, is not necessary to secure soundness. In other regards the allocation is supported adequately by the evidence base, including in relation to flood risk.

SA 3 Hampton Traffic Unit, Hampton

121. The site at the Hampton Traffic Unit is identified for potential redevelopment for business (B1), employment generating and other commercial or social and community infrastructure uses. The text of the allocation identifies the possibility that a residential led scheme could be considered if other uses were appropriately discounted. Whilst the evidence base broadly identifies the need for the non-residential uses and supports the approach of the allocation, the Council has recently granted planning permission for a residential scheme upon the site.
122. The Council does not wish to remove the aspiration of policy in the event that the extant permission was not implemented albeit that a minor change has been proposed to the Local Plan to clarify the position. Given the flexibility that is contained within the allocation and its supporting text, I am satisfied that circumstances do not necessitate a change to the focus of the allocation itself which is justified and appropriate.

SA 7 Strathmore Centre, Teddington

123. The Strathmore Centre is Council owned and in social infrastructure use currently providing child care. The site allocation seeks to retain this function and/or provide affordable housing albeit the latter would arise in the event the former was not feasible. Users and residents have raised concerns at the potential loss of the use and the adequacy of outside play space in any redevelopment proposal. The Council has clarified that redevelopment would only be acceptable if appropriate outside space and parking related to child care was re-provided. I agree that this modification is required (**MM 23**) for the effective delivery of the site aspirations and find that the evidence base supports the site allocation when considered overall.

SA 8 St Mary's University, Strawberry Hill

124. St Mary's University is an established institution within the Borough. As identified within the evidence, there are a number of considerations which affect any future development including the presence of MoL, listed buildings and Buildings of Townscape Merit.
125. As presented, the allocation would enable the retention and upgrading of the University and its associated teaching, sport and student accommodation including potential adaptations, extensions and new build elements on site where appropriate. To facilitate this work a 'Masterplan' or site development brief is envisaged to be prepared with the Council which is intended to become SPD. The existing Strawberry Hill Village Planning guidance SPD will be a consideration on matters of design in any redevelopment scheme. As worded therefore, the allocation provides a flexible approach towards possible redevelopment and upgrading works over the life of the Local Plan.
126. I heard discussion as to the justified needs to provide additional floorspace and the extent of the stated demand for University places. The empirical evidence is limited in these regards but I am mindful that any development would invariably need to be viable and that the Council wishes to ensure the

institution remains a competitive higher education facility in the future; in such regards it has been mindful of the University's ambitions. Overall and on balance, I am satisfied that the approach of the site allocation is adequately justified.

127. As referenced within the Statement of Common Ground, the Mayor of London disagrees with the Council on the approach to be taken within the allocation wording towards potential development occurring within the MoL, favouring the need to clarify that necessary development will be within previously developed land. Nevertheless, the Council agrees with the Mayor that modifications to the supporting text will clarify that MoL will be protected and that proposals should improve the character and openness of the MoL itself. I recommend modifications to SA 8 to ensure clarity as to how the allocation may be implemented effectively which includes a justified cross reference to relevant national and development plan policies. Such modifications also address the views of Historic England as regards the heritage assets of the site which warrant a more focussed reference (**MM 23**). On this basis the site allocation is justified by the evidence base and of sufficient detail so as to be effective in delivery.

SA 11 Twickenham Stadium, Twickenham

128. Twickenham Stadium is recognised within its site allocation as having national importance and support is provided for the improvement of its grounds for sports uses whilst allowing for appropriate additional facilities. The rationale for the policy is clearly expressed by the Council although the site operators wish to increase the flexibility of the allocation to enable a more diverse range of activities to occur at the site.
129. The Council has agreed changes to the wording within SA 11 to reference the reconfiguration of the stadium stands and the potential for a mixed use scheme that may include residential development with affordable housing; this latter element being supported by the housing evidence base and the other policies of the submitted Plan. I consider these changes helpful but not essential modifications to secure the soundness of the allocation itself which does not preclude this outcome. Nonetheless, the allocation does not reference the growth of the stadium or the operation of non-sporting activities at the site.
130. Given the location of the site and its established use in conjunction with the degree of flexibility contained within the submitted allocation, I agree with the Council that SA 11 provides adequate clarity for Twickenham Stadium at this time and that the normal application of the development management process would be able to resolve appropriately alternative proposals that may come forward.

SA 14 Kneller Hall, Whitton

131. Kneller Hall is described as the 'home of military music' but has been declared surplus to requirements. The Council proposes to update the Plan to reflect this situation with an additional change to the supporting text.
132. The site allocation and its supporting text provides reasonable clarity on the issues affecting the site and indicates that a range of new land uses may be

appropriate for the location which will be guided by a 'masterplan/site development brief' to be produced in conjunction with the Council. This latter piece of work will be an appropriate opportunity to assess the capacity of the site and its ability to deliver the range of potential uses referred to within SA 14 and will also be a suitable time in which to assess whether any element, for example residential, should lead the redevelopment initiative. I consider that such an approach is robust and provides considerable flexibility for any redevelopment scheme which will be deliverable as a result.

133. The site allocation requires a main modification to ensure its effectiveness with regards to the role of the playing fields and the sensitivity of the heritage assets (**MM23**) and, subject to this, is justified by the evidence base and of sufficient detail so as to be effective in delivery.

SA 15 Ham Close, Ham

134. Ham Close is an area of existing housing which the Council identifies as representing an opportunity to secure a comprehensive and beneficial redevelopment. The Council intends to continue its work with the Richmond Housing Partnership to produce a suitable 'masterplan' that will guide the re-provision of residential and non-residential buildings upon the site and allow for new residential accommodation as appropriate. The allocation identifies the factors which will need to be considered in bringing forward such a scheme and I am satisfied that it is justified and capable of effective implementation.

SA 16 Cassel Hospital, Ham Common

135. Cassel Hospital is an operational site providing a national service for those with complex personality disorders. The site allocation identifies that if the hospital becomes surplus to requirements then social and community land uses would be the most appropriate whilst some residential development could be considered if it allowed for the protection and restoration of affected heritage assets.

136. The Council's evidence base, including specifically the IDP, identifies a need for a suitable provision of health care and educational support services. Whilst I appreciate that the site would require investment to accommodate potential new activities, that factor alone does not negate the justification for seeking social and community infrastructure uses. The allocation is sound in such regards. Indeed, the allocation does acknowledge the potential scope for some residential uses to support the protection and restoration of the listed buildings and, in the absence of viability evidence to the contrary, I am satisfied that this flexibility does enable the potential deliverability of the Council's aims. On this basis the site allocation is justified by the evidence base and of sufficient detail so as to be effective in delivery.

SA 17 St Michael's Convent, Ham Common

137. St Michael's Convent and The Cottage are located at Ham Common and were effectively vacant at the time of my visit. The site allocation identifies that social and community infrastructure uses are the most appropriate for this site albeit conversion or redevelopment for residential uses could be feasible if it allows for the protection and restoration of the listed buildings on the site. I

am mindful that applications are being determined by the Council that incorporate retirement units and meeting rooms.

138. As worded, the allocation contains a clear emphasis upon the provision of social and community uses. The Council considers that this is justified due to the needs of the Borough and the area as identified within the IDP. I do not disagree. The allocation contains a reasonable flexibility for residential uses to be provided where it would enable restoration of the listed buildings. This is justified and appropriate.
139. The land to the north of the existing buildings is designated within the Local Plan as OOLTI. The earlier part of my report assesses the Council's approach to LP 14 and the designation of OOLTI. Based upon the criteria applied by the Council, the trees and plants in the northernmost part of the rear gardens are visible from the public domain and surrounding properties and contribute positively to the local character. The rear gardens are of a relatively and locally significant size. Their presence is notable from outside of the site, for example when perceived from Martingales Close. It is also reasonable, with regard to the available ecological evidence, to consider that the gardens do contribute to the network of green infrastructure, particularly given the presence of Ham Common to the south and the green corridor between Richmond Park and the River Thames.
140. However, the perceived value of the gardens outside of the private boundaries of the site diminishes as proximity to the existing main site buildings increases. Based upon the evidence provided, including my site inspection, the value of the gardens when assessed against the OOLTI criteria lie to the north of the former lawned areas and therefore should not include areas which lie open where more immediately adjacent to the buildings themselves and which are demarcated by an established footpath. The boundary should reflect this. The former allotment areas to the north of Avenue Lodge and west of the former lawns are characterised by an absence of significant development and this would reasonably inform views into and out of the site, albeit above the boundaries, from neighbouring properties. As a consequence, the inclusion of this area as part of the wider OOLTI is justified.
141. The Council considers that the gardens should also be designated as an Other Site of Nature Importance (OSNI). Whilst this was originally identified without the benefit of a site inspection, the Council's evidence was updated following a 'walk over' visit by the Council's ecology advisor and I am mindful of the Council's further Addendum evidence⁵. In totality, this indicates a range of habitats, tree and wildlife species relevant to the site. I have also been provided with a detailed Ecological Assessment (Aug 16) and a subsequent 'Briefing Note – Rebuttal' which addresses the area excluding the orchard area and amenity planting in the northern half of the site (Rep-026-01). This latter evidence, when considered overall, represents a more comprehensive and robust assessment of the site characteristics, including an assessment of the previous lawn area and its relationship to the priority habitat of 'Lowland Dry Acid Grassland'.

⁵ PS-065

142. Particularly as set out in the 'Rebuttal', including the comparative analysis at Table 1, the balance of evidence does not demonstrate sufficiently and robustly that the lawn area is a priority habitat that supports its inclusion as an OSNI.
143. For the avoidance of doubt, the available evidence indicates that the ecological value of the allotment area to the west of the former lawns and north of Avenue Lodge is limited. Notwithstanding that this area has experienced less cultivation since 2016 and is currently part of the wider undeveloped area, there is insufficient evidence to justify including this area as part of the designated OSNI.
144. Elsewhere the wider garden area is clearly a well-established and largely undeveloped space. Whilst the data on the range of site species is somewhat limited, I note that the orchard area is listed as Priority Habitat – Traditional Orchards, that there are some clear records of protected species and that the Council's ecologist considers the site does have value as part of a wider ecological network with which, mindful of all evidence and my site inspection, I agree. Based on the totality of the available evidence, and with due regard to Table 1 of the Rebuttal, the Council's OSNI designation is currently justified as far as it relates to the northern half of the site. For reasons of justification the site allocation should be modified accordingly (**MM23**).
145. Overall and as modified, the site allocation is justified by the evidence base and of sufficient detail so as to be effective in delivery.

SA 19 Richmond Station, Richmond

146. Richmond Station is a Building of Townscape Merit and a key part of the local transport infrastructure. The site allocation seeks to bring forward an improved transport interchange and the inclusion of retail and employment floorspace as part of a comprehensive redevelopment. As such I am satisfied that the Local Plan recognises adequately the heritage designations which affect the site and that they will be key considerations for any redevelopment proposal.
147. The Council anticipates a relatively high provision of new floorspace for a mix of uses. Whilst I heard some uncertainty expressed at the feasibility of delivering such aspirations within the constraints of the site, there is no specific evidence which indicates that a suitable redevelopment scheme would not be capable of being brought forward. The Council's existing development brief dates from 2002 yet nevertheless provides some useful context for any future redevelopment, highlighting issues which include operational constraints and townscape analysis. The potential effect of retail development on the existing town centre will require assessment but in light of the needs identified within the Council's Retail Needs Assessment and mindful of the operation of the Local Plan policies as a whole, I have no reason to consider the approach unsustainable or unjustified.
148. Despite the absence of any specific capacity analysis, the aspirations for the site contained within SA 19 are supported adequately by the available evidence and I have no reason to consider, in the knowledge of ongoing discussions between the Council and those with site interests, that the site is not capable of being effectively delivered during the plan period.

SA 20 Friars Lane Car Park, Richmond

149. The car park is within the Council's ownership. Notwithstanding its age, the Friars Lane Car Park Planning Brief SPD of 2006 provides some context for its potential redevelopment during the course of the plan period. The combination of the SPD and the text of the allocation make clear reference to the constraints of the site and the need to ensure any redevelopment accounts for its context appropriately. This will enable any planning proposal that emerges to be considered with a degree of effective flexibility which will take account of issues such as site capacity and building heights. The allocation is justified by the evidence base and capable of effective delivery.

SA 22 Pools on the Park and surroundings, Old Deer Park, Richmond

150. The evidence base indicates that the facility at Pools on the Park is ageing with a consequent need for maintenance and upgrading. The evidence also supports the acknowledgement within the Local Plan that the pools complex is a designated heritage asset and is a valued community asset. Consequently, the site allocation provides a flexible approach to development and works that may affect the site, supporting the continued use of the site for sports uses whilst potentially enabling additional leisure, community and complementary uses as appropriate. Subject to a modification to ensure that the significance of the heritage assets is recognised adequately (**MM23**), I find that the allocation is justified and capable of effective implementation.

SA 23 Richmond Athletic Association Ground, Old Deer Park, Richmond

151. The Richmond Athletic Association Ground is recognised as an important asset to the community. The Council supports the principle of improvement and an upgrading of facilities to support sports uses. The site allocation indicates that additional associated leisure facilities and other complementary uses could be incorporated to meet identified needs. Whilst there are limited details as to what such items could be, this does not undermine the justification of the allocation and its supporting text which identifies adequately the presence and importance of both the use of the site as a sports ground, the existence of MoL and a range of heritage assets. The allocation is justified adequately by the available evidence albeit a modification is required for reasons of effectiveness to ensure that proposals are justified to their context (**MM23**).

SA 24 Stag Brewery, Mortlake - is the allocation justified by the evidence base with due regard to alternatives and in particular:

- *The accessibility of the site;*
- *The need for a secondary school;*
- *The capacity of the site for mixed use development including housing;*
- *The presence and use of the sports field;*
- *The presence of heritage assets;*
- *The deliverability of the redevelopment*

152. The Stag Brewery site is the largest allocated site within the Local Plan. I am mindful of the level of interest shown in its potential redevelopment for a range of uses, both at the Local Plan consultation stage and during the course of the Examination.
153. The Council has worked with the local community in the previous preparation of a Planning Brief for the site which it adopted as SPD in 2011 (PS-095). This included an analysis of the site and its context whilst identifying a range of key issues and principles for any redevelopment scheme which would deliver on the adopted vision for a new village heart and a high quality mix of uses. The Council's allocation in the Local Plan contains updates on this previous situation. I heard from the Council that the SPD will remain in force, subject to the updates reflected in the Local Plan concerning the playing fields and the provision of a school. I recommend the Council's suggested change in this regard which provides additional and necessary clarity to the Plan as a consequence (**MM 23**).
154. I am aware that separate to the Local Plan Examination process, parallel discussions are ongoing between the Council and the site owners to bring forward a planning application. For the avoidance of doubt, I am obliged to consider the soundness of the Local Plan and its policies and, in this instance, not the possible future detail of any forthcoming application.
155. In terms of accessibility, the site is bordered by the Thames to the north and has a railway line to the south. It is situated in an area with a relatively low level of public transport access. The transport issues affecting the site are various and include limitations within the existing road and rail network capacity. Based upon the available evidence, it is clear that the format and scale of any redevelopment will need to be informed by further detailed analysis of the transport infrastructure. This would need to include consideration of the highway and rail safety implications of servicing the site.
156. To this end, I have noted the outcome of the traffic survey conducted on behalf of the Community Association and the Mortlake Level Crossing Risk Assessment. Whilst I am mindful of this work, I am also alert to the history of the site both in its former use and aspirations emerging in previous planning documents. The available evidence supports the Council's allocation. In broad terms the development management process provides an opportunity for the application of the totality of the relevant development plan policies and the consideration of, for example, detailed transport assessments in conjunction with the input of parties such as Transport for London. Based on the evidence available to me, including the 2011 SPD, the previous use of the site and the recognition that the site should contribute to the needs of the community and the Borough, the accessibility issues affecting the site are not evidenced as being of an insurmountable magnitude that would demonstrate that the intentions of SA 24 are not robust or capable of effective delivery.
157. The Council has identified that the site should deliver a new 6 form entry secondary school and this has generated considerable public interest. Whilst previously the site was intended to deliver a primary school, the Council's evidence, including its School Places Strategy and its Hearing statement, explains why a secondary school is needed in the eastern part of the Borough and how the site is considered able to deliver such a provision. The evidence

explains why a lower alternative form entry would not be appropriate and does consider and explain why alternative sites for such a school, for example at Barn Elms Playing Fields and elsewhere, are not preferred. Whilst I have noted the range of alternatives put forward, I am satisfied that the Council has explained adequately why its submitted approach is to be preferred and I have no reason to draw a different conclusion.

158. The site is relatively extensive in its scale. As worded, the submitted allocation does not provide a specific indication of its capacity to deliver the mix of uses envisaged including, for example, the level of housing. Whilst this does not provide prescriptive clarity of how any redevelopment may come forward, the SPD provides some analysis of the site context which indicates the feasibility of a mixed use scheme. Evidently there have been some changes in the intentions for the site since 2011, for example in terms of the school and as may affect the playing fields, but there is no doubt to my mind that the allocated site remains capable of delivering the ambitions of the allocation. Once again, it will be for the Council to work with all interested stakeholders to ensure the balance of any redevelopment scheme and its mix of uses across the site is appropriate. I have no reason to consider the site is not capable of delivering its intentions.
159. The Local Plan allocation includes the phrase '*..the retention and/or re-provision and upgrading of the playing field*'. To clarify its position and in association with Sport England, the Council has suggested adding further text confirming that any such re-provision would be on site. It is clear that despite the private ownership of the existing fields, arrangements have enabled their use for general public benefit. The site allocation recognises the value of the playing field and the role of sport and leisure uses within the locality. I am satisfied that the wording of the allocation is supported by evidence in this regard albeit also recognise that the precise formulation of the retained/re-provided space will be a matter of detailed interest to those affected by future development proposals. There is no clear reason to consider that this cannot be managed adequately through the normal development management processes.
160. The Framework identifies that a LGS designation will not be appropriate for most green areas or open space. I am mindful of the Council's criteria for LGS and the evidence submitted (see earlier in this report), including that from interested residents and the Council. I conclude that there is insufficient robust evidence that suggests any part of the Stag brewery site should be designated as LGS at this moment in time. The extant areas of OOLTI as referenced in the SPD remain applicable.
161. The site allocation recognises the heritage assets of the site and its surrounds adequately, for example the Buildings of Townscape Merit, the Mortlake Conservation Area and archaeological interests. The 2011 SPD reinforces this position. I have noted the Statement of Common Ground with Historic England and am satisfied that these issues are appropriately reflected in the submitted Plan.
162. Whilst it is clear that the site has been a matter of local interest for several years, the brewing operations have ceased and further discussions with those with site interests are continuing. I have no reason to consider that the site is

not capable of delivery in line with the aspirations of the Council. The site offers considerable opportunities for contributing positively to the needs of the Borough and it will be incumbent upon the Council to continue its work with all interested parties to bring this site forward in an acceptable manner as envisaged by the Plan and as supported by the SPD. A number of modifications are necessary to the allocation to ensure that it is clear and thereby effective, in relation to the mix of uses, the playing field, air quality, transport, the existing SPD and heritage assets (**MM23**). Overall, the site allocation is justified by the evidence base.

SA26 Kew Biothane Plant, Kew

163. A proportion of the site is designated as MoL. While its previous main use for the processing of brewing effluent has ceased, the MoL designation does not of itself unduly limit redevelopment when a significant proportion of the site is not so designated. The Council has determined that housing is a potential suitable use with regard to alternatives and, mindful of the SA and all other evidence, I have no reason to disagree.

SA 28 Barnes Hospital, East Sheen

164. The Council is working in partnership with relevant stakeholders to deliver a form of redevelopment for this site which encompasses the range of needs identified justifiably within the policy itself. The Council has confirmed that instead of a two form primary school the site will now incorporate a school for those with special educational needs. Based on the Council's evidence, I consider that this is a modification necessary for clarity and effectiveness (**MM 23**).

165. I note that the site is constrained in terms of its physical boundaries and accessibility but given the needs within the Borough, the previous use and the intended form of redevelopment, I have no reason to conclude that the flexible wording within SA 28, with an emphasis on the provision of social and community infrastructure, is not justified adequately or capable of effective implementation.

166. The site allocation is justified by the evidence base and of sufficient detail so as to be effective in delivery.

Conclusion on Issue 8

167. Overall and subject to the MMs, the Site Allocations are justified by the evidence base and of sufficient detail so as to be effective in delivery.

Public Sector Equality Duty

168. I am mindful of the Council's Equalities Impact Assessment and the way in which the Council intends to proceed in relation to all matters including the provision of homes for all sectors of the community and their accessibility (eg Policies LP 28, 35, 38 et al). I have had due regard to the provisions of Equality Act 2010 in reaching my conclusions.

Assessment of Legal Compliance

169. My examination of the compliance of the Plan with the legal requirements is summarised below. I conclude that the Plan meets them all.
170. My examination of the legal compliance of the Plan is summarised below.
171. The Local Plan has been prepared in accordance with the Council's Local Development Scheme of January 2017.
172. Consultation on the Local Plan and the MMs was carried out in compliance with the Council's Statement of Community Involvement (SCI). The SCI was adopted in June 2006 and has been subject to updates via addenda in 2009 and 2015. Consultation on the Local Plan and the MMs has complied with its requirements.
173. Sustainability Appraisal has been carried out and is adequate.
174. The Habitats Regulations Assessment Report December 2016 sets out that the Plan may have a significant effect on the integrity of nearby European sites due to air pollution although this was uncertain. An Appropriate Assessment was undertaken which concluded that the integrity of such sites would not be adversely impacted. Natural England support this and I agree.
175. The Local Plan includes policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change.
176. The Local Plan is in general conformity with the spatial development strategy, The London Plan.
177. The Local Plan complies with all relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

Overall Conclusion and Recommendation

178. The Council has requested that I recommend MMs to make the Plan sound and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the London Borough of Richmond Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

Andrew Seaman

Inspector

This report is accompanied by an Appendix containing the Main Modifications.

Appendix – Main Modifications

The modifications below are expressed either in the conventional form of strikethrough for deletions and underlining for additions of text, or by specifying the modification in words in italics.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Policy Section or heading	Page / Paragraph	Proposed Change
MM1 Neighbourhood Planning		
Introduction	p.4 paragraph 1.1.4	In the paragraph 1.1.4 of the Introduction, (Setting the Scene) amend the last sentence to read: “The Council will ensure that planning applications that accord with the policies in the adopted Local Plan and the London Plan (and where relevant, with policies in <u>emerging neighbourhood plans, such as</u> the Ham and Petersham Neighbourhood Plan once adopted) will be approved without delay, unless material considerations indicate otherwise.”
Strategic Context	p.10-11 paragraph 3.1.4	New paragraph and sub-heading after 2.1.11 and before “Village Planning” “Neighbourhood Planning” <u>Neighbourhood Planning was introduced by the Localism Act 2011. It allows communities to influence the future of their local areas by preparing a Neighbourhood Development Plan for the area. Neighbourhood plans are led and written by the community, not the Council, and they have to be in general conformity with the strategic policies in the relevant local, regional and national planning policy documents and guidance. A neighbourhood plan that is prepared in line with the legal requirements and supported by a majority in a local referendum must be adopted by the Council. When adopted, a neighbourhood plan becomes part of the statutory development plan and will be taken into account alongside the Council’s other plans when making decisions on planning applications in that area. In this borough, the Ham and Petersham Neighbourhood Forum is preparing a Neighbourhood Plan for its area.”</u> 3.1.4 The Spatial Strategy reinforces the borough's context as an outer London Borough that is characterised by a high quality natural, built and historic environment with highly valued open landscape, parks, green spaces and opportunities for sport, recreation, culture and tourism. The overarching principles are to protect the unique local character (as set out in the Village Planning Guidance SPDs and

Policy Section or heading	Page / Paragraph	Proposed Change
		in neighbourhood plans, such as in the emerging Ham and Petersham Neighbourhood Plan), maintain and enhance our open spaces as well as our heritage, achieve high levels of sustainability and ensure all communities have access to housing, employment opportunities, services and facilities.
Local Character and Design Quality	p.28 Policy LP1	<p>Amend the last paragraph of part A. of the policy LP1 to read:</p> <p>"All proposals, including extensions, alterations and shop fronts, will be assessed against <u>the policies contained within a neighbourhood plan where applicable, and</u> the advice set out in the relevant Village Planning Guidance and other SPDs relating to character and design."</p>
MM2 Heritage Matters		
Strategic Vision	p.12 paragraph: 2.2.1	<p>Section 1 of the Local Plan Strategic Vision (Page 12, paragraph 2.2.1) to read as follows:</p> <p><u>"Heritage assets including listed buildings and Conservation Areas , historic parks, as well as Royal Botanic Gardens, Kew World Heritage Site ..."</u></p>
Local Character and Design Quality	p.28 Policy LP 1	<p>Change last sentence of LP 1 Part B as follows:</p> <p><u>"In sensitive areas, such as Conservation Areas and relevant Character Areas as identified in the Village Planning Guidance SPDs,</u> rigid and gloss finish blinds will generally be unacceptable."</p>
Designated Heritage Assets	p.33 Policy LP 3	<p>Paragraph A. "The Council will require development to conserve and, where possible, take opportunities to make a positive contribution to, the historic environment of the borough. <u>Development proposals likely to adversely affect the significance of heritage assets will be assessed against the requirement to seek to avoid harm and the justification for the proposal.</u> The significance (including the settings) of the borough's designated heritage assets, encompassing Conservation Areas, Listed Buildings, Scheduled Monuments as well as the Registered Historic Parks and Gardens will be conserved and enhanced by the following means: "</p>
Designated Heritage Assets	p.33 Policy LP 3	<p><i>Point 2. "Consent for demolition of Grade II Listed Buildings will only be granted in exceptional circumstances and for Grade II* and Grade I Listed Buildings in wholly exceptional circumstances following a thorough assessment of <u>their</u> the justification for the proposal and the significance of the asset."</i></p>
Designated Heritage Assets	p.34 Policy LP 3	<p>Insert 2 further points under Section A of Policy LP 3 <u>"8. Protect and enhance the borough's registered Historic Parks and Gardens by ensuring that proposals do not have an adverse effect on their significance,</u></p>

Policy Section or heading	Page / Paragraph	Proposed Change
		<p><u>including their setting and/or views to and from the registered landscape.</u></p> <p><u>9. Protect Scheduled Ancient Monuments, including their settings, by ensuring proposals do not have an adverse impact on their significance."</u></p>
Designated Heritage Assets	p.34 Policy LP 3	<p>Amend criterion agreed as part of Statement of Common Ground as follows and update previous change in row above (formerly referred to as PE/LP3/3):</p> <p><u>"9. Protect Scheduled Ancient Monuments, including their settings, by ensuring proposals do not have an adverse impact on their significance."</u></p>
Designated Heritage Assets	p.33 Policy LP 3 Paragraph 4.3.9	<p>Minor amendments to Part A as follows:</p> <p><u>"3. Resist the change of use of Listed Buildings where their significance would be harmed this would materially harm their character and distinctiveness, particularly where the current use contributes to the character of the surrounding area and to its sense of place.</u></p> <p>Amend the first sentence of paragraph 4.3.9 of the supporting text as follows:</p> <p><u>4.3.9 Listed Buildings are best used for their original purpose and therefore the Council will resist the change of use of a Listed Building where this would materially harm its significance in relation to heritage interest and character and distinctiveness."</u></p>
Non-Designated Heritage Assets	p.36 Policy LP 4	<p>Move the following policy text into the supporting text at a new paragraph after paragraph 4.4.3:</p> <p><u>"4.4.4 Applicants will be required to:</u></p> <ol style="list-style-type: none"> <u>1) retain the character of Buildings of Townscape Merit, war memorials and any other non-designated heritage assets;</u> <u>2) submit a Heritage Statement to assess the potential harm to, or loss of, the significance of the non-designated heritage asset, including from both direct and indirect effects;</u> <u>3) describe the significance of the non-designated heritage asset affected, including any contribution made by their setting; the extent of the relevant setting will be proportionate to the significance of the asset. Appropriate expertise should be used to assess a non-designated heritage asset; and</u> <u>4) retain or restore the structures, features and materials of the asset, which contribute to its architectural integrity and historic interest. "</u>

Policy Section or heading	Page / Paragraph	Proposed Change
Views and Vistas	p.37 Policy LP 5	<p>In criterion 5., change as follows:</p> <p><u>"Seek improvements to views, vistas, gaps and the skyline, particularly where views or vistas have been obscured will be encouraged where appropriate."</u></p> <p>Amend criterion 6. c. of policy LP 5 as follows:</p> <p><u>"are affected by development on sites within the setting of, or adjacent to, conservation areas and listed buildings."</u></p> <p>"affect the setting of and from development on sites adjacent to Conservation Areas and Listed Buildings."</p>
MM3 Housing		
New Housing	p.118 LP 34 Paragraph 9.1.4	<p>Amend para as follows:</p> <p>This is reflected in the broad expected pattern of future housing land supply set out in the policy LP34.B which sets out indicative ranges for the broad areas and are not to be regarded as any lower or upper limit, as the overall target is to be exceeded.</p>
	9.1.1	<p>Add to para as follows:</p> <p><u>The Council will, as necessary, undertake a full or partial review of the Local Plan in light of the content of any new adopted London Plan which will include an assessment of its identified constraints and opportunities affecting housing delivery.</u></p>
Housing Mix and Standards	p.119 LP 35 Paragraph 9.2.2	<p>Amend the last sentence in Part A to read:</p> <p>... The housing mix should be appropriate to the site-specifics of the location.</p> <p>Amend the last sentence in paragraph 9.2.2 to read:</p> <p>... To accord with LP35.A the appropriate mix should be considered on a site by site basis having regard to...</p>
Housing Mix and Standards	LP 35	<p>Amend Part C:</p> <p>C. All new housing development, including conversions, are required to comply with the Council's should provide adequate external space standards. For houses a minimum total private space of 70sqm for 3 or more beds and 40sqm for 2 beds should be provided. To provide adequate private amenity space for flats, a minimum of 5sqm of private outdoor space for 1-2 person dwellings should be provided and an extra 1sqm should be provided for each additional occupant. Purpose built, well designed and positioned balconies or terraces are encouraged where new residential units are on upper floors, if they comply with policy LP8 Amenity and Living Conditions. Regard should be had to the Council's Residential Development Standards SPD as appropriate.</p>

Policy Section or heading	Page / Paragraph	Proposed Change
Affordable Housing	p.121 LP 36	<p>Amend Part A.a to read:</p> <p>a) 50% of all housing units will be affordable housing, <u>with this 50% will comprise</u> a tenure mix of 40% <u>of the affordable</u> housing for rent and 10% <u>of the affordable</u> intermediate housing.</p>
Affordable Housing	p.123 LP 36 Paragraph 9.3.2	<p>Amend Part B to read:</p> <p>B. A contribution towards affordable housing will be expected on all housing sites. <u>The following requirements apply:</u></p> <ul style="list-style-type: none"> a) <u>on all former employment sites at least 50% on-site provision. Where possible, a greater proportion than 50% affordable housing on individual sites should be achieved.</u> b) <u>on all other sites capable of ten or more units gross and all former employment sites, at least 50% on-site provision. Where possible, a greater proportion than 50% affordable housing on individual sites should be achieved.</u> c) <u>bc. on sites below the threshold of 'capable of ten or more units gross', 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.</u> <p>Amend fourth sentence in paragraph 9.3.2 to read: <u>A flowchart to follow, setting out the policy requirements and t</u><u>he mechanism for assessing the contributions from individual sites, is set out in the Affordable Housing SPD</u></p>
Affordable Housing	p.122 LP 36	<p>Amend Part C to read:</p> <p>C. <u>In accordance with A and B, the Council will seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes.</u></p> <p>Amend Part D to read:</p> <p>D. Where a reduction to an affordable housing contribution is sought <u>from the requirements in A and B</u> on economic viability grounds</p>
Infill, Backland and Backgarden Development	p.129 LP 39	<p>Amend Part A criteria (10) to read:</p> <p>10. Result in no <u>unacceptable adverse</u> impact on neighbours in terms of visual impact, noise or light from vehicular access or car parking.</p> <p>Amend Part B third sentence to read:</p> <p><u>In exceptional some cases where it is considered that a limited scale of back garden development may be considered acceptable it should not have a significantly adverse impact upon if it complies with</u></p>

Policy Section or heading	Page / Paragraph	Proposed Change
		the factors set out <u>in A</u> above. Development on back garden sites must be more intimate in scale and lower than frontage properties.
MM4 Building Heights		
Building Heights	p.31 Policy LP 2	<p>Amend as follows:</p> <p>"The Council will require new buildings, including <u>extensions and redevelopment of existing buildings</u>, to respect and strengthen the setting of the borough's valued townscapes and landscapes, through appropriate building heights, by the following means..."</p>
Building Heights	p.31 Policy LP 2	<p>Amend criterion 1 as follows:</p> <p>1. require buildings to make a positive contribution towards the local character, townscape and skyline, generally reflecting the prevailing building heights within the vicinity; <u>proposals that are taller than the surrounding townscape have to be of high architectural design quality and standards, deliver public realm benefits and have a wholly positive impact on the character and quality of the area;</u></p> <p>Delete criterion 6:</p> <p>5. refrain from using height to express and create local landmarks; <u>and</u></p> <p>6. resist buildings that are taller than the surrounding townscape other than in exceptional circumstances, such as where the development is of high architectural design quality and standards, delivers public realm benefits and has a wholly positive impact on the character and quality of the area; and</p> <p>7. 6. require full planning applications for any building that exceeds the prevailing building height within the wider context and setting.</p>
MM5 Amenity		
Amenity and Living Conditions	P41. Policy LP 8	<p>Delete the following text from policy:</p> <p>ensure there is a minimum distance of 20 metres between main facing windows of habitable rooms (this includes living rooms, bedrooms and kitchens with a floor area of 13sqm or more) to preserve the privacy of existing properties affected by the new development;</p>
Amenity and Living	p.41 Policy LP 8	Replace " <u>expected to comply with...</u> " with " <u>expected to have regard to the guidance set out within the</u>

Policy Section or heading	Page / Paragraph	Proposed Change
Conditions		Council's..."
Amenity and Living Conditions	p.42 Paragraph 4.8.8	<p>Amend paragraph 4.8.8 to read:</p> <p>Whilst there will be some impact from any new development, the test is one of harm in relation to the impact on habitable rooms, which includes all separate living rooms and bedrooms, plus kitchens with a floor area of 13sqm or more. The minimum distance <u>guideline</u> of 20 metres between habitable rooms within residential development is for privacy reasons; a greater distance may be required for other reasons, or a lesser distance may be acceptable in some circumstances. <u>These numerical guidelines should be assessed on a case by case basis, since privacy is only one of many factors in site layout design: where the established pattern of development in the area (layout and height) may favour lesser distances.</u> The distance of 20 metres is generally accepted as the distance that will not result in unreasonable overlooking. Where principal windows face a wall that contains no windows or those that are occluded (e.g. bathrooms), separation distances can be reduced to 13.5 metres. <u>Where the impact of a building is on another within the same development site, measures can also be applied to minimise overlooking, such as splays, angles of buildings, obscure glazing etc. A Supporting Planning Statement should set out justification for a reduction in these distances.</u></p>
MM6 Environmental Matters		
Local Environmental Impacts, Pollution & Land Contamination	p. 44 Policy LP 10	<p>Delete 'where practicable' from LP 10, Part B, and insert 'secure at least':</p> <p>"Developers should commit to secure at least 'Emissions Neutral' development where practicable."</p>
Local Environmental Impacts, Pollution and Land Contamination	p.45 Paragraph 4.10.5	<p>Insert within paragraph 4.10.5 the following:</p> <p>"The whole of the borough has been declared as an Air Quality Management Area (AQMA) and as such any new development and its impact upon air quality must be considered very carefully. <u>Strict mitigation will be required for any developments proposed within or adjacent to 'Air Quality Focus Areas'. An 'Air Quality Focus Area' is a location that has been identified as having high levels of pollution (i.e. exceeding the EU annual mean limit value for nitrogen dioxide) and human exposure. Air Quality Focus Areas are designated by the Greater London Authority.</u> The</p>

Policy Section or heading	Page / Paragraph	Proposed Change
		Council will consider the impact of introducing new developments to areas already subject to poor air quality, and the impact on the new occupiers of that development, especially in sensitive uses such as schools."
Local Environmental Impacts, Pollution and Land Contamination	p.45 Policy LP 10	Amend last sentence of LP 10 as follows: Where applicable and considered necessary, the Council will may seek a bespoke charge specific to the proposal to cover the cost of monitoring the CMS—a discount may be applied if the applicant/developer uses the Council's Building Control services.
MM7 Green Infrastructure		
Green Infrastructure	p.52 paragraph 5.1.1	Add a cross reference to Chapter 4 after the 2 nd sentence of paragraph 5.1.1 as follows: <u>"The need to protect the historic significance of the borough's exceptional landscapes is set out in Chapter 4: Local Character and Design."</u>
Green Infrastructure	p.55 Policy LP 13	Omit the criteria of Part B of LP 13. B. It will be recognised that there may be exceptional cases where inappropriate development, such as small scale structures <u>for essential utility infrastructure</u> , may be acceptable, <u>but only if it:</u> <u>1. Does not harm the character and openness of the Green Belt or Metropolitan Open Land; and</u> <u>2. Is linked to the functional use of the Green Belt or Metropolitan Open Land, or supports outdoor open space uses; or</u> <u>3. Is for essential utility infrastructure and facilities for which it needs to be demonstrated that no alternative locations are available and that they do not have any adverse impacts on the character and openness of the Green Belt or Metropolitan Open Land.</u> Amend supporting text as required at para 5.2.4
	P 56 Para 5.2.8	Amend para to read: 5.2.8 Local Green Space, <u>as to be</u> identified on the Proposals Map, is green or open space which has been demonstrated to have special qualities and hold particular significance and value to the local community which it serves. <u>New areas of Local Green Space can only be designated when a plan is being prepared or reviewed.</u>
	5.2.10	Delete last three bullet points of para 5.2.10

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MM 8 Open Space		
Other Open Land of Townscape Importance	p.57 Paragraph 5.3.1	<p>Amend paragraph 5.3.1 as follows:</p> <p>"The purpose of this policy is to safeguard open land of local importance and ensure that it is not lost to other uses without good cause. Areas designated as Other Open Land of Townscape Importance (OOLTI) form an important part of the multi-functional network of Green Infrastructure and they can include public and private sports grounds, school playing fields, cemeteries, allotments, private gardens, areas of vegetation such as street verges and mature trees. <u>New areas for OOLTI designation can only be identified when a plan is being prepared or reviewed.</u> The existing designated areas are shown on the <u>Proposals Policies Map</u>."</p>
Other Open Land of Townscape Importance	p.57 Paragraphs 5.3.3 and 5.3.5	<p>Delete paragraphs 5.3.3 and 5.3.5 of the supporting text of the OOLTI policy as follows:</p> <p>5.3.3 This policy can also apply to other open or natural areas that are not designated, but which are considered to be of local value, and therefore merit protection.</p> <p>5.3.5 This policy can also apply to other open or natural areas that are not designated, but which are considered to be of local value, and therefore merit protection.</p>
Other Open Land of Townscape Importance	p.57 Paragraph 5.3.4	<p>Add to the last bullet point the following:</p> <p>Value for biodiversity and nature conservation <u>and meets one of the above criteria</u>.</p>
MM9 River Corridors		
River Corridors	p.64 Policy LP 18	<p>The following change is proposed to LP18:</p> <ul style="list-style-type: none"> - Public Access C. c. to read as follows: "Provide new public access to the riverside <u>and the foreshore where possible, and maintain existing points of access to the foreshore subject to health and safety considerations.</u> There is an expectation that all major development proposals adjacent to the borough's rivers shall provide public access to the riverside <u>and foreshore.</u>"
River Corridors	p.64 Policy LP 18	<p>The Council to consider adding a new criterion C.d. to read as follows: "<u>Provide riparian life-saving equipment where required and necessary.</u>"</p>
MM10 Climate Change		
Flood Risk and Sustainable	p.73 Policy LP21	Section B Basements and subterranean developments, 2 nd row of table

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Drainage		<p>"In areas of Extreme, Significant and Moderate Breach Hazard (as set out in the Council's SFRA): New basements: restricted to Less Vulnerable / Water Compatible use only."</p> <p>add after – " 'More Vulnerable' uses will only be considered if a site-specific Flood Risk Assessment demonstrates that the risk to life can be managed. <u>Bedrooms at basement level will not be permitted.</u>"</p> <p>- add after "'Highly Vulnerable' <u>such as self-contained basements/bedrooms</u> uses will not be permitted."</p>
Flood Risk and Sustainable Drainage	P.73 Policy LP21	<p>Section B. Basements and subterranean developments, 2nd row of table, amend as follows:</p> <p>"In areas of Low or No breach Hazard (as set out in the Council's SFRA): New basements: if the Exception Test (<u>where applicable</u>) is passed, basements may be permitted for residential use where they are <u>not</u> self-contained or used for bedrooms.</p>
Flood Risk and Sustainable Drainage	p.73 Policy LP21	<p>Section B. Basements and subterranean developments , 3rd row of table concerning Flood Zone 2, amend as follows:</p> <p>New basements: if the Exception Test (<u>where applicable</u>) is passed, basements may be permitted for residential use where they are <u>not</u> self-contained or used for bedrooms.</p>
Flood Risk and Sustainable Drainage	p.75 Flood Risk Assessments paragraph: 6.2.8	<p>Add after paragraph 6.2.8: <u>All new development needs to take account of the latest climate change allowances. This should be included as part of the Flood Risk Assessment process. This will help minimise vulnerability and provide resilience to flooding in the future.</u>"</p>
Flood Risk and Sustainable Drainage	p.72 Policy LP 21	<p>Amend second paragraph of LP 21 as follows:</p> <p><u>In Flood Zones 2 and 3-areas at risk of flooding</u>, all proposals on sites of 10 dwellings or more or 1000sqm of non-residential development or more, or on any other proposal where safe access/egress cannot be achieved, a Flood Emergency Plan must be submitted."</p>
MM11 Sustainable design and construction		
Sustainable design and construction	p.78 Policy LP22	<p>Replace "<u>to comply with...</u>" with "to complete..." in Policy LP 22 Part A. point 1 to read: "Development of 1 dwelling unit or more, or 100sqm or more of non-residential floor space (including extensions) will be required <u>to comply with to complete</u> the Sustainable</p>

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		Construction Checklist SPD. A completed Checklist has to be submitted as part of the planning application.
Sustainable design and construction	p.79 Policy LP22	Replace " to comply with... " with " <u>to complete and submit...</u> " in Policy LP 22 Part E. 2 nd sentence to read: "Householder extensions and other development proposals that do not meet the thresholds set out in this policy are encouraged to comply with <u>to complete and submit</u> the Sustainable Construction Checklist SPD as far as possible, and opportunities for micro-generation of renewable energy will be supported in line with other policies in this Plan."
Sustainable design and construction	p.79 Policy LP22	Amend Part B criterion 3 to read: 3. All major non-residential buildings <u>over 100sqm</u> should achieve a 35% reduction. From 2019 all major non-residential buildings should achieve zero carbon standards in line with London Plan policy.
MM12 Waste Management		
Waste management	p.85 Policy LP 24	Amend Policy LP24 point 1 as follows: "All developments, including conversions and changes of use are required to provide adequate refuse and recycling storage space and facilities, which allows for ease of collection and which residents and occupiers can easily access, in line with the <u>guidance and advice set out in</u> the Council's SPD on Refuse and Recycling Storage Requirements."
Waste management	p.86 Paragraph 6.5.3	Amend paragraph 6.5.3 to read: "This policy ensures that all development proposals provide adequate refuse and recycling storage space and facilities to serve new developments, in line with the <u>guidance and advice set out in</u> the Council's SPD on Refuse and Recycling Storage Requirements."
Waste management	p.86	Add new paragraph after paragraph 6.5.6 as follows: <u>The existing waste management sites as set out in Appendix 2 of the West London Waste Plan were identified at a snapshot in time. This list can be revised. New waste sites, permissions and licences may be granted by the Council or Environment Agency. The Council carries out regular monitoring of existing waste sites, the results of which, including maps of operational sites, are published as part of the Authority's Monitoring Report.</u>
MM13 Borough Centres		
Development in Centres	p.88 LP 25	Add comma to LP 25.A.3 to read: For retail developments, including extensions, of over 500sqm gross, the Council will require a Retail Impact Assessment.

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Retail	p.97 Policy LP 26 F p.99 Policy LP 27 A.3 Policy LP 27 B	F._Where a proposal involves a change of use not supported by policy, the Council will require satisfactory evidence of full and proper marketing of the site for at least 2 years . The applicant will <u>be expected</u> need to undertake marketing in line with the requirements set out in Appendix 5. 3._The Council will require satisfactory evidence of full and proper marketing for a minimum of 2 years where a proposal does not meet the above criteria. The applicant will <u>be expected</u> need to undertake marketing in line with the requirements set out in Appendix 5. B. The Council will resist the loss of public houses. Before accepting the loss of any public house the Council requires satisfactory evidence of full and proper marketing normally for at least 2 years for a full range of appropriate uses (see policy LP 28 Social Infrastructure). The applicant will <u>be expected</u> need to undertake marketing in line with the requirements set out in Appendix 5.
MM14 Community Facilities		
Social and Community Infrastructure	p. 104	Add a new paragraph after 8.1.8 to read: <u>The Council's Indoor Sports Facility Needs Assessment highlights the need for new facilities within the borough. Where possible and feasible, such provision should be provided on-site in line with the Council's Indoor Sports Facility Needs Assessment.</u> Add a new paragraph after 8.1.10 to read: <u>Proposals that could result in the loss of an existing indoor sport facility will also be assessed against the Council's Indoor Sports Facility Needs Assessment and the criteria as set out in the NPPF. Early engagement with Sport England is encouraged where a proposal affects an existing indoor sport facility.</u>
MM15 Education and Training		
Education and Training – Local Employment Agreements	p.107 LP 29 Paragraph 8.2.14	Add after first sentence: <u>... Securing the skills to support residents into sustainable employment is a key priority for the Council to support the local economy, to raise the bar further for those with higher levels of skills than London averages and make sure some residents with lower skills are not missing out economically. ...</u>
Education and Training –	p.107 LP 29	Add to end of paragraph 8.2.15: <u>... Such an agreement can make use of existing</u>

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Local Employment Agreements	Paragraph 8.2.15	<p>schemes, such as Way2Work, Construction Training Initiative, schemes run by Registered Providers and developers, provided these manage the development related job opportunities.</p> <p>The details of the LEA will be subject to negotiation, tailored to site specific circumstances and proportionate to the scale of development proposed, and require developers to use reasonable endeavours to incorporate in their relevant contracts. The contents are expected to cover:</p> <ul style="list-style-type: none"> • Forecasting of job opportunities • Notification of job vacancies • Local labour target • Jobs brokerage and skills training • Apprenticeships and work experience • Use of local suppliers • Delivery of specific LEA targets. <p>A developer can set out justification as to why it may not be possible to deliver any of the requirements highlighted. Further guidance to assist implementation will be provided in a forthcoming SPD.</p>
MM16 Health and Well Being		
Social and Community Infrastructure and Health and Wellbeing	p.104 LP 28 Paragraph 8.1.10	Amend paragraph 8.1.10 point (1): ... Where the application relates to the loss of a health facility, <u>the requirements of LP 30 will also need to be addressed and</u> written agreement from the Richmond Clinical Commissioning Group, NHS England or other relevant health body must be provided...
	p.111 LP 30 Paragraph 8.3.17	Add to end of paragraph 8.3.17 to read: Applications for new or loss of health and social care facilities will be considered in line with the criteria of policy LP 28 in 8.1 'Social and Community Infrastructure' <u>and paragraph 8.1.10 sets out that written agreement of the relevant health body must be provided to assess the loss of any existing health facilities.</u>
Health and Wellbeing	p.108 Policy LP30	add new point 7. within main policy section A under point 6. to read as follows: " <u>7. Active Design which encourages wellbeing and greater physical movement as part of everyday routines.</u> "
Health and Wellbeing	p.108 Policy LP 30	Amend LP 30 B. bullet point 2: The Council will <u>manage refuse</u> proposals for new fast food takeaways (A5 uses) located within 400 metres of the boundaries of a primary or secondary school in order to <u>promote the availability of healthy restrict the availability of unhealthy</u> foods.

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	<p>8.3.13/14/15</p> <p>Amend para 8.3.13/14/15</p> <p>8.3.13 There is an emerging obesity issue in the borough, particularly in children. One established method of addressing obesity is by restricting access to unhealthy foods, particularly fast food takeaways. Childhood obesity amongst school age children is a concern as evidence suggests that obese children are more likely to be obese adults and are at an increased risk of developing further health difficulties. Access to fast food takeaways detracts from can influence the ability <u>of individuals</u> to adopt healthy lifestyles and <u>have the potential to undermine</u> undermines healthy eating initiatives that may be in place at the school. Therefore this policy focuses particularly on <u>managing</u> restricting access to fast food takeaways in close proximity to schools.</p> <p>8.3.14 The Council will refuse consider proposals for fast food takeaways located within 400 metres of the boundaries of a primary or secondary school <u>with regard to the nature of the proposal, its contribution to healthy food availability and its relationship to the existing provision of A5 outlets</u>. 400m is a 5-10 minute walk and it is suggested that this is the maximum distance that students would walk to and back from in their lunch break. Outside of these 400m 'restriction management' zones, applications for fast food takeaways will be considered in line with other policies in <u>this</u> <u>the development</u> plan.</p> <p>8.3.15 The following map shows the existing schools within the borough (as of May 2016) and the associated 400 metre buffer area, which are the 'restriction management' zones for fast food takeaways:</p> <p>[Map]</p>	
	<p>7.2.10</p> <p>Amend para 7.2.10</p> <p>In addition to the areas to subject to restrictions listed in the table on 'Use Class to be restricted' as set out in the policy above, the Council will <u>manage</u> not permit <u>development</u> of new fast food takeaways (A5 uses) located within 400 metres of the boundaries of a primary or secondary school. This is in order to restrict <u>support</u> <u>the promotion</u> <u>the availability</u> of <u>unhealthy</u> foods to school-age children...</p>	

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MM17 Open Space and Recreation		
Public Open Space, Play Space, Sport and Recreation	p. 111 Policy LP31	Amend first sentence of Part B as follows: "B. The Council will require all major development proposals in the borough to meet the Public Open Space, <u>and play space, and playing fields and ancillary sport facilities</u> needs arising out of the development by requiring the following."
Public Open Space, Play Space, Sport and Recreation	p. 111 Policy LP31	Add new criterion 3 of Part B as follows: <u>"3. Playing fields and sport facilities:</u> <u>Applicants should assess the need and feasibility for on-site provision of new playing fields and ancillary sport facilities in line with the borough's Playing Pitch Strategy."</u>
Public Open Space, Play Space, Sport and Recreation	p. 111 Policy LP31	Amend criterion 3 of Part B as follows: <u>3.4. Where on-site provision of Public Open Space, or play space or new playing fields and ancillary facilities</u> is not feasible or practicable, the Council will expect existing surrounding facilities and spaces to be improved and made more accessible to the users and occupiers of the new development through, for example, improved walking and cycling links or enhancements of play space <u>or existing playing fields and associated sport facilities</u> . Financial contributions will be required to either fund off-site provision, or improvements and enhancements of existing facilities, including access arrangements, to mitigate the impacts of new development."
MM 18 Employment		
Employment and local economy	p.132 Policy LP 40	Rewording of criterion 4 to read as follows: <u>4. In exceptional circumstances, Mmixed use development proposals which come forward for specific employment sites</u> should retain, and where possible enhance, the level of existing employment floor space. The inclusion of residential use within mixed use schemes will not be appropriate where it would <u>be incompatible with, or adversely impact on,</u> the continued operation of other established employment uses within that site or on neighbouring sites.
MM 19 Offices		
Offices	p.133 Policy LP 41	Amend 2b of Part A to read as follows: 2b) Mixed use including other employment generating or community uses. <u>Such sites should</u> and residential

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		<u>which maximises</u> the amount of affordable housing provided as part of the mix;
Offices	p.133 Policy LP 41	C. In the designated Key Office Areas, as shown on the <u>Proposals Policies Map</u> , net loss of office floorspace will not be permitted. Any development proposals for new employment or mixed use floorspace <u>should will be required to contribute to a net increase in office floorspace where feasible</u> . Criteria 1 and 2 in A (above) do not apply to the Key Office Areas areas.
Offices	p.134 Policy LP 41	Amend criterion 5 of Part D to read as follows: 5. The Council will require the provision of affordable office space within all major developments with over 1000sqm of office space; this will be secured through Planning Obligations <u>in line with the Planning Obligations SPD</u> .
Offices	p.135 paragraph 10.2.6	Add a first sentence and amend the supporting text at paragraph 10.2.6 to read as follows: <u>"The types of office buildings most at risk from conversion have relatively small floorplates. In order to maximise the choice of resources and maintain a stock of cheaper accommodation lower cost office stock to provide cheaper accommodation to the borough's high percentage of Small and Medium Enterprises (SMEs)</u> , the Council seeks to discourage the unnecessary redevelopment of <u>these</u> premises."
Offices	p.136 paragraph 10.2.12	Amend from penultimate sentence of paragraph 10.2.12 onwards to read as follows: "... Affordable workspace is considered to have a rent and service charge of less than 80% of comparable <u>local</u> market rates. <u>It is acknowledged that market rates will vary according to a range of factors such as location within the borough, the quality and type of office stock.</u> Affordable office provision, <u>including appropriate rental values</u> , will be agreed and secured through Planning Obligations in line with the Council's Planning Obligations SPD. <u>A revised Planning Obligations SPD will contain guidance to assist in the implementation of policy requirements on affordable employment space, including guidance on design and financial arrangements.</u>
MM 20 Industrial Land		
Industrial Land and Business Parks	p.137 Policy LP 42	Amend Part A criterion 2b to read: 2b) Mixed use including other employment generating or community uses, <u>and residential providing it does not adversely impact on the other uses and maximises the amount of affordable housing delivered as part of the mix.</u>

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Industrial Land and Business Parks	p. 138 Policy LP 42 10.3.8	<p>Change wording in Part B criterion a to read:</p> <p>a) loss of industrial floorspace will be resisted unless <u>appropriate full, on-site replacement floorspace</u> is provided;</p> <p>Change wording in Part B criterion c to read:</p> <p>c) proposals for non-industrial uses will be resisted where the introduction of such uses would have an adverse impact on the continued operation of the existing services <u>impact unacceptably on industrial activities</u> (which may include waste sites).</p> <p>Amend text to read:</p> <p>10.3.8 In the locally important industrial land and business parks loss of industrial space will be strongly resisted unless <u>appropriate full, on-site replacement provision</u> is provided. <u>Appropriateness will be determined with particular regard to site circumstances and the industrial/employment needs of the Borough; it should not be interpreted as a like for like replacement in the nature of the use or its scale.</u></p>
Industrial Land and Business Parks	p. 138 Policy LP 42	<p>Amend Part C to read:</p> <p>New Industrial space</p> <p>c. Development of appropriate scale industrial uses, and improvement and expansion of such premises, is encouraged. New industrial space should be flexible and adaptable for different types of <u>uses</u> <u>activities</u> and suitable to meet future needs, especially to provide for the requirements of local businesses.</p>
MM 21 Parking		
Parking Standards and Servicing	p. 147 Paragraph 11.2.3	<p>Modifications to paragraph 11.2.3:</p> <p>11.2.3 Developers may only provide fewer parking spaces, including car free schemes, if they can <u>show demonstrate as part of a Transport Statement or Transport Assessment with supporting survey information and technical assessment</u> that there would be no <u>unacceptable</u> adverse impact on <u>on-street parking availability</u>, amenity, street scene, road safety or emergency access in the <u>vicinity surrounding area, as a result of the generation of unacceptable overspill of on-street parking in the vicinity</u>. In general it is expected that in PTAL areas of <u>0-3</u> <u>1-4</u> the standards should be met, <u>but in</u> <u>In</u> PTAL areas of <u>5-4-6</u>, such as <u>Richmond and Twickenham centres</u>, parking provision at a level lower than the standard <u>or a car</u></p>

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		free development, supported for example by a car club, may be appropriate where this can be demonstrated as acceptable, taking account of local characteristics, availability of sustainable modes of travel and public transport provision, and availability of on-street parking spaces in exceptional circumstances.
Parking Standards and Servicing	p. 147 Paragraph 11.2.2	Amend last paragraph of 11.2.2 as follows: 11.2.2 This restriction would be secured by a Planning Obligation excluding the address from the schedule of streets in the relevant road traffic order that created or creates the Controlled Parking Zone in which the property is situated, by restricting under section 106 of the Town and Country Planning Act 1990 the disposal of an interest in relevant properties unless a person disposing advises the person acquiring of the non-availability of residents or business on-street parking permits and/or through Section 16 of the Greater London Council (General Powers) Act 1974 (or any statute revoking or re-enacting that Act).
MM 22 Monitoring and Appendices		
Implementation	p.199 13.5 Monitoring	Add new paragraph following 13.5.6: It is recognised that over the lifetime of the Plan, external circumstances will change. Whilst the Plan is overall considered to be flexible, the NPPF allows for Local Plans to be reviewed in whole or in part to respond flexibly to changing circumstances. Therefore, external factors such as changes in national policy, a London Plan review or changes in local evidence and need may trigger a review of this Local Plan. The programme for the preparation of Development Plan Documents is set out within the Council's Local Development Scheme, which is regularly reviewed and updated.
Implementation	p.197 Paragraph 13.3.5	Amend paragraph 13.3.5: ... It should be noted that Planning Obligation monies will not be secured for projects or items already on the Council's Regulation 123 List, and will be subject to the pooling restrictions as set out in the CIL regulations.
Appendix 5 – Marketing Requirements	p.220 paragraph 18.0.2	Amend paragraph 18.0.2 in Appendix 5 to read: This appendix sets out the details that should be provided to enable officers to assess the acceptability or otherwise of the marketing undertaken. The Council's assessment will consider the overall length, type and quality of the marketing to come to a view, and if the applicant/agent puts forward any

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		<u>justification for any shortcomings in the marketing (e.g. the use of only one specialist website rather than a range of generic websites due to the nature of the existing employment use, or that a marketing board was not used because of advertisement controls) these will be considered, however the expectation is the below requirements should be fully addressed.</u>
Appendix 7 - Glossary		<p>Amend the existing OOLTI definition in the glossary as follows:</p> <p>"Other Open Land of Townscape Importance (<u>OOLTI</u>) Open areas, which are not extensive enough to be defined as Metropolitan Open Land, but act as pockets of greenery of local significance, contribute to the local character, and are valued by residents as open spaces in the built up area. These areas can include public and private sports grounds, some school playing fields, cemeteries, allotments, private gardens, areas of vegetation such as street verges and mature trees. <u>OOLTI is a local policy and new designations are made by the Council as part of the plan-making process. This is different to 'Local Green Space' (see definition above), which national policy makes provision for.</u>"</p> <p>Add new definition to glossary for 'Local Green Space' as follows:</p> <p><u>"Local Green Space (LGS)</u> <u>Local communities can identify green or open space which is of special quality and holds particular significance and value to the local community which it serves, in line with paragraphs 76 to 78 of the National Planning Policy Framework (NPPF). Local Green Spaces can only be designated when a local plan or neighbourhood plan is prepared or reviewed. National policy on Green Belt applies to any designated Local Green Space."</u></p>
MM 23 Site Allocations		
Site Allocations	p.161 SA 7 Strathmore Centre	<p>Include text in bullet point 5 with regard to the provision of outdoor space and parking to read as follows:</p> <p>"Proposed redevelopment will only be acceptable if the current child-care provision is adequately re-provided in a different way, <u>including the provision of appropriate outside space and parking related to the childcare services</u>, or elsewhere in a convenient alternative location accessible to the current community it supports."</p>
Site Allocations	p.162 SA 8 St. Mary's	At the beginning of the 2 nd paragraph of Policy SA 8 add "and/or" to the 1 st sentence:

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	University, Strawberry Hill	"A Masterplan <u>and / or</u> site development brief, ..."
Site Allocations	p.162 SA 8 St. Mary's University, Strawberry Hill	Delete " <u>very</u> " from the 4 th bullet point: "It is acknowledged that this is a <u>very</u> constrained site, with the majority of the land not built on designated as Metropolitan Open Land."
Site Allocations	p.162 SA 8 St. Mary's University, Strawberry Hill	Delete the last sentence of bullet point 4 as follows: "There are also Listed Buildings, Buildings of Townscape Merit as well as sports playing fields."
Site Allocations	p.162 SA 8 St. Mary's University, Strawberry Hill	Insert at beginning of 5 th bullet point: " <u>There are also Listed Buildings, Buildings of Townscape Merit as well as sports playing fields.</u> "
Site Allocations	p.162 SA 8 St. Mary's University, Strawberry Hill	Amend bullet point 5 (in addition to change PE/SA8/4 above) to stress the significance of the heritage assets to read: "Any development proposal has <u>to take account of the highly significant heritage assets</u> and respect the special and unique location and setting of St Mary's University, <u>including the Grade I Listed Chapel</u> , the adjoining Grade I Listed Building (Strawberry Hill House) and the associated Historic Park and Garden (II*) as well as ..."
Site Allocations	p.162 SA 8 St. Mary's University, Strawberry Hill	Insert new bullet point within the supporting text (after the 5th bullet point) as follows: <u>"The existing playing fields and sports facilities should be retained and/or re-provided, and if necessary, replacement facilities will have to be provided on or off site."</u>
Site Allocations	p.162 SA 8 St. Mary's University, Strawberry Hill	Amend the 6 th bullet point: "The Council will work with the University on a Masterplan <u>and / or</u> site development brief (SPD) for the longer term upgrading of their sites, ..."
Site Allocations	p.162 SA 8 St. Mary's University, Strawberry Hill	Amend the 7 th bullet point: "Detailed guidance on design and local character for any redevelopment proposal will also be set out within the site brief (SPD) as well as in the relevant Village Planning Guidance SPD, and where relevant within the Masterplan / site development brief."
Site Allocations	p.162 SA 8 St. Mary's University, Strawberry Hill	Amend the 1st paragraph of Policy SA 8 to read: Retention and upgrading of St Mary's University and its associated teaching, sport and student residential accommodation. Upgrade works to include

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		refurbishment, adaptation, <u>intensification</u> , extensions and new build elements on site where <u>appropriate justified fully with regard to national policy and the policies of the development plan.</u>
Site Allocations	P.170 SA 14 Kneller Hall	Amend bullet point 6 as follows: "It is expected that the existing playing field will be retained and where possible upgraded, <u>such as with ancillary facilities, including changing provided to support the use of the playing fields</u> , provided that any existing ecological benefits and the openness and character of the Metropolitan Open Land is retained and, where possible enhanced."
Site Allocations	P.170 SA 14 Kneller Hall	Amend the last sentence of bullet point 7 to read: "Any development should <u>be sensitive to the significance of the historic building and respond positively to the setting of the Listed Building.</u> "
Site Allocations	P.170 SA 14 Kneller Hall	Change to the first sentence of main policy text: " <u>If the site is declared surplus to requirements, It has been announced that Kneller Hall will be released for disposal. Appropriate land uses include...</u> "
Site Allocations	p. 176 SA 17 St Michael's Convent	Amend the OSNI area to that lying to the north of the lawn area and its delineating path that traverses the site east-west <u>(also excluding the allotment north of Avenue Lodge).</u> (Note – consequential map update required)
Site Allocations	p.182 SA 22 Pools on the Park	Add a third sentence to the end of Policy SA 22 thus: <u>"Any proposal would need to be fully justified having assessed the significance of the building and its setting, and having taken into account the wider heritage designations that apply to the site."</u>
Site Allocations	p.184 SA 23 Richmond Athletic Association Ground	Modify the 2 nd sentence of the policy so that Policy SA 23 reads: "The Council supports the continued use of this site for sports uses, including improvements and upgrading of existing facilities. Additional associated leisure facilities and other complementary uses could be incorporated provided they <u>have been fully justified as being necessary to support the continued sporting uses on the site, that they demonstrate meeting identified needs, do not detract from the main use of the site as a sports ground, and have been developed to take into account of the Metropolitan Open Land (MOL) and historic designations.</u> "
Site Allocations	p.186 SA 24 Stag Brewery	In 7 th bullet point change text to read: "Incorporating a mix of uses, including social infrastructure and community as well as leisure, sport and health uses, and attractive frontages <u>would should</u>

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		contribute to creating an inviting and vibrant new centre.”
Site Allocations	p.186 SA 24 Stag Brewery	Proposed modification as new additional bullet point – new 10 th bullet point (after the one referring to Mortlake Conservation Area): <u>The site is very close to an Air Quality Focus Area. Therefore strict mitigation measures will be required, both to mitigate any effect on current receptors and highways and on future receptors within the proposed development, particularly for sensitive receptors, such as pupils at the secondary school.</u>
Site Allocations	p.186 SA 24 Stag Brewery	Amend penultimate bullet point as follows: <u>There may be an opportunity to relocate the bus stopping / turning facility from Avondale Road Bus station to this site. The adopted development brief (2011) identifies a number of transportation and highways issues.</u> The Council will expect the developer to work together with relevant partners, including Transport for London, to ensure that where possible necessary improvements to sustainable modes of travel, including public transport facilities, can be secured as part of any development proposal. <u>The opportunity to relocate the bus stopping / turning facility from Avondale Road Bus station to this site should be investigated as part of the comprehensive redevelopment.</u>
Site Allocations	p.186 SA 24 Stag Brewery	Amend first bullet point as follows: “The Council has produced and adopted a development brief in 2011 for this site, which sets out the vision for redevelopment and provides further guidance on the site’s characteristics, constraints, land use and development opportunities. <u>Any proposed development should have due regard to the adopted brief.</u> ”
Site Allocations	p.186 SA 24 Stag Brewery	Insert after the original 10 th bullet point the following: <u>The playing fields in the south west corner of the site, which are designated Other Open Land of Townscape Importance (OOLTI), should be retained and/or reprovided and upgraded. In the event of reprovision and upgrading, where a comprehensive approach to redevelopment can be taken in line with policy LP 14, it may be acceptable to re-distribute designated OOLTI within the site, provided that the new open area is equivalent or improved in terms of quantum, quality and openness. In addition, reprovision and upgrading of the playing fields within the site for sport uses has</u>

Policy Section or heading	Page / Paragraph	Proposed Change
		<u>to be carried out in line with policy LP 31, the NPPF and Sport England Policy.</u>
Site Allocations	p.186 SA 24 Stag Brewery	Amend the original 9 th bullet point as follows: “The site is <u>within an Archaeological Priority Area</u> and partially within the Mortlake Conservation Area...”
Site Allocations	p.191 SA 28 Barnes Hospital	Modify the 2 nd sentence of policy SA 28 to read: “Any redevelopment proposal for this site will be required to prioritise the provision of a new <u>Special Education Needs 2-form entry primary</u> school.”
Site Allocations	p.191 SA28 Barnes Hospital	In 3 rd bullet point change text to read: “There is a clear need for a new <u>Special Education Needs 2-form entry primary</u> school in this area as set out in the <u>updated</u> Council’s School Place Planning Strategy. Therefore, the Council expects any redevelopment proposal to prioritise the provision of the educational use.”