



All responses received to the Consultation on Proposed Main Modifications to the Local Plan
www.richmond.gov.uk/draft_local_plan_examination#proposed_main_modifications_consultation
Consultation from 31 January until 17 March 2025

Published by LBRuT March 2025

Please note, the responses below are exactly as received from the respondents and have not been edited by the Council.
They are not alphabetically ordered or in any other order of priority; they follow the Plan order. Comments have been moved/grouped so that common points are viewed together. If not specified, the Council has highlighted the relevant Main Modifications comments relate to (shown as *[MM1]*).

The schedule shows where any personal information within responses relating to contact details, particularly full address data, has been removed stating e.g. *[personal details removed for data protection]* or shown as black rectangles in the appendices.
Appendices have been made available separately where due to the length or nature of responses they could not be captured with full clarity within the main Schedule. The officer references added are shown in the Schedule as *[See Appendix....]*

Each response in full (with redactions as appropriate) is also available as a single pdf that can be viewed via the Examination Library containing all the Main Modifications responses.
Any comments received not relating to Proposed Main Modifications have been published in a separate schedule of other comments, provided to the Inspectors for information only.

MM Rep No.	Respondent name	Representor ID (from Index of all respondents to the Publication Plan consultation)	MM(s) commenting on	Comment
General comments				
1	Amanda Scott, Surrey County Council	136	General	Thank you for consulting Surrey County Council. Please note that we have no comments to raise.
2	Joly Cox, Transport for London	148	General	Re: Proposed Main Modifications to the Local Plan <i>Please note that these comments represent the views of Transport for London (TfL) officers and are made entirely on a ‘without prejudice’ basis. They should not be taken to represent an indication of any subsequent Mayoral decision in relation to this matter. The comments are made from TfL’s role as a transport operator and highway authority in the area. These comments also do not necessarily represent the views of the Greater London Authority (GLA). A separate response has been prepared by Transport Trading Limited Properties (TTLP) – formerly TfL Commercial Development, to reflect TfL’s interests as a landowner and potential developer. [Note, the Council did not receive comments from TTLP on the Main Modifications; TTLP representations were received to the Publication (Regulation 19) consultation].</i> Thank you for giving Transport for London (TfL) the opportunity to comment on the proposed main modifications to the Local Plan. As you are aware, the London Plan 2021 was published in March 2021 and now forms part of Richmond’s development plan. We previously agreed a statement of common ground (SOCG) and are pleased to note that a number of our points have been addressed, there are a small number of issues outstanding which we regard as not in line with the 2021 London Plan. The appendix contains specific suggested edits and updated comments from TfL on the Proposed Main modifications of Richmond’s draft Local Plan. Our updated responses to specific points in the draft local plan are set out in the attached appendix. We look forward to continuing to work together and are committed to continuing to work closely with the GLA to deliver integrated planning and make the case for continued investment in transport capacity and connectivity to enable Good Growth in Richmond and across London. Appendix: Specific suggested edits and updated comments from TfL on the Proposed Main modifications of Richmond’s draft Local Plan. <i>[See detailed comments at MM Rep No. 15 in relation to MM26, and MM Rep No. 17 in relation to MM27, or at Appendix 4. See also Comment Nos. 1 and 3 in the Schedule of comments received not relating to the proposed Main Modifications].</i>
3	George Goodby, Environment Agency	31	General	London Borough of Richmond upon Thames – Consultation on Proposed Main Modifications to the Local Plan from 31 January to 17 March 2025 Thank you for consulting us on the proposed main modifications to your local plan. Environment Agency Position We are satisfied that, with the proposed modifications, the plan remains sound in line with the requirements of Paragraph 36 of the National Planning Policy Framework (NPPF). <i>[See detailed comments at MM Rep Nos. 9 (MM3), 19 (MM32, MM34, MM47), 20 (MM35), 21 (MM37), 22 (MM39), 23 MM40), 24 (MM42), 25 (MM44), and 113 (MM69, MM70, MM71)].</i>
4	Hamish Dean (WSP) on behalf of Sainsbury’s Supermarkets Ltd	118	General	Representations to the Local Plan Proposed Main Modifications Consultation On behalf of Sainsbury’s Supermarkets Limited (SSL), we write in response to the Proposed Main Modifications to the Local Plan consultation prepared by the London Borough of Richmond Upon Thames (the Council) following the recent Local Plan Examination. We have reviewed the schedule of the Proposed Main Modifications. We are pleased to see that some of our previous representations to the Local Plan Regulation 19 and Regulation 18 consultations in respect of emerging site allocations at SSL’s St Clare’s Superstore (Site Allocation 4) and their Richmond Superstore (Site Allocation 30). However, there are still some matters that that need to be reconciled in adopted Local Plan.
5	Nigel Walkden, National Highways	92	General	Thank you for your email of 31 January inviting National Highways to comment on the above consultation and indicating that a response is required by 17 March 2025. National Highways was appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). It is our role to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth. In relation to this consultation, our principal interest is safeguarding the operation of the M4 and M3 to the north and south west of the borough respectively.

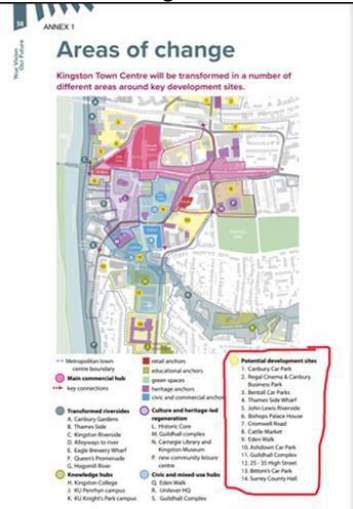
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				<p>We are a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents. National Highways is aware of the relationship between development planning and the transport network, and we are mindful of the effects that planning decisions may have on the operation of the SRN and associated junctions. We cannot cater for unconstrained traffic growth generated by new developments, and we therefore encourage policies and proposals which incorporate measures to reduce traffic generation at source and encourage more sustainable travel behaviour.</p> <p>In response to your Consultation, I would like to draw your attention to National Highways document ‘<i>The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters</i>’ (October 2023). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. The document indicates that National Highways will review and provide comments on local plans proposed by local planning authorities that have the potential to affect any part of the SRN.</p> <p>In this instance, we would specifically be concerned with any proposals which have the potential to impact the M3 Junction 1 and M4 Junctions 1 to 3, which are within or in close proximity to the Richmond upon Thames Local Plan Area and are subject to congestion at peak times.</p> <p>We note this consultation does not allow for comments on the remainder of the Plan, but concerns the modifications only.</p> <p>We do not have any comments to make on the Sustainability Appraisal Addendum of the Main Modifications or the Habitats Regulation Assessment Addendum of the Main Modifications.</p> <p>[See detailed comments at MM Rep No. 107 in relation to MM48, and MM Rep No. 116 in relation to MM76, MM77, MM78 and MM79].</p>
6	Hassan Ahmed, GLA on behalf of Mayor of London	80	General	<p>Re: Consultation on Proposed Main Modifications to the Local Plan</p> <p>Thank you for consulting the Mayor of London on the London Borough of Richmond Upon Thames (LBRuT) Local Plan Main Modifications consultation. As you are aware, all Development Plan Documents in London must be in general conformity with the London Plan under section 24 (1)(b) of the Planning and Compulsory Purchase Act 2004. The Mayor has <i>afforded</i> me delegated authority to make detailed comments which are set out below. Transport for London (TfL) have also provided comments, which I endorse, and which are attached at Annex 1 [See TfL comments at MM Rep Nos. 2, 15 and 17, or at Appendix 4].</p> <p>The Mayor provided comments on the earlier Regulation 19 consultation on the LBRuT draft Local Plan on 24 July 2023 (Ref: LDF27/LDD12/LP03/JB01) and the Local Plan Regulation 18 consultation on 31 January 2022 (LDF27/LDD12/LP02/JC01). The Mayor also provided a hearing statement as a part of the Local Plan Examination Hearings on 6 June 2024 (Ref: LDF27/LDD12/LP05/EX01/JB01). This letter follows on from that earlier advice and sets out where you should make further amendments so that the draft Plan is more closely aligned with the London Plan 2021 (LP2021). The LP2021 was formally published on the 2 March 2021, and forms part of LBRuT’s Development Plan and contains the most up-to-date policies.</p> <p>[See detailed comments at MM Rep No. 105 in relation to MM48, and MM Rep No. 109 in relation to MM49 including the general conformity issue raised].</p>
Habitats Regulations Assessment				
7	Piotr Behnke, Natural England	94	Habitats Regulations Assessment	<p>Thank you for your consultation on the above dated 31 January 2025 which was received by Natural England on the same date.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Please note that our comments raised below relate to the proposed Main Modifications only, as detailed within the Schedule of Proposed Main Modifications to the Richmond Upon Thames Local Plan (dated June 2023).</p> <p>Habitats Regulations Assessment Addendum</p> <p>Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the Richmond upon Thames Local Plan in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.</p> <p>Natural England has worked with Richmond upon Thames London Borough Council throughout the local plan process and towards an agreeable position with the Local Plan Habitats Regulations Assessment (HRA). We recognise the updated HRA Addendum (January 2025) reflects our ongoing advice and expectations within the assessment detail and through its conclusions.</p> <p>The updated HRA Addendum concludes that your authority is able to ascertain that the submitted Richmond upon Thames Local Plan wil not result in adverse effects on the integrity of any European designated sites, namely Richmond Park Special Area of Conservation (SAC). Natural England have reviewed the updated HRA in light of our recent engagement with your authority since the Local Plan Regulation 19 submission. Having considered the appropriate assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of this Local Plan, Natural England advises that we concur with the assessment conclusions, and have no further comments to make on the submitted Plan.</p> <p><u>Richmond Park Special Area of Conservation</u></p> <p>Natural England acknowledge that our previous comments to your authority on the Local Plan HRA conclusions regarding your air quality assessment for Richmond Park SAC have been appropriately addressed. The submitted HRA Addendum provides a more detailed assessment and consideration of the wider road network in and around Richmond Park SAC and additional clarification of the presence of any habitats important for the qualifying species (Stag Beetle) that may be within proximity to the road network.</p> <p>[See Natural England detailed general comments on specific MMs and MM3 at MM Rep No. 10].</p>

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				<i>[See Appendix 5 for Annex 1 - Natural England’s Local Plan Advice].</i>																								
8	Caroline Shah	n/a	Habitats Regulations Assessment	<p><i>[See Appendix 1 to view these representations in a clearer format].</i></p> <p>I am writing to you regarding the Minor Modifications that Richmond Council has made to the Screening Assessment of Richmond Park SAC in the post-Examination in Public Habitats Regulations Assessment of the new Richmond Local Plan- HRA SD004a (the “post examination HRA”).</p> <p>I attach my comments on the final Habitats Regulations Assessment of the draft Richmond Local Plan SD004A (the HRA) below. I believe that there are significant further changes that need to be made to the HRA to ensure that it is correct, evidence-based, consistent and reaches conclusions that cannot be undermined by rational argument. I urge you not to publish the new Richmond Local Plan as a result of the changes that need to be made. I request that you consider the evidence that I lay out in this letter as the basis for making such a decision.</p> <p>I draw your attention to the information I have previously sent you in addition to the representations that I make in A and B below:</p> <table><tr><th>Date</th><th>Type</th><th>Information</th></tr><tr><td>31/10/23</td><td>Email</td><td>8 attachments: Email to Natural England; Distance A308 and Richmond Park; Point 4.54 from Reg 19 HRA; Points 4.55 and 4.56 Reg 19 HRA; Point 4.65 Reg 19 HRA; Concerns relating to recreational pressure at Epping Forest; Point 4.65 Reg 19 HRA; Epping Forest District Council – effects of one extra vehicle on pollution</td></tr><tr><td>8/11/23</td><td>Email</td><td>As above</td></tr><tr><td>10/11 /23</td><td>Email laying out APIS pollution levels in Richmond Park 2018-2020</td><td>3 attachments: 1. Video of woodland between Kingston Gate and Ladderstile Gate of Richmond Park SAC 2. Map showing deposition and ancient woodland 3. Map showing Exceedance for nitrogen deposition in Richmond Park according to APIS</td></tr><tr><td>30/11/23</td><td>Email</td><td>Request that take the Reg 19 HRA back to council to correct errors and omissions and to reconsider analysis and put out to consultation again.</td></tr><tr><td>11/3/24</td><td>Email with new Expert Advice</td><td>1. Availability of dead wood depends on trees in Richmond Park; 2. Quality of dead wood is vulnerable to air pollution; 3. Quality of dead wood is vulnerable to recreational pressure; 4. Lucanus Cervus does not purely depend on deadwood; 5. Nitrogen deposition can favour more competitive fungi.</td></tr><tr><td>1/7/24</td><td>Email</td><td>Stag beetle vulnerable to recreational pressure, need for constant supply of ancient trees. David Attenborough correspondence.</td></tr><tr><td>25/7/24</td><td>Email with attachments</td><td>2 attachments: 1. In depth exposition of why Reg 19 HRA screening assessment of Richmond Park SAC is not sound; 2. Expert Evidence supporting assertions that screening assessment of Richmond Park SAC is not sound.</td></tr></table> <p>I would like to make the following additional observations following publication by Richmond Council of HRA on 19 January 2025:</p> <p>A. Screening out of Recreational Pressure and Urbanisationfrom the new Richmond Local Plan as having a likely significant effect on the habitats of the stag beetle in Richmond Park SAC</p>	Date	Type	Information	31/10/23	Email	8 attachments: Email to Natural England; Distance A308 and Richmond Park; Point 4.54 from Reg 19 HRA; Points 4.55 and 4.56 Reg 19 HRA; Point 4.65 Reg 19 HRA; Concerns relating to recreational pressure at Epping Forest; Point 4.65 Reg 19 HRA; Epping Forest District Council – effects of one extra vehicle on pollution	8/11/23	Email	As above	10/11 /23	Email laying out APIS pollution levels in Richmond Park 2018-2020	3 attachments: 1. Video of woodland between Kingston Gate and Ladderstile Gate of Richmond Park SAC 2. Map showing deposition and ancient woodland 3. Map showing Exceedance for nitrogen deposition in Richmond Park according to APIS	30/11/23	Email	Request that take the Reg 19 HRA back to council to correct errors and omissions and to reconsider analysis and put out to consultation again.	11/3/24	Email with new Expert Advice	1. Availability of dead wood depends on trees in Richmond Park; 2. Quality of dead wood is vulnerable to air pollution; 3. Quality of dead wood is vulnerable to recreational pressure; 4. Lucanus Cervus does not purely depend on deadwood; 5. Nitrogen deposition can favour more competitive fungi.	1/7/24	Email	Stag beetle vulnerable to recreational pressure, need for constant supply of ancient trees. David Attenborough correspondence.	25/7/24	Email with attachments	2 attachments: 1. In depth exposition of why Reg 19 HRA screening assessment of Richmond Park SAC is not sound; 2. Expert Evidence supporting assertions that screening assessment of Richmond Park SAC is not sound.
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				<p>Basis of screening out of Richmond Park from needing Appropriate Assessment for recreational pressure is not based on evidence or justified and does not follow the precautionary principle.</p> <p>Point 4.63 makes reference to the scale of residential development coming forward in the new Richmond Local Plan of 4110 new homes over the next 10 years but does not extrapolate this in to likely visitor numbers to Richmond Park SAC, either from the plan alone or in combination with other plans and projects coming forward¹. In point 3.32, Richmond Council states that it has taken a <i>“risk based approach” based on the “precautionary principle”</i> and that <i>“a conclusion of no significant effect was only reached when it was considered unlikely, based on current knowledge and the information available, that a development plan policy or site allocation would have a significant effect on the integrity of the site.”</i> However, this is not the case, as the information in the screening assessment is erroneous and <i>“current knowledge”</i> and <i>“the information available”</i> have not been taken into account. In point 3.45, Richmond Council refers to the <i>“HRA Handbook”</i>, a subscription only handbook written by private individuals, the guidance in which should not be relied upon by the competent authority.</p> <p>Richmond Council acknowledges in 4.62 that <i>“recreational pressure and general human presence can have a likely significant effect on a European site as a result of physical disturbance eg through erosion and trampling or disturbance to qualifying species”</i>. In 4.66, Richmond Council states that each European site will have a Zone of Influence of 7 km.</p> <p>Two paragraphs, 4.69 to 4.70, of HRA SD 004a relate to “recreation and urban impacts” in Richmond Park SAC. In point 4.69, Richmond Council states that <i>“it is recognized that recreation is an important issue that affects habitats and species found at Richmond Park and that increases in recreation from the Local Plan <u>has potential to result in increased pressure on those ecological features in the park.</u>”</i></p> <p>In 4.70, Richmond Council state that <i>“Richmond Park SAC is designated for the stag beetle, <u>which are not susceptible to recreational impacts at this location because the site is managed to ensure that the deadwood habitats which they depend upon is maintained...the majority of this species lifecycle is reliant on deadwood habitats located underground, and as such impacts are considered to be limited and unlikely to result in a reduction in the extent and availability of this habitat for this species.</u>”</i> Richmond Council then conclude that <i>“proposed site allocations will not result in a LSE, either alone or in-combination with other plans or policies, on the qualifying features of this SAC”</i>.</p> <p>The conclusion drawn in point 4.70 that the policies of the Richmond Plan are unlikely to have a significant effect on the protected species and its supporting habitat in Richmond Park ignores the acknowledgement in 4.69 that <i>“increases in recreation from the Local Plan has potential to result in increased pressure on these ecological features in the Park.”</i> The supporting habitat of stag beetle larvae in Richmond Park SAC, as can be seen from the Conservation Objectives for the SAC and the JNCC description of Richmond Park SAC, is not “deadwood habitat located underground”. The habitat is the “decaying timber of ancient trees”. The Citation for Richmond Park SAC supports the fact that it is the trees that are the primary source of habitat for the stag beetle in Richmond Park SAC². The larvae of the stag beetle in Richmond Park develop over about six years in the decaying timber of the trees in Richmond Park SAC. This may consist of stumps, parts of trunks, roots, and other parts of trees as laid out in the Conservation Objectives. Mr Colin Hawes, England's preeminent stag beetle expert, has reinforced in recent correspondence with me the reliance on the trees in Richmond Park as the habitat for the stag beetle in this Special Area of Conservation. Mr Hawes in an email reinforced that it is the decaying roots and underground part of the trunk or bole of older trees that are the essential continuing source of decaying wood for the Habitats Directive protected stag beetle, thus necessitating the long term survival of the trees that provide that decaying wood:</p> <p><i>"Stag beetle larvae live underground. What is perhaps not understood by Richmond Park is the fact that it is the subterranean decaying deadwood that is essential because it is the food that stag beetle larvae use i.e. <u>underground decaying roots as well as the decaying wood under the bole of the tree.</u> The essential decaying wood that is used by the larvae can be from any broadleaf tree including veteran trees. However, stag beetle larvae will not feed on conifer wood."</i></p> <p>The council relies in its conclusion on management by the Royal Parks to “maintain deadwood habitats” which is not an assumption that is allowed as it measures to reduce the likely effects of a plan may not be taken in to account at screening assessment as part of a Habitats Regulations Assessment. Richmond Council ignores the fact that the female stag beetle lays her larvae near or in rotting wood on the ground. Richmond Council ignores the fact that the male and female stag beetle spend the summer months in the open in the woodland and that the male stag beetle in particular stays close to where he emerges and is attracted to tarmac and paths and road surfaces that are warm in the sun and where he is vulnerable to being injured or killed. If a stag beetle larva is exposed as a result of its removal from, or by disturbance to, the decaying wood in which it is situated, the larva will die. It cannot be disputed that a higher number of people visiting Richmond Park will mean more trampling around trees and more decaying branches and limbs of trees that are partially covered in soil being taken to make dens or being disturbed by people climbing on or playing with them, killing both larvae and mature stag beetles. The more people who visit Richmond Park SAC, the more vulnerable old trees will be to damage and deterioration from people climbing in them, trampling their root areas and destroying the vital ecosystems on which the trees rely for their long- term survival.</p> <p>Richmond Council ignores an assessment of the impact of its Local Plan policies on the supporting habitats for the stag beetle. These comprise scattered veteran trees as laid out in the Joint Nature Conservation Committee (JNCC) description of the habitat feature for which Richmond Park SAC is protected for the Habitats Directive Annex II species, the stag beetle. This states: <i>“Richmond Park has a large number of <u>ancient trees with decaying timber.</u> It is at the heart of the south London centre of distribution for stag beetle <i>Lucanus cervus</i>, and is <u>a site of national importance for the conservation of the fauna of invertebrates associated with the decaying timber of ancient trees.</u>”</i></p> <p>In addition, Natural England’s Conservation Objectives for Richmond Park SAC clearly that the objectives for the site include the habitats of the stag beetle in Richmond Park:</p> <p><i>“Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</i></p> <ul style="list-style-type: none">• <i>The extent and distribution of the <u>habitats</u> of qualifying species</i>• <i>The structure and function of the <u>habitats</u> of qualifying species</i>• <i>The supporting processes on which the <u>habitats</u> of qualifying species rely</i>• <i>The populations of qualifying species, and,</i>• <i>The distribution of qualifying species within the site.”</i>

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				<p>and</p> <p><i>“These Conservation Objectives are those referred to in the Conservation of Habitats and Species Regulations 2017 as amended from time to time (the “Habitats Regulations”). <u>They must be considered when a competent authority is required to make a ‘Habitats Regulations Assessment’</u> , including an Appropriate Assessment, under the relevant parts of this legislation.”</i></p> <p>In addition, the Supplementary Advice to the Conservation Objectives highlights how the habitats on which the stag beetle relies are vulnerable to recreational pressure throughout the stag beetle’s lifecycle:</p> <p><i>“Female stag beetles lay their eggs <u>near the rotting wood and roots of broadleaved trees</u> which are in contact with the soil so that the wood remains moist and is able to rot.”</i></p> <p><i>“It is therefore <u>critically important that sources of decaying timber are left undisturbed</u> wherever possible.”</i></p> <p><i>“During their short adult lives the male stag beetles <u>will spend their days sunning themselves</u> in an attempt to gather strength for the evening's activities of flying in search of a mate.”</i></p> <p><i>“Active and ongoing conservation management <u>is needed to protect, maintain or restore</u> this feature at this site.”</i></p> <p><i>“The majority of decaying wood should be permanently moist and therefore timber is most <u>favourable when buried at or near the soil surface</u>”.</i></p> <p>“Views about Management” highlights the “wood pastures” with “Mosaics of scattered old trees” that constitute one of the two SSSI interests at Richmond Park. “Views about Management” also states:</p> <p><i>“<u>Access to the site, and any recreational activities within, may also need to be managed.</u>”</i></p> <p>In addition, “Operations likely to damage the special interest” available on the Designated Sites website, clearly states for Richmond Park OLD1002388 that the following Types of Operation which can arise as a result of recreational pressure and increased human activity around Richmond Park SAC, amongst other types of operations, are likely to damage the special interest. These are all ignored by Richmond Council:</p> <p>7. Dumping, spreading or discharge of materials 8. Burning 9. The release in to the site of any wild, ferral or domestic animal, plant or seed 10. The killing or removal of any wild animal* (*”animal” includes invertebrates), including pest control 11. The destruction, displacement, removal or cutting of any plant or plant remains, (Including tree, shrub, herb, hedge, dead or decaying wood, moss, lichen, fungus, leaf-mould, turf) 12. Tree and/ or woodland management 13a. Drainage 21. Construction, removal or destruction of roads, tracks, walls, fences, hardstands, banks, ditches or other earthworks, or the laying, maintenance or removal of pipelines ad cables, below or above ground. 22. Storage of materials 23. Erection of permanent or temporary structures, or the undertaking of engineering works, including drilling 26. Use of vehicles or craft likely to damage or disturb features of interest. 27. Recreational or other activities likely to damage features of interest.</p> <p>Further, while Natural England in “Defining Favourable Conservation Status in England EIN062” makes clear that <i>“securing appropriate management, and addressing pressures or threats...can be considered in plans and strategies for achieving favourable conservation status,”</i> such management measures cannot be considered cannot be taken in to account in the screening assessment of the effects of the policies of a Local Plan as part of a HRA screening assessment.</p> <p>The Screening Assessment conclusion in 4.70 of no likely significant effect takes into account management activities of The Royal Parks , which is not permissible at screening stage of a HRA. Richmond Council itself refers to this in paragraph 3.12 of the HRA SD 004a, quoting People Over Wind, Sweetman vs Coillte Teoranta, that <i>“<u>it is not appropriate, at the screening stage, to take account of measures intended to avoid or reduce the harmful effects of the plan or project on that site.</u>”</i></p> <p>While The Royal Parks have fenced some areas containing veteran trees off from the public (the fencing can be and often is breached by visitors), thus reducing recreational impact to some extent in such areas, the vast majority of trees and woodland in Richmond Park SAC are accessible to the public. Dead wood habitat in these locations therefore remains vulnerable to recreational impacts and many new paths are already being trodden through the woods and near to veteran trees.</p> <p>In terms of urbanization, Richmond Council has ignored the expert opinion that I sent to it on 11 March 2024, that states that:</p> <p><i>“Lucanus cervus does not purely depend on dead wood. It strongly depends on temperature and the proper mycelia inhabiting the dead wood; both are influenced by urbanization. The urban heat island can put species under additional stress and risk of extinction.”</i></p> <p>And</p>

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				<p>“Veteran trees and their associated species are to be considered micro ecosytems with hundreds of specialized insect (and other arthropods) species and fungi. Many of them will no doubt be strongly impacted by urbanization due to urban heat island, increased nitrogen deposition and other pollution, light pollution etc.”</p> <p>Further, there is clear evidence of erosion from trampling, compaction and cycling, all causing erosion as “urban edge effects” in Richmond Park SAC. This is particularly apparent from Kingston Gate to Ham Gate along the Tamsin Trail and from Kingston Gate to Isabella Plantation but also throughout the park.</p> <p>There is no evidence that Richmond Council has considered the in-combination effects of development projects and plans that have been agreed and that are coming forward in surrounding areas in the screening assessment of the effects of recreational pressure on the woodland and veteran tree interests of Richmond Park SAC that are the habitat of the stag beetle. In the Epping Forest Local Plan HRA, the Council states in 2.12 that “an in-combination assessment is of greatest relevance when the plan would otherwise be screened out because its individual contribution is inconsequential”. So, if the number of homes being built in Richmond over the 10 year period of the new Local Plan is considered to be inconsequential, it is even more important to look at development coming forward in other Local Plans in surrounding areas.</p> <p>The London Plan 2021 shows that 60,250 new homes are being built in Richmond, Merton, Wandsworth, Hounslow and Kingston between 2019/20 and 2028/29 . Assuming an average occupancy rate of 2.6 people, this means that 156,650 new residents in these boroughs alone will be living in these Boroughs by 2029, all of whom will be in easy reach of the park. If 50% of these new residents visit Richmond Park an average of just once a fortnight , this will result in an additional 2 million visits a year, an increase from assumed 2019 levels 25%.</p> <p>For example, as of 8 March 2024, the Kingston Local Plan finished its Regulation 18 stage consultation and the council had considered feedback given; therefore considerable weight should have been given to the housing and employment targets for Kingston in that plan in accordance with government guidance³,a s well as arising from the fact that the Opportunity Area targets in the new London Plan are minimum targets.</p> <p>In terms of individual projects in Kingston Town alone, Richmond Council has not taken into account the impact from recreational pressure from the following approved large-scale projects and plans in Kingston Town alone. It should be noted that a further 1181 units are being developed at Signal Park Tolworth, only 5km from Richmond Park. The number of projects approved but not completed within a 7km radius of Richmond Park SAC need to be considered in the in-combination assessment for likely significant effect from recreational pressure and urbanization effects on Richmond Park SAC and the stag beetle:</p> <table><tr><th>Kingston Town development</th><th>Number of units</th><th>Additional residents @2.6 per unit</th><th>Number of additional visits to Richmond Park SAC at 2 x per week</th></tr><tr><td>a. The Cambridge Road Estate</td><td>1400</td><td>3,640</td><td>378,560</td></tr><tr><td>b. Surrey County Council County Hall</td><td>292</td><td>759</td><td>78,957</td></tr><tr><td>c. Canbury Place Car Park</td><td>265</td><td>689</td><td>71,656</td></tr><tr><td>d. Eden Campus</td><td>115</td><td>299</td><td>31,100</td></tr><tr><td>e. Roupell House, Cumberland House, York Way and Cambridge Road</td><td>101</td><td>263</td><td>27,310</td></tr><tr><td>f. Homebase, Kingston Road</td><td>297</td><td>772</td><td>80,288</td></tr><tr><td></td><td>2,470</td><td>6,422</td><td></td></tr><tr><td>TOTAL number of additional visits from Kingston Town</td><td></td><td></td><td>667,871</td></tr><tr><td>g. Signal Park, Tolworth</td><td>1181</td><td>3070</td><td>319,342</td></tr><tr><td>TOTAL</td><td>3,651</td><td>9,492</td><td>987,213</td></tr></table> <p>The developments in a. to e. alone account for an additional 987,213 additional visits to Richmond Park SAC just from SIX developments.</p>	Kingston Town development	Number of units	Additional residents @2.6 per unit	Number of additional visits to Richmond Park SAC at 2 x per week	a. The Cambridge Road Estate	1400	3,640	378,560	b. Surrey County Council County Hall	292	759	78,957	c. Canbury Place Car Park	265	689	71,656	d. Eden Campus	115	299	31,100	e. Roupell House, Cumberland House, York Way and Cambridge Road	101	263	27,310	f. Homebase, Kingston Road	297	772	80,288		2,470	6,422		TOTAL number of additional visits from Kingston Town			667,871	g. Signal Park, Tolworth	1181	3070	319,342	TOTAL	3,651	9,492	987,213
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				<p>“A Vision for Kingston Town Centre”, approved by Kingston Council in June 2023 includes the development of Kingston in to “London’s leading Metropolitan Town Centre:</p>  <p>There is photographic evidence that woodland in Richmond Park is experiencing trampling, erosion, destruction of trees, deterioration and isolation of trees, disturbance of fallen wood and removal of branches to make dens and for other recreational purposes. Significant increases in recreational pressure from increasing visitors - from plans and projects coming forward in combination with The Richmond Local Park - to Richmond Park will over time cause greater disruption and disturbance and destruction to vital elements of the ancient tree habitat on which the stag beetle relies for its long term survival in the absence of significant and planned mitigation measures which must not be taken in to account at screening assessment stage.</p> <p>While Natural England has recently raised the Conservation Status of the woodland SSSI units in Richmond Park to “favourable”, this change was based on an explicitly limited survey and comments on each SSSI unit are identical and generic, indicating that very little real inspection of the condition of individual trees and the diverse woodland habitats across the SAC took place. Notes from a Natural England dated 3 October 2023 also do not deny that visible effects of recreational pressure already exist in the park. Photo evidence I have collected shows the effects of recreational pressure to be greater and more widespread than indicated by Natural England. Similarly, the number of dogs in Richmond Park has soared in recent years. However, no account has been taken of the effects of dog walking and eutrophication from dog urine on the protected habitat for the stag beetle.</p> <p>Natural England site condition visit notes:</p> <ul style="list-style-type: none">• <i>“Evidence of ground damage due to excessive trampling is very localized”</i> <p>i.e. ground damage from excessive trampling already exists now</p> <ul style="list-style-type: none">• Some limited evidence of <i>“desire lines” being created through”</i> <p>i.e. new paths are already being made by visitors</p> <ul style="list-style-type: none">• <i>“No real evidence seen of significant damage to trees by deer, vandalism, ground compaction in root zone (except in vicinity to car parks)”</i> <p>i.e. there is evidence but it is not real or significant apart from in vicinity to car parks where there is real evidence of significant damage by the listed things</p> <ul style="list-style-type: none">• <i>“ Pending review of the data, there is nothing to indicate that the saproxylic invertebrate assemblages should not be assessed as being in favourable condition, but do just need to consider whether there is sufficient consideration of long and very long term provision of veteran tree features across the site, and also sufficient connectivity of the supporting habitat across the site.”</i> <p>i.e. there is no positive evidence that the assemblages should be assessed as being in favourable condition and review of the data has not yet occurred, and there is a need for consideration of the “long and very long term provision of veteran tree features ... and sufficient connectivity of the supporting habitat across the site”.</p> <p>Leaving decaying wood in situ does not remove possible recreational impacts on the stag beetle. When the male and female stag beetle emerge from their larval stage, in spring and summer months, they travel in order to find a mate. The female travels from 1 metre to 241 metres from where she emerged and the male travels from 144 metres to 250 metres from the place from where it emerged . No management actions can mitigate for the risk to stag beetles from recreational pressure given the random places to which stag beetles will travel to find a mate.</p> <p>There is evidence that adult stag beetles are attracted to the warm surfaces of roads and paths where they can be trampled, run over, killed, gathered or predated .</p> <p>An arbitrary “Zone of Influence” for all sites, including Richmond Park SAC, has been set at 7km. This is claimed to be a “precautionary approach” but Richmond Council has not considered the in-combination recreational pressure that will be created by developments that <i>have already been approved</i> within 7km of the perimeter of Richmond Park in Kingston, Merton, Wandsworth, Hounslow as well as in Richmond, let alone arising from the plans themselves. Moreover, Richmond Council has referred to a privately written “HRA Handbook” as authority rather than relying on government guidance that gives different advice.</p>


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				<p>In addition, evidence exists that visitors come to Richmond Park from much further afield than 7km, a fact that undermines assumptions made by Wandsworth Council in its screening assessment of Richmond Park SAC, which it anyway erroneously describes. According to the Royal Parks Movement Strategy Consultation for Richmond Park in 2021, of 10,765 people who responded to the consultation, 42% of people came from local post codes, with 48% of all responses (5,135 responses) from “other locations in the UK (the majority from within Greater London)”. <i>31% of people who came to the park came by car</i> and 82% of all visitors visited the park at least fortnightly.</p> <p>The Friends of Richmond Park stated in 2015 that there were already 5.4 million annual visitors to the park in 2015, up from 2.5 million in the mid-1990s and 4 million in 2008.</p> <p>In the Richmond Park Management Plan 2019 – 2029, The Royal Parks state that “visitors to the park have increased twofold in the past 10 years and 4 fold in the past 25 years” and that “visitor numbers are continuing to rise”. Extrapolating from visitor data provided by The Friends of Richmond Park for 2008, this would make visitor numbers in 2019 over 8 million people. Up to 1000 people responded to the consultation from Lambeth which is 10 miles from Kingston Gate of Richmond Park SAC, and that many other people responded from each of a large number of locations much further afield in London.</p> <p>The in-combination assessment that appears to have taken place only for Wimbledon Common SAC as part of the screening of that site is flawed, contains inconsistencies and is not evidence-based.</p> <p>There is inconsistency in the screening of Richmond Park SAC and Wimbledon Common SAC that biases screening out Richmond Park SAC on the basis of recreational pressure and which exposes the lack of evidence used to screen out Richmond Park SAC from needing appropriate assessment. In 4.71, Richmond Council states of Wimbledon Common SAC that <i>“It is still considered that the site will draw in recreational visitors given its size, quality features of interest and the majority of proposed allocations within the 7km Zone of Influence”</i>. But all the development sites in the Richmond Local Plan are nearer to Richmond Park than to Wimbledon Common SAC. In screening Richmond Park SAC, Richmond Council ignores the fact that large numbers of visitors are attracted to much larger Richmond Park SAC with its scattered veteran trees and woodlands and which covers nearly 2500 acres in size compared to the 1140 acres that comprise Wimbledon and Putney Commons. Richmond Park is a Royal Park that has many “features of interest” that attract visitors, ranging from several ancient woodlands, acid grasslands, Pembroke Lodge for teas and food, weddings and other events, famous views from Pembroke Lodge Terrace and from King Henry’s Mound, to Holly Lodge for school trips and other education events, to The Royal Ballet School, to the renowned Isabella Plantation and Pen Ponds, to the park’s famous deer (which now appear on the signs welcoming people to Richmond Park), to two circuits around the park used by thousands of cyclists every week.</p> <p>Wimbledon Common has only one free car park at The Windmill, which is halfway down Parkside a long way from any densely inhabited area. Richmond Park has car parks at Roehampton Gate, Kingston Gate, near Richmond Gate at Pembroke Lodge, at The Pen Ponds and at Sheen Gate, allowing many more visitors to come to Richmond Park by car. Wimbledon Common has only one café and one set of toilets, at the Windmill. Richmond Park has seven cafes: at Roehampton Gate, Pembroke Lodge – two, one outside and a restaurant inside – Ham Gate, Kingston Gate, Isabella Plantation and Pen Ponds and toilets at Kingston Gate, Roehampton Gate, Isabella Plantation, Pembroke Lodge and Ham Gate.</p> <p>Paragraph 4.76 explicitly states that the screening in of Wimbledon Common SAC for possible significant effects of recreational pressure includes the consideration of in combination effects. No such consideration has been made for Richmond Park SAC.</p> <p>B. Screening out of Pollution from the new Richmond Local Plan as having a likely significant effect on the habitats of the stag beetle in Richmond Park SAC</p> <p>In reaching its conclusion of no likely significant effect from its Local Plan in terms of air quality either alone or in combination with other plans and projects, Richmond Council is mistaken:</p> <p>i. Not to have acknowledged or to have analysed in a coherent manner the sensitivity to nitrogen deposition of the supporting habitat – woodland and individual ancient trees - for the stag beetle in Richmond Park SAC.</p> <p>While Richmond Council states that qualifying features of the site <i>“may be indirectly affected by changes to the supporting habitat”</i> (4.44 of the HRA of the Richmond Local Plan), the council claims in 4.55 that the stag beetle relies on <i>“deadwood habitats”</i> that are <i>“not considered susceptible to impacts from air pollution”</i>. This is contradicted on APIS - Species – Pollutant Results, Nutrient Nitrogen, Habitat Sensitivity where it is clearly stated that the broadleaved, yew and mixed woodland habitat on which the stag beetle relies for the decaying timber in which its larvae develop IS sensitive to nitrogen. In addition, APIS makes clear the deleterious effect of nitrogen pollution on soil processes and of nutrient imbalances on its website under “indicators of N enrichment” and “Critical Load/Level”. This level is exceeded in Richmond Park SAC.</p> <p>It should be noted that, although Natural England has recently changed the status of the woodland SSSI units in Richmond Park to “Favourable”, this has been done without proper observation and analysis. The comments are generic, identical and do not allow a meaningful understanding of the condition of the woodland habitat needed to support the stag beetle in each unit. This contrasts with the unit comments for Epping Forest’s woodlands where specific observations have been made of each unit and separate comment given.</p> <p>The statement in point 4.56 of the HRA that <i>“the ability of Richmond Park SAC to meet its Conservation Objectives for stag beetle is unrelated to nitrogen deposition rates”</i> and that <i>“partially buried deadwood” “will not be affected by changes in nitrogen deposition”</i> is clearly not based on evidence and the assertion that “This is based on the APIS website which clarifies that no negative effect on stag beetle is expected despite the sensitivity of its broad habitat” provides no reasonable explanation for why this might be the case.</p> <p>APIS states that the stag beetle is not itself sensitive to nitrogen impacts on the broad habitat. However, the reason that is given is tautological and does not explain why harm to the stag beetle’s habitat will not harm the stag beetle: it states simply that there is <i>“no expected negative impact on species due to impacts on the species’ broad habitat”</i>. Why not? No explanation is given. While the stag beetle and its larvae may not themselves be sensitive to pollution, nitrogen deposition on the veteran (including ancient) trees and the habitat supporting those trees that comprise the stag beetle’s habitat in Richmond Park risks threatening the long-term existence of the ancient woodland habitat on which the stag beetle relies in the long term for its own survival. In addition, international etymologist, Arno Thomaes has stated that <i>“The quality of dead wood is vulnerable to air pollution (higher nitrogen content has been found in wood under higher nitrogen deposition which in turn strongly influences the fungi and mosses community living in/ on the logs)”</i> and <i>“Nitrogen deposition can favour more competitive fungi outrunning the needed fungi for Lucanus Cervus.”</i></p>

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				<p>According to the JNCC, it is the “<i>decaying timber of ancient trees</i>” on which the stag beetle relies for its long-term survival in Richmond Park SAC and not simply dead wood.</p> <p>Moreover, the Natural England Advice states in 4.5 that “<i>When determining whether air pollution from a plan or project has a likely significant effect upon a given qualifying feature under the Habitats Regulations, the extent to which there are risks of air pollution that might undermine the Conservation Objectives of the site is central.</i>” The Conservation Objectives for Richmond Park SAC - which are made up of Conservation Objectives and Supplementary Advice - make clear that maintaining or restoring the supporting woodland habitat for the stag beetle at favourable conservation status is critical to the integrity of the site in terms of:</p> <ul style="list-style-type: none">• “The extent and distribution of the habitats of qualifying species• The structure and function of the habitats of qualifying species• The supporting processes on which the habitats of qualifying species rely”. <p>The Supplementary Advice clarifies the composition of this habitat. The habitat is titled “<i>decaying wood habitat</i>” the target for which, in terms of structure and function, is the maintenance of “<i>an abundance and constant supply of ancient trees, standing dead trees, fallen trees, stumps and roots in a state of decay</i>”. Under “Woodland Habitat”, the Supplementary Advice states that the target is: “<i>Maintain a well-structured broadleaved woodland habitat, with sheltered, sunlit glades and rides containing stumps and other suitable decaying wood</i>”. Further, under Supporting Processes, Natural Processes, the Supplementary Advice states that the target is “<i>continuity of timber decay and nutrient recycling processes, in particular the continued provision of plentiful stumps and roots.</i>”</p> <p>Mr Arno Thomaes, a European entymologist has conducted research that provides evidence that dead wood is sensitive to pollution. Mr Thomaes has written in correspondence that:</p> <p><i>“Special Areas of Conservation are designated for habitats and/or species, never for dead wood. The quality of dead wood is vulnerable to air pollution (we found for example higher Nitrogen content in wood under higher nitrogen deposition which in turn strongly influence the fungi and mosses community living in/on the logs) and recreational pressure (the conflict between public safety and maintenance of veteran trees for example). Secondly, Lucanus Cervus does not purely depend on dead wood. It strongly depends on temperature and the proper mycelia inhabiting the dead wood: both are influenced by urbanisation. The urban heat island can put species under additional stress and risk of extinction, N deposition can favour more competitive fungi outrunning the needed fungi for Lucanus Cervus. Furthermore, veteran trees and their associated species are to be considered as micro ecosystems with hundreds of specialised insect (and other arthropods) species and fungi. Many of them will no doubt be strongly impacted by urbanisation due to urban heat island, increased nitrogen deposition and other pollution, light pollution etcetera.”</i></p> <p>Further, The Royal Parks, in their Richmond Park Management Plan 2019 to 2029, state that “<i>The stag beetle...is the largest terrestrial beetle, Richmond Park...is at the heart of the South London centre of distribution for the stag beetle. Larvae develop in decaying tree stumps and fallen timber of broadleaved trees in contact with the ground, especially of oak among other species, and the presence and continuity of this resource in Richmond Park is essential to the conservation of this species</i>”.</p> <p>Lastly, The Woodland Trust states in Woodwise – Life in Deadwood Autumn 2019 that: “<i>Decaying wood, whether on the ground or in a tree, is dynamic and transient. For a saproxylic species, availability of decaying wood habitat in the right place at the right time is vital. To conserve the diversity of life in deadwood we must ensure the nextgeneration of veteran trees is already growing and cared for. Unfortunately, new tree planting will do little in the short-term to benefit saproxylic organisms. Such young trees will not provide those veteran features for many years and so there’s urgent need to bridge the gap between decaying wood habitats of the present and those of the future. Above all though, we must value our current veteran trees and prevent their loss wherever possible.</i>”</p> <p>ii. Not to have considered the actual levels of nitrogen deposition in Richmond Park and huge exceedances that already exist – which give a broad idea of nitrogen deposition levels across the park despite the latest measurements being taken during COVID. Where I previously noted a 2018-2020 pre-Covid measurement, it was significantly higher as can be seen in the table below.to have accepted an arbitrary requirement for an increase in average annual daily traffic figures from a plan, alone and in combination with other plans, of 1000 vehicles on any road, or 200 HGVs, for an air quality appropriate assessment to be needed, even when a site, as is the case with Richmond Park SAC, already has a significant exceedance of nitrogen deposition. The range for the woodland habitat is listed as 10 to 15 kg N/ha/year. APIS states clearly that the lower level of 10 kg N/ha/year must be used in any screening assessment of nitrogen deposition in a protected site.</p> <div><p>Air Pollution Information System</p><p>Home Species Pollutant Results Nutrient Nitrogen Habitat Sensitivity Species Sensitivity Acid Deposition Species Sensitivity</p><p>Species- Pollutant Results</p><p>Species Code: 41002</p><p>Species Name: Stag beetle</p><p>Species Habitat: Broadleaved woodland</p><p>Nutrient Nitrogen</p><p>Habitat Sensitivity</p><p>Is the species' broad habitat sensitive to nitrogen? No</p><p>Report nitrogen critical loads and other assessment results in table</p><p>Report critical loads: No, 10 kg/ha</p><p>Sensitivity in this habitat? No</p><p>Report sensitivity data: No</p><p>Report nitrogen impacts: No, no significant impact on habitat</p><p>Species Sensitivity</p><p>Is the stag beetle sensitive due to nitrogen impacts on broad habitat? No</p><p>Report nitrogen impact data in table and in figure in the species' broad habitat</p><p>Acid Deposition</p><p>Habitat Sensitivity</p><p>Is the species' broad habitat sensitive to acidity? No</p><p>Report acidity impact data in table and in figure in the species' broad habitat</p><p>Species Sensitivity</p><p>Is the stag beetle sensitive due to acidity impacts on broad habitat? No</p><p>Report acidity impact data in table and in figure in the species' broad habitat</p></div>

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				<div><p>Modifying factors for empirical critical loads of nitrogen</p><p>Empirical critical loads for nitrogen are provided as a range for each habitat e.g. 5-10 kg N ha⁻¹ yr⁻¹. Modifying factors have sometimes been used to determine what critical load value should be applied with the range based on the sensitivity and specific location of features - for example bogs in areas with high precipitation have been considered less sensitive. However, UK evidence included in the 2022 review of critical loads for nitrogen (Bobbink et al., 2022; Rowe & Hina, 2023) showed ecosystem impacts at low deposition rates – generally at the lowest point of the given critical load ranges. The UK Conservation Agencies and Regulators therefore require the minimum value of the critical load range for the most sensitive habitat type present on the site to be used during the screening / Likely Significant Effect stages of air quality assessments. This enables assessment of exceedance of a threshold that reflects sensitive examples of the habitat. If exceedances of any thresholds are indicated during the detailed modelling stage, modifying factors can be considered based on the evidence provided in Bobbink et al. 2022 and Rowe & Hina, 2023 reports or other evidence sources for review by the relevant regulator during detailed assessment stages / Appropriate Assessment.</p><p>Roland Bobbink, Christin Loran, Hilde Tomassen. 2022. Review and revision of empirical critical loads of nitrogen for Europe</p><p>Rowe EC, Sawicka K, Hina NS, Carnell E, Martin Hernandez C, Viero M, Tomlinson S, & Jones L(2023) Air Pollution Trends Report 2023: Critical load and critical level exceedances in the UK. Report to Defra under Contract AQ0849, UKCEH project 07617.</p></div> <p>iii. Not to have conducted a baseline assessment of nitrogen deposition levels in Richmond Park, for example by seeking APIS information about past and current levels of nitrogen deposition in Richmond Park, including seeking information on nitrogen deposition levels where trees exist in proximity to Queen’s Road along its 2.2 mile length as it runs both ways through Richmond Park SAC from Kingston Gate to Richmond Gate.</p> <p>iv. To have relied on Natural England’s internal advice for Competent Authorities on Road Traffic and Habitats Regulations Assessments, published in June 2018 (“the Natural England Advice”) and to have ignored the fact that the Natural England guidance is simply guidance and not rules .</p> <p>v. To have relied on arbitrary and not relevant or evidence-based assertions in the Natural England Advice paragraphs 4.24 and 4.25 which in turn rely on “non-statutory or guideline threshold” used in the Design Manual for Roads and Bridges about the assumed level of increase in traffic that will harm a protected habitat in terms of emissions. The statement that new emissions must be more than 1% of the critical load is ambiguous and does not reflect the statement on APIS that in conducting screening assessment the lower band of the critical load must be used. In the case of broadleaved mixed woodland in Richmond Park SAC, the lower band for nitrogen deposition is 10kg of nitrogen per hectare per year, so an increase of 1% in this level would be an increase in 0.1kg of nitrogen per hectare per year.</p> <p>vi. Not to have included traffic levels on Park Road, King’s Road and New Road, KT2, that run within 200 metres of Richmond Park . King’s Road is often congested with traffic accessing Richmond Park and travelling to Kingston Hospital and the A3. Park Road is used as a Kingston by-pass for traffic travelling from the A3 to Richmond, and not have regard to traffic data that was collected by Kingston Council on Park Road in 2022 and which was updated in 2024.</p> <p>vii. Only to have considered “air pollution from changes in traffic volumes on roads close to sensitive habitats” (Point 3.30), ignoring Queen’s Road that is open in daytime hours through Richmond Park. Queen’s Road runs for 2.2 miles through Richmond Park. Queen’s Road is a road used as a major daytime relief road for the congested A307 both ways from Kingston to Richmond.</p> <p>viii. Not to have corrected the erroneous statement in point 4.53, that, following consultation with Natural England, it has also considered the B351, Queen’s Road, of which it states 1.01% lies within 200 metres of Richmond Park. This is not the case. Queen’s Road is a through road for cars which runs for 2.2 miles from Kingston Gate to Richmond Gate and is surrounded by veteran trees and ancient woodland.</p> <p>ix. To have relied on the statement in 4.38 that “only those roads forming part of the primary road network...might be likely to experience any significant increases in vehicle traffic as a result of development (such as greater than 1000 AADT etc)” and “as such, where a site is within 200 me of only minor roads no significant effect from traffic-related air pollution is considered to be the likely</p>																																															

MM Rep No.	Respondent name	Representor ID (from Index of all respondents to the Publication Plan consultation)	MM(s) commenting on	Comment
				<p>outcome.” These are arbitrary and non-evidence based assertions. One of two main routes between Kingston and Richmond in daylight hours is Queen’s Road through Richmond Park. This road takes as much car traffic and sometimes more than the A307 Petersham Road. The individual situation that exists for Richmond Park SAC has been ignored.</p> <p>x. Not to have calculated the total percentage of Richmond Park’s woodland habitat that is exposed to emissions or drawn a conclusion about the significance of the habitats within 200 metres of a road which are affected by nitrogen deposition. Even by its own calculations, 35 hectares of deciduous woodland is within 200m of a road passing near Richmond Park SAC, a figure that is ignored by Richmond Council. This does not include many individual veteran trees and small clumps of veteran trees. It is also before taking in to account the trees and woodland habitat surrounding the B351 Queen’s Road as it runs for 2.2 miles through Richmond Park, and emissions from traffic on King’s Road and Park Road where these roads pass within 200 metres of woodland areas in Richmond Park SAC.</p> <p>xi. Not to have considered the habitat in Richmond Park for the stag beetle to be the ancient trees and the woodlands in the park that are the source of “decaying timber”, and not merely “dead wood”. The Citation for Richmond Park SAC description of the protected habitat in Richmond Park SAC includes noting the “ancient trees found throughout the parkland” and states that “broadleaved woodlands ...add to the diversity of habitats present and ancient trees are present throughout”. It further states that “the ancient parkland and its associated trees supports a nationally significant assemblage of invertebrates. It is one of the prime sites in Britain for beetles associated with dead and decaying wood...Many of these beetles are indicative of ancient forest areas where there has been a long continuous presence of overmature timber.” This supports the JNCC designation of Richmond Park SAC for the stag beetle in which it describes the supporting habitat as the “decaying timber of ancient trees”.</p> <p>xii. Not to have considered international stag beetle expert opinion sent to Richmond Council by me on 11 March 2024 and 25 July 2024, which includes amongst other statements that “the quality of dead wood is vulnerable to air pollution (higher nitrogen context has been found in wood under higher nitrogen deposition which in turn strongly influences the fungi and mosses community living in/on logs”), and “Nitrogen deposition can favour more competitive fungi outrunning the needed fungi for Lucanus Cervus”.</p> <p>xiii. Not to have corrected the statements in points 4.54 and 4.61 of the HRA in which Richmond Council states that, in 4.54, that “the habitats within 200m of the strategic roads were comprised solely of lowland acidic grassland”, and – in 4.61 - that “despite recent traffic data having not been attained, it is considered that increased traffic flow along these routes would not significantly impact the qualifying or support features of which the Special Area of Conservation is designated for, as the habitats situated within 200m of the road are not suitable for stag beetle”. There is no justification for this statement.</p> <p>xiv. Not to have screened out the possibility of any likely significant effect from pollution arising from the policies of its new Local Plan without forecasting likely traffic increases arising from its new Local Plan in combination with other plans and projects coming forward. The Natural England Advice states in 4.44 that in-combination effects from “any proposed plans or projects that are reasonably foreseeable” must be taken in to account at the screening stage. Richmond Council has stated in 4.66, that there is a 7km Zone of Influence in its Local Plan. In combination effects must therefore consider the likely impact on air quality from developments coming forward in Hounslow, Merton, Kingston, Wandsworth and any borough within the 7km zone.</p> <p>xv. to have relied on UCL Datashine Commute Data for commuting patterns to inform traffic forecasts (Reference 28 to Point 4.40). However, this data relates to a project that ran from 2013 to 2015 and the data from which is out of date.</p> <p>xvi. To have ignored housing figures in The London Plan 2021 which show that between 2019 and 2029, a total of 60,250 new homes are forecast to be built in Hounslow, Kingston, Merton, Richmond and Wandsworth alone, with capacity for 54,000 new jobs in the same boroughs, excluding Merton. Many of these homes will be within 7km of Richmond Park SAC.</p> <p>xvii. to have relied on the assessments that screened Richmond Park SAC out from any likely significant effect in existing and forthcoming Local Plans for local authorities in surrounding areas, such as Wandsworth and Hounslow. This is because the basis of the conclusions of the screening assessments is inconsistent, irrational, not based on evidence, is not precautionary and does not bear scrutiny.</p> <p>xviii. Not to have included likely vehicular movements coming forward from the draft Kingston Local Plan for which Kingston Council had completed its Regulation 18 consultation in February 2023, before the Regulation 19 Richmond Local Plan was being consulted upon (between 9 June to 24 July 2023). Furthermore, Kingston Council’s new Local Development Scheme, agreed in February 2025, states that “A new local plan is needed to conform with the requirements of... the adopted London Plan at the time of its Submission... and the need to plan for the London Plan’s housing target for Kingston”. This leaves no doubt as to the minimum numbers of new housing units and increase in the number of residents, as well as other development targets, for example, for employment, leisure, night time and education uses, that will be seen in Kingston as laid out in the London Plan. The London Plan is a statutory planning document for Kingston and the housing and employment targets in it must be translated into the Kingston Local Plan. Further, projects already approved or seeking planning permission in Kingston are already bringing 6,422 new residents in to the Borough in the next few years.</p> <p>xix. To have screened out any likely effects from emissions from traffic movements generated by the Richmond Local Plan alone and in-combination with other plans and projects without giving the assumptions used when arriving at the modelling figures laid out in Appendix E. This undermines conclusions reached as a result of the figures given.</p> <p><i>Footnotes:</i></p> <p>1. 4110 homes at an average occupancy of 2.60 people gives 10,686 new residents.</p> <p>2. “The ancient parkland and its associated trees supports a nationally significant assemblage of invertebrates” and “indicative of ancient forest areas where there has been a long continuous presence of overmature timber.”</p> <p>3. https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site#screening</p>
Vision and Strategic Objectives, Spatial Strategy, Place-Based Strategies and Site Allocations				
Vision and Strategic Objectives				

MM Rep No.	Respondent name	Representor ID (from Index of all respondents to the Publication Plan consultation)	MM(s) commenting on	Comment
9	George Goodby, Environment Agency	31	MM3	MM3- 3.3 Strategic Objectives, 6. Increasing biodiversity and the quality of our green and blue spaces, and greening the borough We are pleased to note that this section has been updated to reference to natural flood management, in line with the proposed modifications made at the statement of common ground stage.
10	Piotr Behnke, Natural England	94	MM3	Main Modifications Having reviewed the schedule of proposed Main Modifications to the Richmond upon Thames Local Plan, Natural England confirm that we have no further specific comments to make regarding any of the modifications proposed or their content. Our comments above represent our engagement with your authority through the local plan process, leading to a position of agreement with the submitted Plan. We would however wish to point out that within MM3 the term “Nature Flood Management” should in fact be “Natural Flood Management”.
Site Allocation 2 Platts Eyot, Hampton				
-	Valerie Scott on behalf of Henry Harrison	n/a	MM8	[See MM Rep No. 26 from paragraph 118].
Site Allocation 4 Car Park for Sainsburys, Hampton				
11	Hamish Dean (WSP) on behalf of Sainsbury's Supermarkets Ltd	118	MM9	Draft Site Allocation 4 - Car Park for Sainsbury's St Clare's, Uxbridge Road, Hampton <u>Main Modification 9:</u> SSL acknowledge the reference to London Plan parking standards, and support the recognition that the reprovision of parking spaces for the existing supermarket is necessary. [See also Comment No. 2 in the Schedule of comments received not relating to the proposed Main Modifications] – in relation to Site Allocation 4 and MOL and affordable housing].
12	Hamish Dean (WSP) on behalf of Sainsbury's Supermarkets Ltd	118	MM10 [see also MM66]	<u>Main Modification 10:</u> SSL supports the proposed change from a 20% to 10% Biodiversity Net Gain (BNG) requirement within Policy 39: BNG and the site allocation wording. This aligns with the Environment Act as suggested in our Regulation 19 stage representations (attached for ease of reference) [See Rep Nos. 81, 129 and 266 in Appendix 4I to the Statement of Consultation: Schedule of responses received to the Publication Draft Local Plan (Regulation 19) (SD-011), or in full on the Council's website] SSL are also pleased to see the alignment of Policy 39: BNG requirements with the national requirements under Main Modification 66, amending the minimum requirement to 10%.
Site Allocation 21 Kneller Hall, Whitton				
13	Vicky Aston, Sport England	125	MM16, MM17, MM18 - <i>in relation to Site Allocation 21 Kneller Hall, Whitton</i>	Kneller Hall - MM16, MM17 & MM18 - Sport England objects to the amendments to the policy as a much wider review of the site allocation is required. Sport England wishes to raise concern with the Planning Inspector that the whole of this site is designated as a SINC (see comments on Annex 2.1). The Policy states that the existing playing fields will be retained and where possible upgraded, however, this does not reflect the current proposals for the site (see current planning application) which the applicant put forward following detailed pre-application discussions. This is for a single artificial pitch with sports lighting surrounded by ‘acid grassland’, as we understand this approach has been recommended to the applicant by the Local Planning Authority the Local Plan should be similarly adjusted to reflect that the artificial pitch with sports lighting is what will be delivered to provide certainty to the applicant. As it is currently worded, the policy text does not appear to support this. Sport England remains of the view that the Playing Pitch Strategy should also carry weight in the Council’s consideration of the amendments to this site allocation. The Playing Pitch Strategy demonstrates that there is a need for more playing field in LB Richmond and that facilitating community use of the playing fields at Kneller Hall was expected to meet this need, providing pitches for football (adult and youth pitches), rugby and a non-turf pitch for cricket. Sport England did not pick up through our previous review of the Preferred Options document (July 2023) that the Council had added/redesignated numerous playing field sites to Appendix 4 as new SINC. In retrospect, Sport England should have made representations particularly with regard to Kneller Hall playing fields and Udney Park playing fields but this is not surprising as these changes were contained in an appendix at the end of the Local Plan so were easy to miss. If we had picked this up we would have raised questions about whether the whole of the existing playing field at Kneller Hall could meet the designation criteria for a local wildlife site (SINC), see comments on Annex 2.1 below. [See also MM Rep No. 119].
Site Allocation 30 Sainsburys, Lower Richmond Road, Richmond				
14	Hamish Dean (WSP) on behalf of Sainsbury's Supermarkets Ltd	118	[MM26 relates to Site Allocation 30 Sainsburys, Lower Richmond Road]	Draft Site Allocation 30 - Sainsburys, Lower Richmond Road, Richmond <u>Main Modification 25:</u> SSL acknowledge the alignment of the site’s PTAL rating with application 19/05/FUL, and do not have a particular objection to the amendment of the PTAL score to 4 (good), other than to note that the site does benefit significant public transport links, including several bus stops that are located on site including the Manor Road/Sainsburys stop and Richmond/Manor Road stop. In addition, the site is a 4-minute walk from North Sheen Railway Station. More importantly, it is noted that the proposed Main Modifications do not include reference to ensuring provision of adequate servicing areas and operational land to ensure that future commercial uses on site can operate efficiently without impediment. SSL continue to reiterate that it is vitally important that the allocation wording is updated to include a requirement to provide adequate servicing areas. Summary

MM Rep No.	Respondent name	Representor ID (from Index of all respondents to the Publication Plan consultation)	MM(s) commenting on	Comment				
				In summary, if SSL cannot satisfactorily and feasibly trade their stores, the sites will simply not be brought forward for development. With regards to proposed Allocation 30, SSL continue to reiterate the importance of including text requiring adequate servicing areas within the allocation wording, which has not been proposed as a modification at this stage.				
15	Joly Cox, Transport for London	148	[MM26]	[See Appendix 4 to view these representations in a clearer format].				
				Section	Track change/comment – Reg.18	Updated track change/comment – Reg. 19	Statement of common ground conclusion	Updated TfL response
				Site Allocation 30: Sainsbury's Lower Richmond Road, Richmond	The site is adjacent to the Transport for London Road Network (TLRN). Early engagement should take place with TfL to assess potential impacts on the TLRN.	The first point of the vision now states that 'Any redevelopment proposal will be required to retain and/or re-provide the existing retail floorspace; associated car parking provision is expected to be re-provided in line with London Plan standards.' Although we welcome the reference to London Plan standards, the London Plan requires retail development in PTAL 5 to be car free and so an expectation that associated car parking should be re-provided is inappropriate., particularly in light of London Plan Policy T6 which states that 'Where sites are redeveloped, parking provision should reflect the current approach and not be reprovided at previous levels where this exceeds the standards set out in this policy.' The London Plan standard of car free development should be made clearer in the wording. We welcome the reference to engagement with TfL to ensure development does not lead to unacceptable impacts on the local road network.	On-going in relation to reference to parking provision in Site Allocation 30, and this is expected to be discussed with other respondents. TfL preference is to remove the word re-provided in connection with car parking because this is misleading so that it reads '...associated car parking provision is expected to be in line with London Plan standards' This would be consistent with the representation on behalf of Sainsburys.	London Plan policy 10.6.4 states that ' <i>When calculating general parking provision within the relevant standards, the starting point for discussions should be the highest existing or planned PTAL at the site, although consideration should be given to local circumstances and the quality of public transport provision, as well as conditions for walking and cycling.</i> '. As shown in the map below, this site includes a PTAL 5 grid with coordinates Easting: 519071, Northing: 175650. In the context of Car Parking this site should therefore be treated as PTAL 5.  The London Plan required retail development in PTAL 5 to be car free and so an expectation that associated car parking should be reprovided is inappropriate. The word 're-provided' should be removed as this could be misleading. Instead it should read '...associated car parking provision is expected to be in line with London Plan standards'.
Site Allocation 31 Kew Retail Park, Kew								
16	Nick Alston (Avison Young) on behalf of St George Plc	126	MM27 and MM28	Consultation on Proposed Main Modifications to the Local Plan We write on behalf of St George Plc to provide representations to the proposed Main Modifications to the draft London Borough of Richmond upon Thames Local Plan. <u>Site Allocation 31 – Kew Retail Park</u>				

MM Rep No.	Respondent name	Representor ID (from Index of all respondents to the Publication Plan consultation)	MM(s) commenting on	Comment				
				We support MM27 and MM28.				
17	Joly Cox, Transport for London	148	[MM27]	<u>[See Appendix 4 to view these representations in a clearer format].</u>				
				Section	Track change/comment – Reg.18	Updated track change/comment – Reg. 19	Statement of common ground conclusion	Updated TfL response
				Site Allocation 31: Kew Retail Park, Bessant Drive, Kew	The site is adjacent to the Transport for London Road Network (TLRN). We therefore welcome the statement that ‘The applicant is strongly advised to seek preapplication transport and highway safety advice from Borough and TfL Officers before writing their transport assessment.’	The PTAL for a large part of the site is 2 including the main access points and frontage, so we would expect this to be used as the baseline rather than the stated PTAL of 0 which is influenced by the lack of access to the rear of the site. We welcome confirmation that ‘Car parking provision is expected to be in line with London Plan standards’	On-going Although TfL welcomes the more accurate PTAL score of 0-2 the subjective wording ‘worst to poor’ should be removed from the modification.	TfL still maintains that subjective wording ‘worst to poor’ should be removed from the modification.
Site Allocation 34 Richmond Athletic Association Ground, Old Deer Park								
18	Vicky Aston, Sport England	125	MM29	MM29 – The alterations proposed to the text are not all correct (e.g. there are not 7 senior pitches) and the need to improve the changing facility is highlighted in the PPS. It is suggested that the paragraph is amended to read as follows; The evidence set out in the Council’s Playing Pitch and Outdoor Sports Strategy (2023) confirms that the sports ground needs to be retained; however, the pitches are overplayed. The PPS recommends that this is addressed through pitch quality improvements and additional lighting or access to an artificial pitch to accommodate training demand. Improvements to the ancillary provision at the site are also required. The recent Action Plan updates have not identified any significant change to the situation.				
Theme: Responding to the climate emergency and taking action								
Policy 3 Tackling the Climate Emergency (Strategic Policy)								
19	George Goodby, Environment Agency	31	MM32, MM34, MM47	MM32 -Policy 3 Tackling the Climate Emergency (Strategic Policy), Part D MM34 -Policy 6 Sustainable Construction Standards, Part A 4. MM47- Policy 9 Water Resources and Infrastructure (Strategic Policy), Paragraph 16.92 We are pleased to note references added to improve water efficiency in these modifications (MM32,34 & 47). The London Borough of Richmond upon Thames has been classified as an area of serious water stress and that there is limited water resource availability, along with demand and supply issues as set out in Water Companies Water Resource Management Plans (WRMP’s).				
Policy 6 Sustainable Construction Standards								
-	George Goodby, Environment Agency	31	MM34	<u>[See MM Rep No. 19].</u>				
Policy 8 Flood Risk and Sustainable Drainage (Strategic Policy)								
20	George Goodby, Environment Agency	31	MM35	MM35 - Policy 8 Flood Risk and Sustainable Drainage (Strategic Policy), Part A We note that modifications made to this policy are in line with those agreed as part of our statement of common ground (dated 31 January 2025). Further clarity has been added with respect to requirements for flooding from fluvial and tidal sources, which fall within the Environment Agency’s remit, and other sources which are the responsibility of the Lead Local Flood Authority (LLFA).				
21	George Goodby, Environment Agency	31	MM37	MM37 - Policy 8 Flood Risk and Sustainable Drainage (Strategic Policy), Part D, and Paragraph16.70 We note that this modification is in line with previous comments we provided and provides clarity around suitable flood risk mitigation measures for different sources of flooding.				
22	George Goodby, Environment Agency	31	MM39	MM39- Policy 8 Flood Risk and Sustainable Drainage (Strategic Policy), Part J This proposed modification clarifies that a raising strategy to Thames Estuary 2100 (TE2100) may be required as part of proposed developments. Whilst we would encourage developers to raise to TE2100 levels as part of the development, if this is not possible we would ask to see a strategy detailing how defences could be raised to the relevant TE2100 levels in the future, with the development in place.				
23	George Goodby, Environment Agency	31	MM40	MM40 - Policy 8 Flood Risk and Sustainable Drainage (Strategic Policy), Part L This modification (removal of reference to the central allowance) ensures that the plan is consistent with nationally published guidance on selecting climate change allowances for different “Flood Risk Vulnerability” classifications of development Flood risk assessments: climate change allowances - GOV.UK				
24	George Goodby, Environment Agency	31	MM42	MM42- Policy 8 Flood Risk and Sustainable Drainage (Strategic Policy), Paragraph 16.80 We are pleased to note that reference to the Thames Estuary 2100 Riverside Strategy approach has been added.				


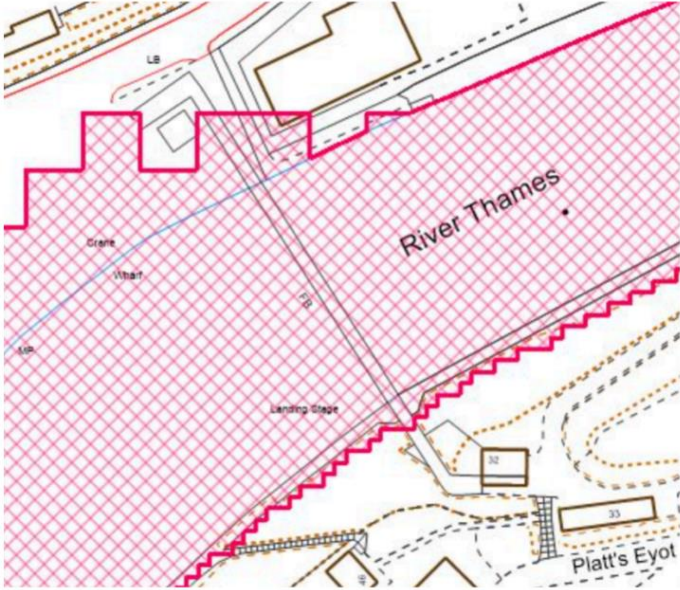
MM Rep No.	Respondent name	Representor ID (from Index of all respondents to the Publication Plan consultation)	MM(s) commenting on	Comment
25	George Goodby, Environment Agency	31	MM44	MM44 - Policy 8 Flood Risk and Sustainable Drainage (Strategic Policy), Paragraph 16.66 It is the responsibility of the Local Authority to define flood zone 3b. Defining land riverward of tidal defences is, in our view consistent with the Planning Practice Guidance for Flood Risk and Coastal Change, Table 1: Flood zones , which states “ <i>the identification of functional floodplain should take account of local circumstances and not be defined solely on rigid probability parameters</i> “.
26	Valerie Scott on behalf of Henry Harrison	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Response to Main Modification MM44- Policy 8 Flood Risk and Sustainable Drainage</p> <p>I refer to the Schedule of Main Modifications of the Draft Local Plan published 31.01.25 and on behalf of my client, Mr Henry Harrison of Riverside Ltd, Phoenix Wharf, Eel Pie Island, Twickenham, TW1 3DY I wish to object to Proposed Modification MM44 – Policy 8 Flood Risk and Sustainable Drainage.</p> <p>The reasons for objecting to this Main Modification MM44 are set out in the attached report.</p> <p>[See full response below or at Appendix 2].</p> <hr/> <p>VALERIE SCOTT PLANNING Response to Main Modification MM44 Policy 8 Flood Risk and Sustainable Drainage</p> <p>On behalf of Henry Harrison, Riverwharf Ltd, Phoenix Wharf, Eel Pie Island, Twickenham, TW1 3DY</p> <p>London Borough of Richmond upon Thames</p> <p>Schedule of Proposed Main Modifications 31.01.25</p> <p>12 MARCH 2025</p> <p>CONTENTS</p> <p>PAGE 3: (1) INTRODUCTION PAGE 3: (2) EXECUTIVE SUMMARY PAGE 6: (3) CONSULTATION ON MM44 PAGE 7: (4) PROPOSED REDEFINITION OF THE FUNCTIONAL FLOODPLAIN PAGE 10: (5) ACCESS TO EEL PIE ISLAND AND PLATT’S EYOT - FLOOD ZONE 3a PAGE 21: (6) TIDAL AND NON-TIDAL THAMES PAGE 23: (7) PLANNING PERMISSIONS ON EEL PIE ISLAND PAGE 25: (8) STRATEGIC FLOOD RISK ASSESSMENTS (SFRA):2010, 2016 and 2021 PAGE 28: (9) PLATT’S EYOT: SITE ALLOCATION 2 PAGE 29: (10) CONCLUSION</p> <p>LIST OF FIGURES: <i>Figure 1: Flood Zone analysis of LBRuT islands supported by the Aurora Mapping System</i> <i>Figure 2: Screenshot from Aurora Mapping System showing Platt’s Eyot</i> <i>Figure 3: Screenshot from Aurora Mapping System showing bridge to Platt’s Eyot</i> <i>Figure 4: Photograph of footbridge to Platt’s Eyot</i> <i>Figure 5: Photograph of the Platt’s Eyot footbridge spanning the River Thames (mainland to the left, island to the right)</i> <i>Figure 6: Screenshot from Aurora showing Eel Pie Island, with Flood Zone 3b hatched in red</i> <i>Figure 7: Screenshot from the Aurora Flood Map showing Flood Zone 3b hatched in red</i> <i>Figure 8: Photograph of bridge to Eel Pie Island taken from mainland</i> <i>Figure 9: Access to the Eel Pie Island bridge from mainland</i> <i>Figure 10: Access to the island bridge as one leaves Eel Pie Island</i> <i>Figure 11: Photograph of steps to Diamond Jubilee Gardens</i> <i>Figure 12: Screenshot from Aurora Mapping System showing steps to Diamond Jubilee Gardens</i> <i>Figure 13: Hydrograph showing flood event on tidal Thames (Source: TUFLOW)</i> <i>Figure 14: Flood Zone 3b on Twickenham Embankment</i></p> <p>(1) INTRODUCTION</p> <p>1. My name is Valerie Scott and I am the Principal of Valerie Scott Planning.This statement has been commissioned by Henry Harrison of Riverwharf Limited, Phoenix Wharf, Eel Pie Island, Twickenham. Mr Harrison lives and works at Phoenix Wharf where he manages a boatyard and a block of studio units currently used for business purposes.</p> <p>(2) EXECUTIVE SUMMARY</p>


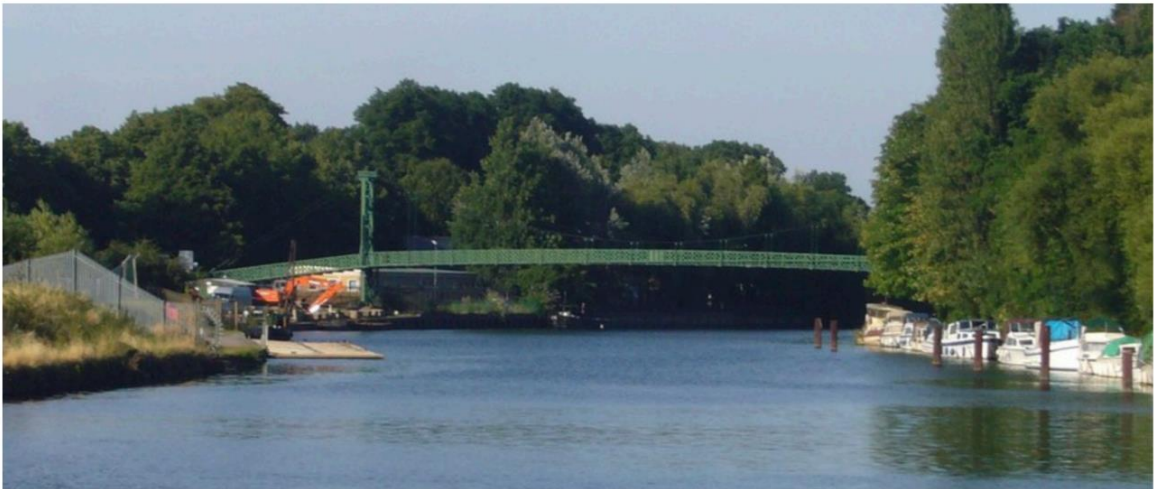
MM Rep No.	Respondent name	Representor ID (from Index of all respondents to the Publication Plan consultation)	MM(s) commenting on	Comment
				<p>2. Mr Harrison wishes to make a representation on MM44 (additional wording to Draft Local Plan highlighted in bold below).</p> <p>With reference to <u>Policy 8 Flood Risk and Sustainable Drainage</u> (Strategic Policy), Paragraph 16.66:</p> <p><i>The borough contains a number of islands in the River Thames. Where the access and egress to and from the island begins within the functional floodplain, for the purposes of new development, such islands will be considered and treated as functional floodplain (Zone 3b), even if parts of the islands may be within an area of lower probability of flooding. For the River Thames, the functional floodplain is defined as land riverward of Thames Tidal Flood Defences. In line with the guidance set out in the Council’s SFRA [Strategic Flood Risk Assessment], new developments are restricted to ‘Water Compatible’ and ‘Essential Infrastructure’ (subject to an Exception Test) as per the guidance in the Flood Risk and Coastal Change PPG.</i></p> <p>3. Mr Harrison’s representation is with reference to the deleterious impact on Eel Pie Island of the proposed change to the definition of the functional floodplain.</p> <p>4. The functional floodplain is currently defined as Flood Zone 3b.</p> <p>5. MM44 proposes that this definition be changed. Under MM44, all land “riverward of the Thames Tidal Flood Defences” would be redesignated part of the functional floodplain.</p> <p>6. Eel Pie Island - its access and 95% of the island itself both <u>not</u> in the functional floodplain as it is currently defined (i.e. not in Flood Zone 3b) - would overnight, on the adoption of the Local Plan, find itself wholly ‘relocated’ in the functional floodplain.</p> <p>7. Access to Eel Pie Island has, in successive SFRAs, been erroneously categorised as being located in Flood Zone 3b. This will be addressed in detail.</p> <p>8. The borough’s islands are located in both tidal and non-tidal waters. Eel Pie Island is located in tidal waters. This is relevant when assessing risk to life of an extreme flood event and has not been taken into account in the broad brushstroke proposed redefinition and the implications it will have.</p> <p>9. The definition of the functional floodplain is critical to this assessment and to change the definition will have major implications in relation to the provision of new residential properties, extensions (be they of footprint or volume of space occupied e.g. a roof conversion) to existing residential properties, and conversions from business to residential use or mixed use.</p> <p>10. Planning permission for extensions/change of use etc and existing permitted development rights would be severely restricted to the point of being effectively erased, adversely impacting Eel Pie Island’s ability to adapt to change and accordingly remain vital.</p> <p>11. Residential mortgages and business loans (this latter if secured against assets, of which a business premises is invariably a significant factor) would also be harder to obtain, with fewer lenders willing to lend, and as a result would be more expensive, impacting, for example, the viability of river-related businesses such as boatyards, of which there are currently four on Eel Pie Island.</p> <p>It should be noted that the Nationwide Building Society has recently stated it will use flood mapping to identify high-risk properties and will decline to offer financing. (<i>Guardian, 30 April 2024</i>)</p> <p>12. Insurance premiums would similarly rise against the background of the premises suddenly being located in the functional floodplain (even though the actual flood risk would remain unchanged), and the number of insurers prepared to take on the risk would shrink.</p> <p>It should be noted that the Flood Re subsidised cover scheme is scheduled to end in 2039. (<i>Guardian, 30 April 2024</i>)</p> <p>13. The overwhelming majority of the borough’s ten islands, however, will not be impacted by the proposed redefinition of the functional floodplain, as (1) the entirety of those islands are already located in Flood Zone 3b or (2) their access is already situated in Flood Zone 3b or (3) the islands are non-tidal and hence not “riverward of Thames Tidal Flood Defences.” See page 10 for Figure 1: Flood Zone analysis of LBRuT islands supported by the Aurora Mapping System</p> <p>14. Eel Pie Island, the borough’s largest island, though, will be significantly adversely affected.</p> <p>15. 95% of Eel Pie Island is located in Flood Zone 3a, with its access located entirely in Flood Zone 3a. The island has long thrived precisely because it has been able to adapt to change and therefore remain viable and vital. Being able to obtain planning permission for development/redevelopment, along with the attendant financing and insurance, has clearly facilitated this.</p> <p>16. It is the aim of this document to outline why this ‘broad brushstroke, one size fits all’ redefinition of the functional floodplain is both unnecessary and inappropriate, and materially harmful to the borough’s largest island.</p> <p>17. The existing definition of the functional floodplain as Flood Zone 3b should be retained. This would align LBRuT with all other London boroughs, in which the functional floodplain is identified as Flood Zone 3b. The wording of the proposed change “<u>For the River Thames</u>” is simply inaccurate. SFRA after SFRA across multiple London boroughs fronting the River Thames identify the functional floodplain as Flood Zone 3b.</p> <p>18. Or, as has happened in the previous SFRAs and Local Plans, if LBRuT wishes to accept the EA’s redefinition of the functional floodplain, then an exception should be made (as has been made in previous LBRuT Local Plans and accompanying SFRAs) for Eel Pie Island, so it can continue to thrive through being able to adapt to changing times, as it has done for centuries.</p>

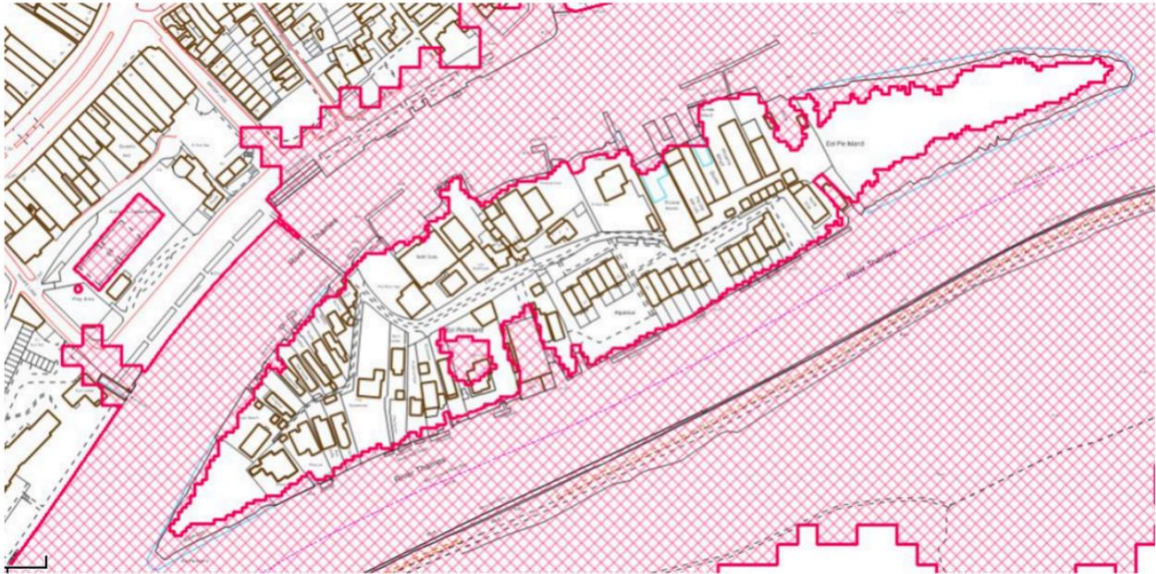
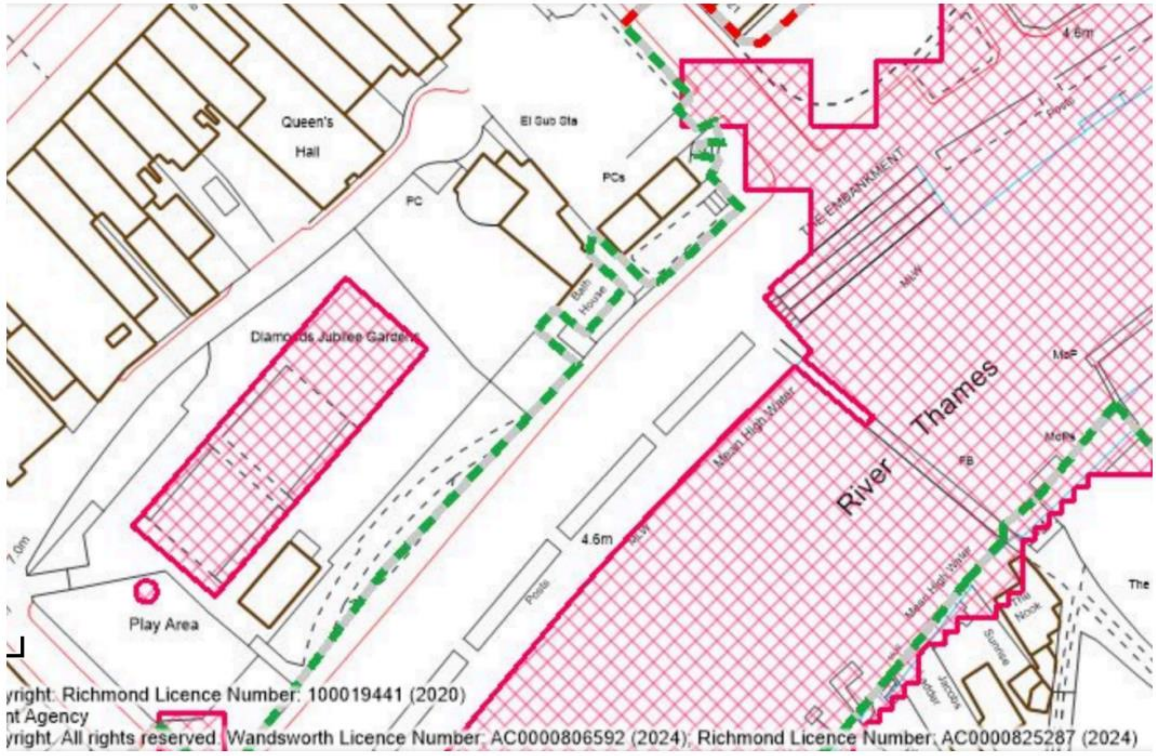
MM Rep No.	Respondent name	Representor ID (from Index of all respondents to the Publication Plan consultation)	MM(s) commenting on	Comment
				<p>(3) CONSULTATION ON MM44</p> <p>19. Mr Harrison did not make a representation at the consultation stage of the LBRuT “Publication” Draft Local Plan in June/July 2023 as this version of the Draft Plan <u>did not include</u> the change to Policy 8 as now proposed.</p> <p>20. The proposed change to Policy 8 resulted from a meeting held between LBRuT and the Environment Agency (EA) that took place on 19 March 2024. A Statement of Common Ground (Ref: SOCG-08) was signed by both parties on 18 April 2024.</p> <p>21. On 10 May 2024, LBRuT added the Schedule of Proposed Modifications suggested by the Council (Ref: LBR-002) to the Library of documents supporting the 2024 Local Plan Public Inquiry. This was the first time the proposed change to the definition of the functional floodplain in LBRuT had been made public.</p> <p>22. On 13 June 2024 LBRuT added a further document to the Public Inquiry Library: Main matter 13 – Responding to the climate emergency and taking action (policies 3 to 9) (Ref: WS-MM-13), once again referencing the proposed change.</p> <p>23. The public consultation on Draft Local Plan had taken place in June/July 2023, almost an entire year before the proposed change was made public.</p> <p>24. There were attempts to make representations on this matter at the June/July 2024 Public Inquiry. The Public Inquiry was contacted on 17 June 2024 by Ms Celia Holman, an Eel Pie Island resident, with a request to speak on this proposed change that had not been in place at the time of the June/July 2023 public consultation.</p> <p>25. However, as no comments on this wording had been made at the consultation stage - a full year <u>before</u> the wording was made public, and indeed several months before it had even been drafted - the rules that govern a Public Inquiry meant that the Inquiry Inspectors were not permitted to hear any representations challenging (1) the need for this LBRuT-exclusive redefinition of the functional floodplain, (2) the deleterious impact it would have on Eel Pie Island and (3) the LPA’s claim that all of the borough’s ten islands currently have their access in Flood Zone 3b.</p> <p>26. Mr Harrison and Ms Holman both nevertheless attended the Public Inquiry in person when this matter due to be discussed but neither, as mentioned above, were permitted to make representations before the Planning Inspectors.</p> <p>(4) PROPOSED REDEFINITION OF THE FUNCTIONAL FLOODPLAIN</p> <p>27. No detailed explanation is offered by either the EA or LBRuT as to why this redefinition of the functional floodplain is required. Additionally, there is no background paper, there is no publicly available representation that references it that predates the 18 April 2024 Statement of Common Ground.</p> <p>28. No mention of any proposed redefinition of the functional floodplain is made by the Environment Agency: in either Summary of main issues raised during the Publication Local Plan (Regulation 19) consultation and Summary of the Council’s response on main issues (January 2024) including summary of each response (Ref SD-013) or in the Schedule of responses to the Publication Local Plan (Regulation 19) consultation (in plan order) with the Council’s response (January 2024) (Ref SD-014) or in Summary of place-based strategies and site allocations, and policies, outlining main changes to adopted Local Plan (June 2023) (Ref SD-009).</p> <p>29. In the EA/LBRuT Statement of Common Ground (Ref SOCG-08), there is reference to the contents of a letter dated 24 July 2023, saying that there are “areas where agreement has not been reached on key strategic matters.” The Statement of Common Ground characterises the changes now being agreed between the EA and LBRuT as “minor modifications.” The change in definition of the functional floodplain manifestly does not fall into the category of ‘minor’ considering the impact it will have on Eel Pie Island.</p> <p>30. The letter dated 24 July 2023 was made available as part of the Public Inquiry Examination library (Ref: Reg 19 ID 031).</p> <p>31. There is <u>no</u> reference in this letter to any proposed redefinition of the functional floodplain.</p> <p>32. The wording of the proposed redefinition of the functional floodplain is located at the very end of the April 2024 Statement of Common Ground: the EA has suggested where the revised definition can be inserted and the Council has accepted it, outside of any public scrutiny or consultation.</p> <p>33. There was no public consultation whatsoever over this last-minute proposed change and the only opportunity to comment is now, at this very late stage in proceedings and outside of the rigour that the Public Inquiry itself would have afforded.</p> <p>34. Council officers had been made aware in detail of the concerns regarding the proposed redefinition of the functional floodplain both before (from mid-June 2024 onwards) and <u>during</u> the course of the late June/early July 2024 Public Inquiry. In late June 2024, a further meeting took place between the EA and the Council. This resulted in amendments to the Statement of Common Ground, and a revised Statement was signed on 28 June 2024.</p> <p>35. It should be noted that neither the EA nor the Council considered to involve either Mr Harrison or Ms Holman (who, by mid June 2024, had both raised their serious concerns in writing to the Council) in that meeting. This represented a missed opportunity to enter into dialogue with concerned residents and business owners that could have informed the Public Inquiry that was taking place at the time.</p>


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				<p>36. The EA/LBRuT updated their Statement of Common Ground 28 June 2024, to include the following assertion:</p> <p><i>5.11 There is therefore no change in policy or to the designation, the islands are already considered to be within flood zone 3b as set out in the Council’s SFRA at 6.2.4 and Local Plan Policy LP 21, paragraph 6.2.7. The Council’s SFRA is clear that where the access and egress to and from the island is within the functional floodplain, for the purposes of new development, such islands will be considered and treated as functional floodplain (Zone 3b), even if parts of the islands may be within an area of lower probability of flooding.</i></p> <p>37. It is crucial to note that it is simply incorrect and egregious to treat the borough’s islands as one undifferentiated whole by stating that “the islands” are in Flood Zone 3b.</p> <p>38. Each island presents a unique set of circumstances, whether it be how they are accessed or in which Flood Zone their access lies, and in which Flood Zone the islands themselves lie. The proposed redefinition effectively erases this.</p> <p>39. Previous Local Plans and SFRA’s have recognised and detailed the characteristics of each island. Indeed, the emerging Local Plan does so for Platt’s Eyot, which is considered in detail as Site Allocation 2. This will be addressed in more detail in the section (9) PLATT’S EYOT: SITE ALLOCATION 2 (page 28)</p> <p>40. The factually <u>incorrect</u> statement that “the islands are already considered to be within flood zone 3b” is addressed in more detail in the following section entitled (5) ACCESS TO EEL PIE ISLAND AND PLATT’S EYOT: FLOOD ZONE 3a (page 10) which contains a detailed analysis of access to both islands using both photographs, detailed flood mapping and the Aurora Maps that accompany the Council’s SFRA.</p> <p>41. The 28 June 2024 Statement of Common Ground also includes the following paragraph:</p> <p><i>5.14 The proposed modification seeks to formally capture and include other parts of the borough where land riverward of the River Thames Tidal Flood Defences has historically also been treated as functional floodplain. The applies to land that is in essence part of the river channel. For example, it includes around parts of Ham Lands and Old Deer Park. This is a common approach amongst other parts of the tidal Thames, including Wandsworth.</i></p> <p>42. The above paragraph 5.14 fails to acknowledge that Eel Pie Island has <u>not</u> been “historically treated as functional floodplain”. Eel Pie Island sits raised above the functional floodplain, located almost in its entirety in Flood Zone 3a. Eel Pie Island is not “in essence part of the river channel.” It sits in the river channel but is raised <u>above</u> it, as parts of the Ham Lands and Old Deer Park indisputedly are not.</p> <p>43. It is to be noted that there is no justification for this redefinition offered by either the EA or LBRuT. The Statement of Common Ground simply cites “inconsistency” as needing to be resolved.</p> <p>44. The Local Plan offers the multiple ways - most readily by the use of Site Allocations - through which any identified “inconsistency” can be resolved on a location-by-location basis.</p> <p>45. However, the ‘one-size-fits-all’ approach to <u>all</u> “land riverward of the River Thames Tidal Flood Defences” fails to take into account uniqueness of place and in doing so causes material harm.</p> <p>46. This representation, addressing matters <u>not</u> permitted to be heard at the Public Inquiry, is the only opportunity afforded residents and business owners to be heard on this matter.</p> <p>(5) ACCESS TO EEL PIE ISLAND AND PLATT’S EYOT - FLOOD ZONE 3a</p> <p>47. Neither the policy nor the text in the Draft Local Plan in relation to the islands actually defines in which Flood Zone each of the ten islands in the borough have their access/ egress located.</p> <p>48. It is necessary, therefore, to refer to the flood risk mapping shown on the Aurora Mapping System.</p> <p>49. The LBRuT website provides a link to the Aurora Mapping System which is referred to in and supports the SFRA. This mapping system, amongst many other things, shows the flood zones affecting the borough’s islands and the adjoining mainland from where access and egress from each island is gained. It also shows the location of the borough’s River Thames Tidal Flood Defences.</p> <p>50. Please see the table below for Flood Zone information with respect to each of the borough’s ten islands obtained from the Aurora mapping that supports the SFRA:</p>


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				<table><tr><th>ISLANDS IN LBRuT</th><th>Access FZ</th><th>% island in FZ 3b</th><th>Location</th><th>Access</th><th>Residential</th><th>POP</th><th>Size (acre)</th></tr><tr><td colspan="8">UNINHABITED:</td></tr><tr><td colspan="8">FLOODZONE 3b (access and/or island)</td></tr><tr><td>Corporation Island (Richmond)</td><td>3b</td><td>30%</td><td>Tidal</td><td>Boat only</td><td>N/A</td><td>N/A</td><td>1.67</td></tr><tr><td>Glovers Island (Richmond)</td><td>3b</td><td>100%</td><td>Tidal</td><td>Boat only</td><td>N/A</td><td>N/A</td><td>1.37</td></tr><tr><td>Anglers Eyot (Teddington)</td><td>3b</td><td>100%</td><td>Non Tidal</td><td>Footbridge</td><td>N/A</td><td>N/A</td><td>1.04</td></tr><tr><td colspan="8">FLOODZONE 3a (access and Island)</td></tr><tr><td>Platt's Eyot (Hampton)</td><td>3a</td><td>10%</td><td>Non Tidal</td><td>Footbridge</td><td>N/A</td><td>N/A</td><td>10.50</td></tr><tr><td>Teddington Lock Ait (Teddington)</td><td>3a</td><td>30%</td><td>Non Tidal</td><td>Footbridge</td><td>N/A</td><td>N/A</td><td>1.48</td></tr><tr><td colspan="8">INHABITED:</td></tr><tr><td colspan="8"><i>H = House [HB = Houseboat]</i></td></tr><tr><td colspan="8">FLOODZONE 3b (access and/or island)</td></tr><tr><td>Swan Island (Twickenham)</td><td>3a</td><td>100%</td><td>Tidal</td><td>Road bridge</td><td>[HB 30]</td><td>60</td><td>0.49</td></tr><tr><td>Taggs Island (Hampton)</td><td>3a</td><td>85%</td><td>Non Tidal</td><td>Road bridge</td><td>[HB 60]</td><td>100</td><td>6.91</td></tr><tr><td>Trowlock Island (Teddington)</td><td>3b</td><td>100%</td><td>Non Tidal</td><td>Chain ferry</td><td>H 29 [HB 25]</td><td>110</td><td>3.95</td></tr><tr><td>Ash Island (Hampton)</td><td>3b</td><td>10%</td><td>Non Tidal</td><td>Footbridge</td><td>H 2 [HB 30]</td><td>65</td><td>3.95</td></tr><tr><td colspan="8">FLOODZONE 3a (access and Island)</td></tr><tr><td>Eel Pie Island (Twickenham)</td><td>3a</td><td>5%</td><td>Tidal</td><td>Footbridge</td><td>H 50 [HB 20]</td><td>175</td><td>10.87</td></tr></table> <p>Figure 1: Flood Zone analysis of LBRuT islands supported by the Aurora Mapping System</p> <p>51. A quick glance at the table above demonstrates the Council’s assertion that all of the islands have their access located in Flood Zone 3b is simply incorrect.</p> <p>52. To repeat the assertion, as found in the amended Statement of Common Ground (signed 28 June 2024):</p> <p>5.11 There is therefore no change in policy or to the designation, the islands are already considered to [be] the [sic] within flood zone 3b as set out in the Council’s SFRA at 6.2.4 and Local Plan Policy LP 21, paragraph 6.2.7. The Council’s SFRA is clear that where the access and egress to and from the island is within the functional floodplain, for the purposes of new development, such islands will be considered and treated as functional floodplain (Zone 3b), even if parts of the islands may be within an area of lower probability of flooding.</p> <p>53. However, the Aurora Mapping System clearly shows that not only Eel Pie Island, but also Platt’s Eyot, Swan Island, Taggs Island and Teddington Lock Ait also have their access located in Flood Zone 3a.</p> <p>54. In other words, 50% of the borough’s islands have their access in Flood Zone 3a, contrary to what is being stated by the Council.</p> <p>55. To examine each island’s unique circumstances as detailed in Figure 1 (page 10):</p> <p>56. As previously stated, Eel Pie Island is <u>uniquely affected</u> by the proposed modification, with <u>both</u> its access and the island itself currently located in Flood Zone 3a.</p> <p>57. Anglers Eyot, Ash Island, Corporation Island, Glovers Island and Trowlock Island all have access located in Flood Zone 3b. Accordingly, these islands would be <u>unaffected</u> by the proposed modification.</p> <p>58. Swan Island, whilst its access is located in Flood Zone 3a, the island itself is entirely located in Flood Zone 3b. Accordingly, this island also would be <u>unaffected</u> by the proposed modification.</p> <p>59. Tagg’s Island, whilst its access is also located in Flood Zone 3a, the island itself is 85% located in Flood Zone 3b. Accordingly, this island also would be largely <u>unaffected</u> by the proposed modification.</p> <p>60. Teddington Lock Ait is a tiny sliver of land (which forms part of Teddington Lock) and whilst largely located in Flood Zone 3a with its access also located in Flood Zone 3a, it is not suitable for either commercial or residential use. Hence it being uninhabited and undeveloped, and therefore its viability <u>unaffected</u> by any change in a definition of the functional floodplain.</p> <p>61. Platt’s Eyot, however, with its access and 90% of island itself located in Flood Zone 3a, can most closely be compared to Eel Pie Island.</p> <p>62. Access to Platt’s Eyot is, as per Eel Pie Island, located in Flood Zone 3a.</p> <p>63. This is contrary to what is asserted in para 5.11 of the Statement of Common Ground that “the islands are already considered to [be] the [sic] within flood zone 3b”</p> <p>64. See screenshot below of Platt’s Eyot from the Aurora Mapping System below:</p>	ISLANDS IN LBRuT	Access FZ	% island in FZ 3b	Location	Access	Residential	POP	Size (acre)	UNINHABITED:								FLOODZONE 3b (access and/or island)								Corporation Island (Richmond)	3b	30%	Tidal	Boat only	N/A	N/A	1.67	Glovers Island (Richmond)	3b	100%	Tidal	Boat only	N/A	N/A	1.37	Anglers Eyot (Teddington)	3b	100%	Non Tidal	Footbridge	N/A	N/A	1.04	FLOODZONE 3a (access and Island)								Platt's Eyot (Hampton)	3a	10%	Non Tidal	Footbridge	N/A	N/A	10.50	Teddington Lock Ait (Teddington)	3a	30%	Non Tidal	Footbridge	N/A	N/A	1.48	INHABITED:								<i>H = House [HB = Houseboat]</i>								FLOODZONE 3b (access and/or island)								Swan Island (Twickenham)	3a	100%	Tidal	Road bridge	[HB 30]	60	0.49	Taggs Island (Hampton)	3a	85%	Non Tidal	Road bridge	[HB 60]	100	6.91	Trowlock Island (Teddington)	3b	100%	Non Tidal	Chain ferry	H 29 [HB 25]	110	3.95	Ash Island (Hampton)	3b	10%	Non Tidal	Footbridge	H 2 [HB 30]	65	3.95	FLOODZONE 3a (access and Island)								Eel Pie Island (Twickenham)	3a	5%	Tidal	Footbridge	H 50 [HB 20]	175	10.87
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				<div></div> <p><i>Figure 2: Screenshot from Aurora Mapping System showing Platt's Eyot</i></p> <p>65. Like Eel Pie Island, Platt's Eyot is accessed by a footbridge. The bridge to Platt's Eyot has its access located within Flood Zone 3a, as shown in the enlarged screenshot and the photographs below.</p> <div></div> <p><i>Figure 3: Screenshot from Aurora Mapping System showing bridge to Platt's Eyot</i></p> <p>66. Note how the Aurora Mapping System, as per with the Eel Pie Island Bridge (see Figure 7 below), shows the central section of Platt's Eyot footbridge located in Flood Zone 3b. This is clearly a mapping error. See below for photographs of Platt's Eyot footbridge. There is a similar ramp on the island side of the bridge, with its landing point also in Flood Zone 3a.</p>


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				<div><p>Figure 4: Photograph of footbridge to Platt's Eyot</p><p>Figure 5: Photograph of the Platt's Eyot footbridge spanning the River Thames (mainland to the left, island to the right)</p></div> <p>67. As per Eel Pie Island, access to Platt's Eyot is situated in Flood Zone 3a, with 90% of the island itself also located in Flood Zone 3a.</p> <p>68. However, Platt's Eyot is located in <u>non-tidal</u> Thames, therefore the island cannot be said to lie "riverward of Thames <u>Tidal</u> Flood Defences" as there are no tidal flood defences in place in that location. This can be determined with reference to the Aurora Mapping System, which also shows the location of such defences.</p> <p>69. This raises the question as to what constitutes the Council's definition of the functional floodplain on non-tidal Thames, there being no Thames Tidal Flood Defences of which these non-tidal islands can sit "riverward".</p> <p>70. It is of relevance to note that the Draft Local Plan refers in detail to Platt's Eyot, identifying it as Site Allocation 2. Please see section below (9) PLATT'S EYOT: SITE ALLOCATION 2 (page 28) for an examination of how Platt's Eyot is addressed in the Local Plan.</p> <p>71. Turning now to access to Eel Pie Island.</p> <p>72. This has been erroneously identified as being in Flood Zone 3b in successive SFRAs.</p>

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				<p>73. See below for a screenshot of Eel Pie Island from the Aurora map that accompanies the Council’s SFRA of Eel Pie Island:</p>  <p>Figure 6: Screenshot from Aurora showing Eel Pie Island, with Flood Zone 3b hatched in red</p> <p>74. Please see below for an enlarged view of Eel Pie Island, showing the island’s footbridge:</p>  <p>Figure 7: Screenshot from the Aurora Flood Map showing Flood Zone 3b hatched in red</p> <p>75. The enlarged view in Figure 7 shows the functional floodplain (Flood Zone 3b) marked in red hatching. It also shows <u>very clearly</u> both ends of the island’s bridge over the River Thames are <u>not</u> located in Flood Zone 3b. The mainland (north western end) end of the bridge is <u>not</u> in Flood Zone 3b and the end of the bridge on the island (south eastern end) is <u>not</u> in Flood Zone 3b either</p>

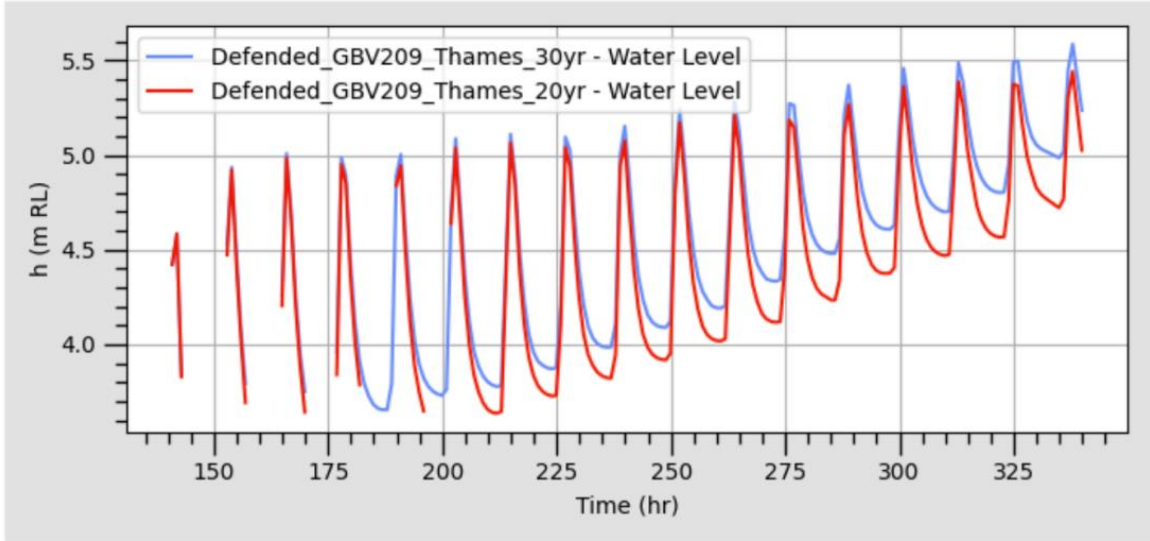
MM Rep No.	Respondent name	Representor ID (from Index of all respondents to the Publication Plan consultation)	MM(s) commenting on	Comment
				<p>76. This is contrary to what has been repeatedly and erroneously stated in the Council’s SFRA’s and Local Plans, which state that the access/egress to Eel Pie Island is in Flood Zone 3b.</p> <p>77. Up until this point in time, this error had passed unnoticed by Eel Pie Island property and business owners as - until very recently - it had not been referred in any planning permission decisions. Planning permission has been granted for both development and redevelopment that have introduced ‘more vulnerable use’. This is addressed in more detail in the section below entitled (7) PLANNING PERMISSIONS ON EEL PIE ISLAND (page 23).</p> <p>78. Planning permission had continued to be granted because the Council had afforded Eel Pie Island “exception” status from being classified as being in the functional floodplain, in spite of its access having been erroneously labelled as being in Flood Zone 3b. This is addressed in more detail in the section below entitled (8) STRATEGIC FLOOD RISK ASSESSMENTS (SFRA): 2010, 2016 and 2021 (page 25).</p> <p>79. Regarding the Aurora Mapping of the Eel Pie Island Bridge, the red hatching shown along part of the bridge itself is clearly not correct. As has already been shown with reference to Platt’s Eyot (see Figure 8), the Aurora mapping system categorises structures over water inconsistently - with several bridges across the borough shown as being partially ‘in’ the river. Clearly the bridge itself cannot be in Flood Zone 3b. The Eel Pie Island bridge curves upwards from the start at each end in order to allow boats to pass beneath the bridge. The bridge is higher than the two ends of the bridge and cannot possibly be within the functional floodplain (Zone 3b) if the two ends of the bridge which are at the lowest parts are in Flood Zone 3a.</p> <p>80. See below for photographs of the bridge to Eel Pie Island.</p> <div data-bbox="1442 768 2341 1442"></div> <p>Figure 8: Photograph of bridge to Eel Pie Island taken from mainland</p>

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				<div></div> <p>Figure 9: Access to the Eel Pie Island bridge from mainland</p>

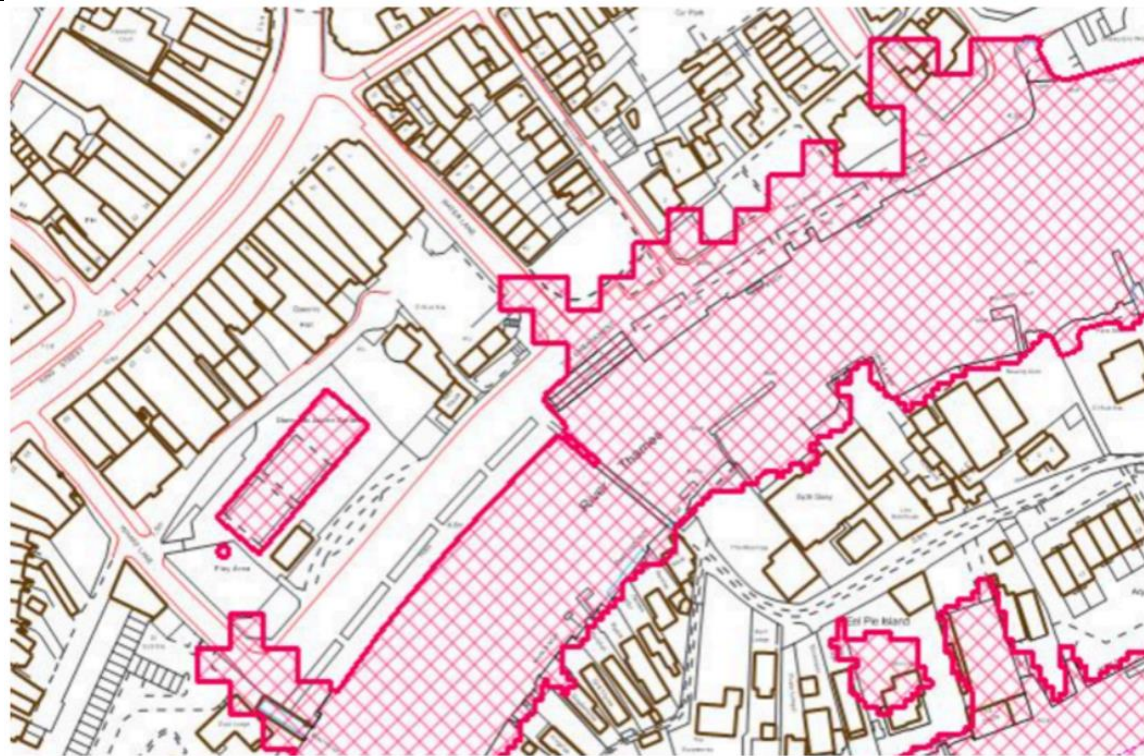
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				<div></div> <p><i>Figure 10: Access to the island bridge as one leaves Eel Pie Island</i></p> <p>81. It should also be noted that there is egress from Flood Zone 3a on the Embankment at the foot of the Eel Pie Island Bridge to Flood Zone 1 without having to pass through those areas of the Embankment that are located in Flood Zone 3b. This is via the public steps up to the Diamond Jubilee Gardens from the Embankment. These steps are not labelled as steps on Aurora Mapping but do exist, as seen in the photograph below.</p>

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				<div></div> <p>Figure 11: Photograph of steps to Diamond Jubilee Gardens</p>

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				<div data-bbox="1353 268 2089 940"></div> <p>Figure 12: Screenshot from Aurora Mapping System showing steps to Diamond Jubilee Gardens</p> <p>82. Planning permission was granted in November 2022 for the Twickenham Riverside Development (Ref: 21/2758/FUL 1-1C King Street, 2-4 Water Lane, The Embankment And River Wall, Water Lane, Wharf Lane And The Diamond Jubilee Gardens, Twickenham). It should be noted that this development will not preclude egress from Flood Zone 3a at of the foot of the Eel Pie Island Bridge into Flood Zones 2 and 1 without having to pass through those areas of the Embankment that are located in Flood Zone 3b.</p> <p>(6) TIDAL AND NON-TIDAL THAMES</p> <p>83. The redefinition of the functional floodplain - “land riverward of the Thames <u>Tidal</u> Flood Defences” - fails to take into consideration that the Thames in LBRuT is both tidal <u>and</u> non-tidal.</p> <p>84. Whether or not an island is located in tidal or non-tidal waters is relevant on several fronts.</p> <p>85. Firstly, in the London Borough of Richmond upon Thames, in which it is proposed that the functional floodplain is redefined as “land riverward of Thames Tidal Flood Defences”, one has to ask how the functional floodplain in the absence of <u>tidal</u> flood defences.</p> <p>86. Figure 1 (page 10) shows that six of the borough’s ten islands are located in non-tidal Thames where there are no tidal flood defences.</p> <p>87. Proposed definitions to one side, the second consideration is that being located in tidal (as opposed to non-tidal) Thames is hugely significant when assessing the risk to life an extreme flood event present to vulnerable uses i.e. residential properties.</p> <p>88. In the ordinary course of events, any flooding which might occur after periods of exceptionally wet weather (pluvial) and/or exceptionally high tides (fluvial) quickly subsides, usually within one hour after the peak of a High Tide.</p> <p>89. The difference between High Tide and Low Tide on the tidal River Thames (with the exception of the very short stretch of the Thames where there is what is known as the Maintained Level) is c.5m.</p> <p>90. This indicates the enormous volume of water being carried downstream on an outgoing tide, and is indicative of how quickly, on the turn of the tide, an extreme flooding event on <u>tidal</u> Thames would subside, allowing any additional measures, to include evacuation, to take place.</p> <p>91. It is difficult to envisage that, even in the event of an extreme flood, residents would be prevented from leaving Eel Pie Island via the footbridge for a period of more than six hours.</p>

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				<p>92. The hydrograph below shows how quickly on tidal Thames - within a matter of hours - the water levels subside even during an extreme flood event:</p>  <p>Figure 13: Hydrograph showing flood event on tidal Thames (Source:TUFLOW)</p> <p>93. Located on tidal Thames, Eel Pie Island has long been actively anticipating and preparing for flood events. For example, the vast majority of the c. 50 residential properties on the island are built raised up. In addition to this, several have passive flood defences, with many properties having more active defences that can be brought into use if needed.</p> <p>94. Flood warnings are quickly and efficiently communicated by social media (by the PLA and the EA) and further shared amongst islanders via WhatsApp and email.</p> <p>95. In the extremely unlikely event there were the need to evacuate the island during (as opposed to before) an extreme flood event, many business owners and residents have both commercial and private powered boats moored alongside the island. In fact, there are more boats than there are residential properties on Eel Pie Island.</p> <p>96. The risk to life an extreme flooding event would present on Eel Pie Island is extremely low so as to be almost negligible.</p> <p>97. All of the above were previously taken into consideration by LBRuT, and Eel Pie Island was accordingly identified as an exception in the 2010 SFRA.</p> <p>98. See the section below entitled (8) STRATEGIC FLOOD RISK ASSESSMENTS (SFRA):2010, 2016 and 2021 (page 25) for more detail on this.</p> <p>(7) PLANNING PERMISSIONS ON EEL PIE ISLAND</p> <p>99. The following are amongst some of the planning permissions granted on Eel Pie Island since 2010:</p> <p>1 Aquarius, TW1 3EA - first floor extension 11 Aquarius, TW1 3EA - ground floor extension 15 Aquarius, TW1 3EA - 2nd floor extension (new storey) 16 Aquarius, TW1 3EA - ground floor extension 17 Aquarius, TW1 3EA - 2nd floor extension (new storey) 18 Aquarius, TW1 3EA - 2nd floor extension (new storey) Wild Thyme, TW1 3DY - demolition of an existing 3-bedroom house and permission for a larger 3-bedroom house The Cottage, TW1 3DY - demolition of an existing 3-bedroom house and permission for a larger 3-bedroom house Wyndfall, TW1 3DY - extension of an existing 2-bedroom house Love Shack, TW1 3DY - construction of a 2-storey rear extension, to extend an existing 1-bedroom house Palm Beach, TW1 3DY - extension to an existing 5-bedroom house The Haven, TW1 3DY - demolition of an existing 1-bedroom house and permission for a smaller 1-bedroom house The Nook, TW1 3DY - extensions to an existing 3-bedroom house The Moorings, TW1 3DY - extensions to an existing 3-bedroom house Ivy Castle, TW1 3DY - extension to an existing 4-bedroom house</p>

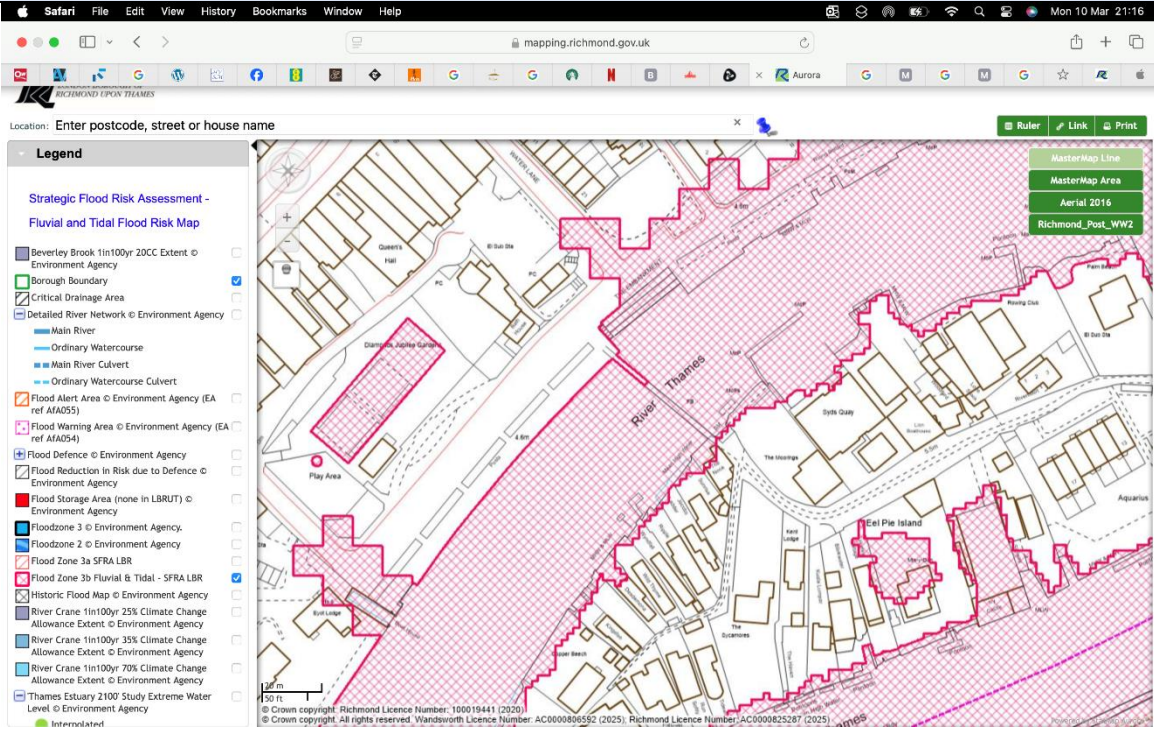
MM Rep No.	Respondent name	Representor ID (from Index of all respondents to the Publication Plan consultation)	MM(s) commenting on	Comment
				<p>100. Most recently, however, planning applications for extensions, for example, are being objected to by the Environment Agency, who now consider “any increase in built footprint represents intensification in land use”, and subsequently being refused by Richmond LPA. There is a planning application (Jacob’s Ladder, TW1 3DY Ref: Planning Inspectorate APP/L5810/W/24/3358054 and LBRuT LPA 24/0477/FUL) that is currently the subject of an Appeal.</p> <p>101. Similarly, applications under existing permitted development rights to change from, for example, Business Use Class E to Dwellings Class Use C3 are also now being refused by Richmond LPA, citing the emerging Local Plan and the redefinition of the functional floodplain. There was a recent refusal that was upheld at Appeal relating to a change of use from Class E to Class C3 (Ref: Planning Inspectorate APP/L5810/W/ 24/3339064: Upper Decks units 3, 4 and 6 Phoenix Wharf, TW1 3DY) that cited flooding risks as the sole reason for refusal.</p> <p>102. The above refusals represent the material impact this emerging redefinition is already having on the ability of properties, be they residential or commercial, on Eel Pie Island to adapt/change and in doing so allow the island to continue to thrive.</p> <p>103. All of the above planning applications - with the exception that granted to The Haven - would be refused if Eel Pie Island were to be reclassified as being located in the functional floodplain by reason of the island and its access lying “riverward of the Thames Tidal Flood Defences.</p> <p>104. It should be noted, though, that the above planning permissions (para 99) were granted against the background of the Council erroneously believing that the access to Eel Pie Island lay in Flood Zone 3b.</p> <p>105. It is, however, being asserted by the Council and the EA in their amended Statement of Common Ground that the proposed redefinition would make no difference to Eel Pie Island as the island had, since at least 2010, been considered, for planning purposes, to be in the functional floodplain by reason of its access being in Flood Zone 3b.</p> <p>106. If this is the case, one has to question why the extensive list of planning permissions granted in para 93 where given permission when similar applications are now being refused given the emerging Local Plan.</p> <p>107. Please see a section below entitled (8) STRATEGIC FLOOD RISK ASSESSMENTS (SFRAs) - 2010, 2016 and 2021 that will examine how Eel Pie Island has been categorised for planning purposes over the past 15 years.</p> <p>(8) STRATEGIC FLOOD RISK ASSESSMENTS (SFRA): 2010, 2016 and 2021</p> <p>108. In its 2010 Strategic Flood Risk Assessment (SFRA), LBRuT took into consideration the exception presented by Eel Pie Island (page 59 of PDF as shown below):</p> <div><p>Eel Pie Island</p><p>The flood risk designation for Eel Pie Island has changed from functional floodplain (zone 3b) to a high probability flood risk area (zone 3a). This is due to the latest flood modelling carried out by the Environment Agency.</p><p>Whilst PPS25 (Table D.1) would allow Local Planning Authorities in such circumstances to designate the entire Island as functional floodplain, the Council took a pragmatic approach and designated the Island as zone 3a. The Local Planning Authority therefore represents accurately the level of flood risk on Eel Pie Island. It also took into consideration the implications for existing developments on the Island for obtaining property insurance if the Island were entirely designated as functional floodplain.</p></div> <p>109. The above was <u>in spite of</u> the erroneous categorisation of access to the island being located in Flood Zone 3b (page 59 of PDF as shown below):</p> <div><p>However, access and egress to or from Eel Pie Island is only via a pedestrian bridge, which has its foot on the north side, which together with Twickenham Embankment, is in the functional floodplain (zone 3b).</p></div> <p>110. The above states that Twickenham Embankment is located in Flood Zone 3b. This is manifestly incorrect. Parts of Twickenham Embankment are located in Flood Zone 3b, and parts of it are not. This is shown on the Aurora Mapping System image below:</p>

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				<div></div> <p>111. <i>Figure 14: Flood Zone 3b on Twickenham Embankment</i></p> <p>112. LBRuT’s 2016 SFRA continued to apply this exception to Eel Pie Island (page 20 of the PDF as shown below):</p> <table><tr><td>Zone 3b</td><td>The functional floodplain. This zone comprises land where water has to flow or be stored in times of flood.</td><td>>5% chance in any one year or land which is designed to flood in an extreme (0.1%) flood; exception is Eel Pie Island.</td><td><ul style="list-style-type: none">• Water Compatible• Essential Infrastructure only if Exception Test passed</td></tr></table> <p>113. However, this exception was <u>not</u> noted in the body of text that related to Eel Pie Island (page 67 of PDF as shown below) and continued to erroneously place the island’s bridge in Flood Zone 3b due to its foot being on Twickenham Embankment, which is again incorrectly categorised as being entirely in Flood Zone 3b:</p> <div><p>Eel Pie Island</p><p>284. The flood risk designation for Eel Pie Island is functional floodplain flood zone 3b.</p><p>285. Eel Pie Island has been given this designation due to the access and egress routes to and from the island is via a pedestrian foot bridge, which has its foot on the Twickenham Embankment side, also designated as a functional floodplain zone 3b.</p></div> <p>114. The 2016 SFRA was prepared (for the first time) by Metis Consultants and checked by LBRuT. This internal contradiction was clearly missed and island’s exception status was not noted in the main text.</p> <p>115. In the 2021 SFRA was again prepared and this time not checked by LBRuT but rather checked by Metis Consultants themselves. In this SFRA, the exception afforded Eel Pie Island has disappeared entirely and all the borough’s islands are dealt with en bloc (from para 6.2.4, page 44 of the PDF):</p>	Zone 3b	The functional floodplain. This zone comprises land where water has to flow or be stored in times of flood.	>5% chance in any one year or land which is designed to flood in an extreme (0.1%) flood; exception is Eel Pie Island .	<ul style="list-style-type: none">• Water Compatible• Essential Infrastructure only if Exception Test passed
Zone 3b	The functional floodplain. This zone comprises land where water has to flow or be stored in times of flood.	>5% chance in any one year or land which is designed to flood in an extreme (0.1%) flood; exception is Eel Pie Island .	<ul style="list-style-type: none">• Water Compatible• Essential Infrastructure only if Exception Test passed					

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				<div>Several of these islands are developed and serve both residents and visitors of Richmond. All these islands are entirely within Flood Zone 2, and a large proportion of their total area coverage is within Flood Zone 3a and Flood Zone 3b. LP 21 of the Local Plan currently states that “where the access and egress to and from the island is within the functional floodplain, for the purposes of new development, such islands will be considered and treated as functional floodplain (Zone 3b), even if parts of the islands may be within an area of lower probability of flooding.”</div> <p>116. The exception that applied to Eel Pie Island has been gradually erased with each successive version of LBRuT’s SRFA. It is suggested that this was a drafting error rather than a deliberate act. If it was a conscious change, then it has not, until very recently with the emerging Local Plan, affected planning permissions on Eel Pie Island.</p> <p>117. This proposed change to the definition of the functional floodplain is already having a negative impact on Eel Pie Island’s viability as a place for people to live, work and thrive, as already indicated in the section entitled (7) PLANNING PERMISSIONS ON EEL PIE ISLAND (page 23).</p> <p>(9) PLATT’S EYOT: SITE ALLOCATION 2</p> <p>118. By way of further context, we would like to draw the Inquiry Inspectors’ attention to MM8. This is a modification that relates most specifically to Platt’s Eyot, the island most similar to Eel Pie Island of the borough’s islands.</p> <p>119. Platt’s Eyot is a similar size to Eel Pie Island, and likewise has its access in Flood Zone 3a. The majority (c.90%) of the island is located in Flood Zone 3a.</p> <p>120. Unlike Eel Pie Island, Platt’s Eyot is situated in non-tidal Thames</p> <p>121. MM8 looks to introduce the “dwelling” to the existing land uses:</p> <div>Site Allocation 2 Platts Eyot, Hampton Amend the text to clarify the existing land uses in the context: Business and employment uses including river-related and river-dependent operations, workshops (Use Class B2/B8), office (Class E(g)), and recording studios (Sui Generis) and dwelling (C3); carpark</div> <p>122. The draft Local Plan, in the “Vision” for Platt’s Eyot (Site Allocation 2), refers to the introduction of residential development “to achieve viability” necessary to support regeneration plans:</p> <div>Vision: Proposed site - Platts Eyot The Council is committed to working in partnership with the site owners and Historic England to develop a Masterplan or development brief for the island. Regeneration should maintain, and where possible enhance, existing river-dependent and river-related uses. New business and industrial uses that respect and contribute to the island’s special and unique character are encouraged. Some residential development may be appropriate where it enables for the restoration of the listed buildings, especially those on the Heritage At Risk Register.</div> <p>123. The Council and the EA, in the Statement of Common Ground, assert that all the borough’s islands have their access in Flood Zone 3b. Planning applications, for residential refurbishments and change of use from business to residential, are being refused on Eel Pie Island citing flood risk.</p> <p>124. And yet the same LPA is being directed by the emerging Local Plan to support the introduction of residential - an introduction that will require a change of use, change of use having been recently refused on Eel Pie Island - on an island that is virtually identical to Eel Pie Island.</p> <p>125. And an island - like Eel Pie Island - that the LPA erroneously considers to have its access in Flood Zone 3b.</p> <p>126. On the adoption of MM4, the ambiguity of the definition of the functional floodplain that refers to tidal flood defences on non-tidal Thames to one side, Platt’s Eyot would be classified as being located in its entirety in the functional floodplain.</p>

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				<p>127. Policy LP 21states, under “Land uses and developments - restrictions”, that “proposals for the change of use of the conversion to a use with a higher vulnerability classification will not be permitted.”</p> <p>128. And yet MM8 is supporting exactly the above - the introduction of residential development in converted boatyard building is a “conversion to a use with a higher vulnerability.</p> <p>129. The scenario being envisaged (the introduction of residential) to support the regeneration of Platt’s Eyot is directly comparable to a change-of-use planning application that was refused on Eel Pie Island a matter of months ago.</p> <p>130. The use of a Site Allocation to Platt’s Eyot is to be supported. And is surely proof positive that each of the borough’s islands is unique, something that should be recognised in both the Local Plan and the accompanying SFRA. One size clearly does not fit all, and if there is to be a more general policy adopted, then exceptions should be made in the case of both Platt’s Eyot and Eel Pie Island where there is clearly justification.</p> <p>(10) CONCLUSION</p> <p>131. I would therefore on behalf of my client, Mr Henry Harrison, urge the Inspectors to refuse to allow the proposed change to the definition of the functional floodplain with regard to Policy 8 of the emerging Local Plan.</p> <p>132. If this main modification to Policy 8 is allowed, a significant number of members of the community, particularly those with property both residential and commercial on Eel Pie Island and Platt’s Eyot, would be affected in a harmful and unnecessary manner.</p> <p>133. This proposed change would have significant impact on the provision of new residential or mixed use development on both Eel Pie Island and Platt’s Eyot, to include extensions to residential properties and changes of use from commercial to residential use.</p> <p>134. It will also affect the availability and affordability of property insurance.</p> <p>135. It will also affect the availability and affordability of financing eg mortgages and business loans secured against property.</p> <p>136. The proposed change also takes away property owners permitted development rights to change from commercial to residential if the local planning authority refuse prior approval due to flooding issues.</p> <p>137. All the above will negatively impact Eel Pie Island’s ability to adapt to change and continue to thrive and the aspiration to regenerate Platt’s Eyot..</p> <p>138. We would also request that the erroneous statement that all of the borough’s islands have their access in Flood Zone 3b be corrected, and more specific reference is made to each island.</p>
27	Andrea Plos	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to Proposed Changes in Local Plan – Policy 8 (Flood Risk and Sustainable Drainage)</p> <p>I am writing to formally object to the proposed modifications under Policy 8 of the Local Plan, particularly the redefinition of the functional floodplain as outlined in MM44. The reclassification of all land “riverward of the Thames Tidal Flood Defences” as functional floodplain (Zone 3b) is deeply concerning due to its widespread and unnecessary negative consequences for Eel Pie Island and other affected areas.</p> <p>Key Concerns:</p> <p>1. Inaccurate Flood Zone Classification The reclassification in MM44 does not reflect the actual flood risk of Eel Pie Island. The current designation of most of the island in Flood Zone 3a aligns with established flood risk assessments, and the proposed shift to Zone 3b is not supported by consistent evidence. Moreover, the assumption that all borough islands have access points in Flood Zone 3b is demonstrably incorrect. This broad-stroke redefinition disregards the unique topography and risk levels of each location.</p> <p>2. Severe Impact on Property Development and Adaptation The proposed policy will severely limit property owners' ability to undertake necessary extensions, conversions, or developments that have historically allowed Eel Pie Island to remain a thriving and sustainable community. The functional floodplain classification will introduce unjustified planning restrictions that make future adaptation impossible, reducing the island’s long-term viability.</p> <p>3. Negative Financial and Insurance Implications Reclassifying Eel Pie Island as part of the functional floodplain will have an immediate and detrimental effect on the financial security of its residents and business owners. The ability to secure mortgages and business loans will be greatly diminished, with banks and insurers likely to withdraw support due to increased flood risk categorization. Insurance costs will rise sharply, while some properties may become uninsurable altogether, making ownership and investment unsustainable.</p> <p>4. Lack of Proper Consultation and Justification The process by which MM44 was introduced raises serious procedural concerns. The modification was not included in the original public consultation of the Local Plan and emerged only after discussions between the council and the Environment Agency. Stakeholders were given no opportunity to challenge this significant change during the formal consultation process. Additionally, no clear justification has been provided as to why this redefinition is necessary, nor has any supporting data demonstrated that such a change is required for flood risk mitigation.</p>

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				<p>A More Reasonable Approach</p> <p>Instead of proceeding with this ill-advised reclassification, the council should consider a more nuanced and evidence-based approach that recognizes the unique characteristics of Eel Pie Island and other affected areas.</p> <p>Retain the existing definition of the functional floodplain as Flood Zone 3b rather than adopting a sweeping reclassification that fails to account for site-specific conditions.</p> <p>Recognize that Eel Pie Island has historically been granted exceptions from strict functional floodplain regulations due to its unique circumstances and should continue to be treated accordingly.</p> <p>Introduce site-specific assessments rather than applying a blanket policy that disproportionately impacts some areas while leaving others unaffected. This would align with past approaches taken in other boroughs.</p> <p>Conclusion</p> <p>This modification, if implemented, will cause unnecessary harm to residents, businesses, and the broader community without offering any tangible flood risk mitigation benefits. The proposed changes lack both procedural fairness and substantive justification. I strongly urge the council to reject MM44 and instead adopt a more balanced approach that supports responsible development while maintaining appropriate flood risk management.</p> <p>I would welcome the opportunity to discuss this matter further and look forward to your response.</p>
28	Laura Arrigoni	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to MM44 – Functional Floodplain Redefinition</p> <p>I strongly object to MM44 of Policy 8, which reclassifies all land riverward of the Thames Tidal Flood Defences as functional floodplain (Zone 3b). This broad and unjustified change will severely impact Eel Pie Island and other areas.</p> <p>Key Concerns:</p> <p>Inaccurate Classification: The shift from Flood Zone 3a to 3b lacks site-specific evidence and ignores Eel Pie Island’s actual flood risk.</p> <p>Development Restrictions: The new classification would unnecessarily limit property modifications, threatening the island’s long-term viability.</p> <p>Financial & Insurance Impact: Reclassification will make mortgages, loans, and insurance harder to secure, devaluing properties.</p> <p>Lack of Consultation & Justification: MM44 was introduced without proper public consultation or clear evidence supporting its necessity.</p> <p>Request for a Fairer Approach</p> <p>I urge the council to reject MM44 and instead:</p> <p>Retain the current floodplain classification based on actual risk.</p> <p>Recognize Eel Pie Island’s historical exceptions due to its unique circumstances.</p> <p>Apply site-specific assessments rather than a blanket policy.</p> <p>This change would cause unnecessary harm without real flood risk benefits. I look forward to your response.</p>
29	Max Balfour	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Eel Pie Island</p> <p>It is clear from the Richmond Council flood assessment map (see attached screen print) [see image below] that Eel Pie Island is largely zone 3A.</p>

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				 <p>Furthermore, it is also clear from the map that para 16.66 does not apply to Eel Pie Island since the egress to and from the island is not within the functional floodplain.</p> <p>Furthermore, MM44 does not change matters since the island is protected by “Thames Tidal Flood Defences”.</p> <p>However, given the number of businesses and residents living and working on the island and its dynamic and ever evolving nature I would like to suggest that the Local Plan makes it explicit that para 16.66 does not apply to Eel Pie Island.</p> <p>I hope and assume that this is non-controversial and can be added with ease e.g. with the clause “For clarification it should be noted that Eel Pie Island is in zone 3a and this para 16.66 does not apply to Eel Pie Island”</p>
30	Sam Dibley	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to Main Modification 44 - Functional Floodplain for Eel Pie Island</p> <p>I'm writing to you as the Co-Founder of The Ripple Effect, a small communications consultancy delivering PR services to charities, not-for-profits and ethical brands across London and the wider UK.</p> <p>The adoption of Eel Pie Island as a functional floodplain will have a negative impact on our business, and many others on the Island. We're based in [personal details removed for data protection].</p> <p>We are a Living Wage Employer that ensures staff are paid at a good and fair rate, we donate 2.5% of our profits to charity (over £15,000 to date) and we offer a great amount of pro-bono services to small charities.</p> <p>The Functional Floodplain is very likely to increase rates of business premises insurance for our property and, as such, could have a negative effect on our overall cash flow and could mean we have to scale back our charitable donations and pro-bono support – negatively impacting a selection of charities who truly benefit from our support.</p> <p>Please reconsider MM44.</p>
31	Simon and Sheba Cassini	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Flood risk status change.. objection</p> <p>As a long term resident of [personal details removed for data protection] I would like to add my objection to the recent decision to redefine the functional floodplain to include the island. I can't understand how this blanket change can be applied without taking into account the adverse effect it would have on residents and businesses on the island. At a stroke it makes development and planing for new or existing residences impossible. It will impact our ability to apply for mortgages and almost certainly involve an increase in insurance premiums (or at worst make our homes uninsurable)</p> <p>In our own case the planning permission we received a few years ago to extend our property was granted mainly on the grounds that unless we could make our house suitable as a residential home the property itself would very soon become unviable as a residential dwelling. As I understand it, this change in status would render a similar application now almost impossible. The house, originally an old wooden boatbuilder's shed dating from about 1900, would eventually cease to be a viable residence and a unique quirky slice of Twickenham history would be lost, to the detriment of the borough to some extent, but to the island indubitably.</p>

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				<p>If there is a logical reason for this change I would be happy to hear it but the reality seems to be that a broad brush has just been applied across the board to all the islands - inhabited or not - in this part of the river, partly based on erroneous information and certainly without any prior warning or consultation with the people best informed, best prepared and most directly affected. Us. The residents</p> <p>The island has been inhabited for hundreds of years and whilst I appreciate the problems of global warming may impact us more than they did Henry VIII we are very accustomed to the risks and very aware of the potential of extreme high tides, torrential rainfall and the numerous other factors that make island living slightly more interesting than might otherwise be the case.</p> <p>I should add that in the <i>[personal details removed for data protection]</i> years we've lived here we have seen many huge tides accompanied by periods of extreme rainfall and high levels of water flow which have flooded much of the Embankment and caught out many an unwary motorist. But in that time, though water occasionally comes into the bottom of our garden, it has never come even close to threatening our home. We have remained dry and unscathed above the highest of tides and less in danger than many other riverside properties which seem unaffected by these changes. (I understand Platts Eyot for example is still being supported for residential development in spite of being almost identical topographically to Eel Pie).</p> <p>Whenever the future of the borough is discussed the council always seem to mention Eel Pie Island as an exceptional asset to the community and recognise that in many ways a different approach is needed to ensure it continues to thrive as a place to live, a unique and well known artistic community and a base to the rapidly diminishing stock of working boatyards on the Thames.</p> <p>I urge you to rethink this proposal and at the very least acknowledge that this blanket approach is not suitable in this case and the island should be treated as a separate case when considering how to classify flood risks.</p> <p>An exception could and should be made if the island is to be allowed to grow and thrive to the benefit of both ourselves and the community.</p> <p>I urge you to reject these changes and resubmit proposals which take into account our own unique circumstances and will not impact all our lives as residents of the island.</p>
32	Roger Cutler	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Policy8 of Local Plan. Tidal Flood Defences. Re-classification of Eel Pie Island into the flood plain in MM44.</p> <p>I wish to object strongly to the above re-classification of Eel Pie Island into the flood zone.. This does not reflect reality & causes major issues for residents on the island. The island has been in Zone 3a because it has a low flood risk assessment. There is no rationale for moving it to Zone 3b. Not only that; but such a re-classification would bring severe, & unnecessary, hardship to islanders.</p> <p>The resulting planning restrictions would severely damage the island's further evolution & sustainability. Like any community, residents & businesses have been able to develop, extend & convert properties. Suddenly this would become much more difficult, or even impossible; because of the unnecessary change in classification. In addition; in our already difficult economic climate; residents & businesses would be hit by unnecessary large increases in insurance costs, mortgages & business loans. Some properties may become uninsurable overnight. The financial security of all islanders would get much worse - for what purpose?</p> <p>This re-classification was not included in the original Local Plan Public Consultation. Clearly it was felt that there was no need for it. The change to the plan occurred only when the council got together with the Environment Agency. Why would either, or both, these bodies wish to make such a change? On what evidence? Where is the data that supported such a sudden change in the flood risk? Although this was a significant change in the definition of the flood risk; there was no opportunity to challenge it during the formal consultation process. Why not?</p> <p>There are no benefits in this inclusion of Eel Pie Island in the floodplain. In the absence of any evidence of increased risk, Eel pie Island should remain in Flood Zone 3a; as per its established flood risk assessments. Common sense must prevail. Gratuitously causing unnecessary harm to residents, businesses & the wider community is pointless; when the existing flood risk management has been perfectly satisfactory over previous years. Please put Eel Pie Island back into Flood Zone 3a.</p>
33	Holly Tucker MBE	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Total objection to the planned changes to make Eel Pie Island - making it a floodplain</p> <p>I just do not understand why, why, why anything like this would even be considered.</p> <p>We have treasures in this country and Eel Pie Island is one of them.</p> <p>How would it even have come to this? That anyone has to tell anyone else that it should be protected?</p> <p>Surely your job as a council is to do that? To protect the local area and all the amazing things it might have accumulated over the years - culture and heritage being one of them.</p> <p>I strongly object for the following reasons.</p> <ol style="list-style-type: none"> 1. I work on the island and can not afford as a small business for my rates to increase. 2. My insurance will go up due to the risk of flooding. 3. The island is treasured due to its unique residents such as artists studios and boat builders - how can this now be under threat? 4. People who want to buy on the island, how on earth will they get mortgages etc - the residents keep the island alive. 5. And to my earlier point, the memories of this historically important island will disappear - under sewage water no less. <p>It's a disgrace, just a disgrace, that we even have to point these things out.</p> <p>I will be going to the press with this.</p>
34	Ian Kroch	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Eel Pie Island - proposed change to flood risk status</p> <p>I write to object to the proposed redefinition of the functional floodplain outlined in MM44. The reclassification of all land "riverward of the Thames Tidal Flood Defences" as functional floodplain (Zone 3b) is unnecessary and would have extremely negative consequences for Eel Pie Island, its residents and its businesses.</p>

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				<p>The reclassification of the island as Zone 3b does not reflect its actual flood risk. The current designation of most of the island as Flood Zone 3a is far more appropriate, given the height above river level at which most buildings are located and the fact that the island is on the tidal Thames, so that any flooding events are likely to be of short duration, unlike such events on the non-tidal river. It is also not the case, as stated, that access to the island is in Zone 3b.</p> <p>Reclassifying the island as part of floodplain Zone 3b is far from being a trivial change. It would have very serious consequences for residents and business owners. Insurance costs, business loans and mortgages would rise significantly - and might even become unobtainable. This would certainly have very negative consequences for the vitality of the island community, including its sports clubs and businesses. These bodies have been given given no chance to object to the change during the consultation phase of the process, since the proposal was not included until after the public consultation.</p> <p>Since the proposed reclassification is not based on any specific evidence related to the island, and is based on a “one-size-fits-all” approach, I urge the council to consider the unnecessary damage it will do to the residents, businesses and clubs of the Island and to reconsider it.</p>
35	Alexander Lewis	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection Eel Pie Island Floodplain Proposal</p> <p>I'm writing to object to the Council’s proposal to redefine the functional floodplain at Eel Pie Island. The new definition will classify the WHOLE island as functional floodplain and that will have an immediate impact on the business that I run on the island and the possibility of getting insurance. If it is possible to get insurance the cost change will be prohibitive and may mean that we can no longer operate on Eel Pie Island.</p> <p>I'd like to request that the Planning Inspectors recognise the impact that the proposed change will have and keep the existing definition of the functional floodplain (Flood Zone 3b) OR make an exception for Eel Pie Island so it can continue to adapt, evolve and thrive.</p>
36	Natalie Peter	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Eel Pie Island Floodplain Proposal – Objection</p> <p>I am writing to formally object to the proposed modifications under Policy 8 (MM44) of the Local Plan, particularly the reclassification of Eel Pie Island into Flood Zone 3b. Please consider retaining the current Flood Zone 3a classification for Eel Pie Island and consider the island's unique circumstances.</p> <p>This proposed modification offers no tangible flood risk benefits and poses unnecessary harm to our community.</p>
37	Aidan Boulter	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Proposed Main Modifications to the Richmond upon Thames Local Plan</p> <p>I read with alarm this morning of your intention to redefine the functional floodplain which would include Eel Pie Island.</p> <p>My Mother <i>[personal details removed for data protection]</i> and I moved to the Island in <i>[personal details removed for data protection]</i> and she lived there unaffected by floods ever since. She passed away last <i>[personal details removed for data protection]</i> at the age of <i>[personal details removed for data protection]</i> having pursued careers both as a teacher at a local school, then later as a successful actress in films and television. In over forty years, she was never prevented from access or egress to the Island, and her house was never in danger of flooding, the nearest floodwater ever came was to the mainland foot of the footbridge.</p> <p>My siblings and I are currently in the process of settling her estate. We have to sell our family home to cover death duties and inheritance tax; the proposed redefinition would cause us extreme hardship as it would make the property virtually impossible to sell at it's current market value.</p> <p>Eel Pie Island has a colourful history and a diverse community including artists, sculptors, musicians, actors, architects, a retired submarine captain, it was the home to Trevor Baylis CBE and it is also the home to two of the last remaining boatyards on the River Thames. The proposal would have a devastating impact on that community and their businesses, making insuring or raising mortgages against their properties difficult if not impossible.</p> <p>The plan doesn't make sense. I moved to Kent where an enormous amount of house building is currently happening including on genuine flood plains, for example the new development at Greenhithe, or Wharfside Close in Erith on the River Thames. Does The Peninsular at Greenwich attract the same attention bearing in mind it is on "land riverward of Thames Tidal Flood Defences"?</p> <p>Eel Pie Island is currently defined as Flood Zone 3a and I respectfully request that you correct the errors in the local plan which define it differently.</p>
38	Mark Gunning	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Object to proposed modification of functional floodplain for Eel Pie Island – MM44</p> <p>I object to the proposed modifications under Policy 8 of the Local Plan concerning the redefinition of the functional floodplain as outlined in MM44. I believe this to be unnecessary, will cause significant problems to the island, its residence and its future but also to have been decided without proper consultation.</p> <p>My main concerns are:</p> <ol style="list-style-type: none">1. The island is not at significant flood risk and the new classification does not reflect this.2. Impact on insurance and other issues for the residence.3. It will restrict the future development of this lively and vibrant community, particularly as the Island moves towards more mixed use.

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				<p>4. There was not proper consultation. This modification was not in the original public consultation and seems to have arrived just from discussions with in the council and the Environment agency. Residents should have had their say during the consultation stage on such an important issue for us.</p> <p>5. There is no evidence (that is publicly available) that this change is justified. To make a change of this nature and significance needs, in my opinion, real evidence of the issue and I have not seen this anywhere.</p> <p>I strongly believe that the existing definition of Flood Zone 3b should be retained unless real evidence is obtained that justifies it being changed.</p>
39	Peter Hunter	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Plan MM44 Floodplain Reclassification</p> <p>I am writing to formally object to the proposed changes under Policy 8 of the Local Plan. In particular I am extremely worried about the redefining of the functional floodplain that has been outlined in MM44. This reclassification as Zone 3b will have very negative effects for Eel Pie Island, as well as other areas, and in particular for my own home on the Island.</p> <p>Incorrect Flood Zone Classification The reclassification in MM44 is wrong. The Island is, and has historically been, in Flood Zone 3a and the proposed shift to Zone 3b is not supported by the evidence available.</p> <p>Severe Impact This policy and the proposal regarding the change to the functional floodplain classification will reduce the Island's long term viability.</p> <p>Negative Financial and Insurance Consequences I have been a permanent resident since <i>[personal details removed for data protection]</i>, and I am now <i>[personal details removed for data protection]</i> years of age, and I can foresee that this proposed change will make it impossible for me to obtain insurance at a viable cost. My property has never flooded even before the Thames Barrier was built. This proposed change could ruin the unique place that the Island represents in the Borough of Richmond.</p> <p>Lack of Proper Consultation We have been given no voice in order to challenge this major change and there are no data supporting it.</p> <p>A More Considered View It would be better if the Island retained its Flood Zone 3a status which is factually and historically correct.</p> <p>Conclusion This Policy, were it to be implemented, would cause untold damage to its residents and the businesses on the Island. A more factually and historically correct Policy should be adopted. Many of the residents on the Island have lived here for a great many years and are advanced in age ie retired. Adopting this erroneous Policy would have a detrimental affect to their lives and would potentially prevent younger generations from being able to move into homes on the Island. This could mean that the unique Island way of life would inevitably die out.</p> <p>I sincerely urge the Council to reject MM44 and to look for a more reasonable conclusion and solution.</p>
40	Paul and Claire Gowers	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Modifications to Local Plan – Objection</p> <p>We are writing to formally object to the proposed modifications under Policy 8 of the Local Plan, specifically the redefinition of the functional floodplain as outlined in MM44. The reclassification of all land “riverward of the Thames Tidal Flood Defences” as functional floodplain (Zone 3b) is deeply concerning due to its widespread and unnecessary negative consequences for Eel Pie Island and other affected areas. We strongly believe you are putting the future of Eel Pie Island, a valuable local asset, at risk. Our objection is based on the following:</p> <p>1. Inaccurate Flood Zone Classification The reclassification in MM44 does not accurately reflect the actual flood risk of Eel Pie Island. The current designation of most of the island in Flood Zone 3a aligns with established flood risk assessments, and the proposed shift to Zone 3b is not supported by consistent evidence. Moreover, the assumption that all borough islands have access points in Flood Zone 3b is demonstrably incorrect. This broad-stroke redefinition disregards the unique topography and risk levels of each location</p> <p>3. Negative Financial and Insurance Implications Reclassifying Eel Pie Island as part of the functional floodplain will have an immediate and detrimental effect on the financial security of its residents and business owners. The ability to secure mortgages and business loans will be greatly diminished, with banks and insurers likely to withdraw support due to increased flood risk categorization. Insurance costs will rise sharply, while some properties may become uninsurable altogether, making ownership and investment unsustainable - and so risking the survival of Eel Pie Island.</p> <p>4. Lack of Proper Consultation and Justification The process by which MM44 was introduced raises serious procedural concerns. The modification was not included in the original public consultation of the Local Plan and emerged only after discussions between the council and the Environment Agency. Stakeholders, including the residents of Eel Pie Island, were given no opportunity to challenge this significant change during the formal consultation process. Additionally, no clear justification has been provided as to why this redefinition is necessary, nor has any supporting data demonstrated that such a change is required for flood risk mitigation.</p> <p>Instead of proceeding with this ill-advised reclassification, the council should consider a more nuanced and evidence-based approach that recognizes the unique characteristics of Eel Pie Island and other affected areas.</p> <p>· Retain the existing definition of the functional floodplain as Flood Zone 3b rather than adopting a sweeping reclassification that fails to account for site-specific conditions.</p>

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				<div>· Recognize that Eel Pie Island has historically been granted exceptions from strict functional floodplain regulations due to its unique circumstances and should continue to be treated accordingly.</div> <div>· Introduce site-specific assessments rather than applying a blanket policy that disproportionately impacts some areas while leaving others unaffected. This would align with past approaches taken in other boroughs.</div> <div>This modification, if implemented, will cause unnecessary harm to residents, businesses, and the broader community without offering any tangible flood risk mitigation benefits. The proposed changes lack both procedural fairness and substantive justification. I strongly urge the council to reject MM44 and instead adopt a more balanced approach that supports responsible development while maintaining appropriate flood risk management.</div> <div>We look forward to hearing from you,</div>
41	Sebastian Head <i>(copy of representation also received by Valerie Scott)</i>	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<div>Subject: Objection to Main Matter MM44 Policy 8 Flood Risk and Sustainable Drainage</div> <div>I wish to object to the proposal to include the words “For the River Thames, the functional floodplain is defined as land riverward of Thames Tidal Flood Defences” at paragraph 16.66 which supports Policy 8 Flood Risk and Sustainable Drainage, of the Draft Local Plan.</div> <div>Please find my written objection attached <i>[see full response below or at Appendix 3]</i>.</div> <div><i>[Please note that this response includes references to the representation submitted by Valerie Scott on behalf of Henry Harrison, see MM Rep No. 26 or Appendix 2].</i></div> <div>Objection to Proposed modification to Policy 8 (MM44) of the draft Local Plan I am Sebastian Head and I am writing this letter of objection to the above proposed modification, which seeks to change the flood plain status of, <i>inter alia</i>, Eel Pie Island. I do so as an occupier of an office on the Island. I have past professional experience in the planning world.</div> <div>I have had the opportunity of reading a planning report prepared by Valerie Scott Planning on behalf of Henry Harrison. References to page and paragraph numbers below are references to that Report, save as otherwise specified. I write this objection in support of the approach that the Report states should be taken in relation to proposed modification.</div> <div>Although that Report has a wider scope, my comments below are confined to the impact of the proposed modification on Eel Pie Island and its occupants.</div> <div>It is the sea in which all planners swim, that in order to be defensible, any planning policy must have been formulated:<ul style="list-style-type: none">• Subject to proper public scrutiny;• Taking all material considerations into account;• Other than on the basis of material errors of fact;• With a view to a consistent approach being taken by the planning authority in question and neighbouring planning authorities;• Other than on the basis of material errors of interpretation of planning policy; and• In order to serve a proper planning purpose.</div> <div>1 The proposed modification seeks to include the whole of Eel Pie Island within the functional floodplain (Zone 3b).</div> <div>2 At present only 5% of Eel Pie Island lies within the functional floodplain (see table at the foot of page 10 of the Report and the references to the flood modelling to support this at p25 (table)). The remaining 95% falls outside the functional floodplain and within Zone 3a.</div> <div>3 Thus the impact of the proposed modification is to draw 95% of the Island into the functional floodplain and to render the Island and its occupants subject to the significantly restrictive policies that apply within the functional floodplain (water compatible developments and essential infrastructure only).</div> <div>4 This will lead to serious harm being suffered by the Island and its occupants as summarised, <i>inter alia</i>, at page 4, paras 10 -12 of the Report (e.g. inability to develop properties, restrictions on residential and business financing and difficulties with insurance).</div> <div><u>Public scrutiny</u></div> <div>5 The proposal to include an additional 95% of Eel Pie Island within the functional floodplain, was not reached subject to proper public scrutiny, rather it was reached at a private meeting between LBRUT and the EA on 19th March 2024 (p6 para 20). The proposal had not been part of the Draft Local Plan as published in the summer of 2023 (p6 para 19).</div> <div>6 The modification was proposed without any public scrutiny whatsoever (Report pp 7-8 paras 30 – 35).</div> <div>7 Apart from the inherent unattractiveness of this clandestine approach, its result was also that the proposed modification was introduced with no opportunity for the public to make representations. Those proposing the modification were therefore unable to take into account material matters that the public would have raised had there been an opportunity to make such representations.</div> <div><u>Failing to take into account material considerations</u></div> <div>8 The decision to introduce proposed modification was made, failing to take into account the following material considerations:</div>

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				<div><div><div>(i)</div><div>The impact upon occupiers of Eel Pie Island in terms of their ability to develop their properties;</div></div><div><div>(ii)</div><div>The impact upon the occupiers of Eel Pie Island in terms of their ability to raise finance (both business and residential) on their properties;</div></div><div><div>(iii)</div><div>The impact upon the occupiers of Eel Pie Island in terms of their ability to insure their properties, whether at all, or at a reasonable cost;</div></div><div><div>(iv)</div><div>That Eel Pie Island is currently unaffected by the most onerous flooding policies (as it is 95% in Zone 3a), but would, by the introduction of the proposed modification, become completely subject to those policies (paras 9-11 below);</div></div><div><div>(v)</div><div>That the proposed modification would lead to a significant inconsistency of approach, whereby RBRUT would be the only London Borough to use this proposed definition of functional flood plain, all others identifying it as Zone 3b (para 12 below); and</div></div><div><div>(vi)</div><div>That there is no tenable justification for the proposed modification by reference to the public interest (paras 14 -16 below).</div></div></div> <div><div>Material errors of fact</div><div>9 Paragraph 16.66 of the Draft Plan (p3 of the Report) assumes that all of the Islands affected by the proposed modification have an access to and egress from them, which lies in the functional floodplain and therefore are already within Zone 3b and will therefore be unaffected by the new definition of functional floodplain. The assumption of those formulating the modification is that those to whom it applies will be unaffected by it.</div><div>10 This is manifestly incorrect. 95% Eel Pie Island lies within Zone 3a and not Zone 3b (Report table at p10 and table at p25). Access to and egress from the Island are within Zone 3a and not Zone 3b. The proposed modification was made on the basis of a significant and material error of fact. The proposed modification is indefensible in this respect. The impact of the proposed modification would be profoundly different from that contemplated by those formulating it at their private meeting on 19th March 2024.</div><div>11 If more were needed to demonstrate the erroneousness of this approach, the Statement of Common Ground of 28.06.24 states, at para 5.11 (Report p11 para 52): “There is therefore no change in policy or to the designation, the islands are already considered to [be] [sic] within flood Zone 3b where access and egress to and from the island is within the functional floodplain, for the purpose of new development, such islands will be considered and treated as functional floodplain ...” The policy makers have assumed that there will be no policy change to Eel Pie Island. This is a false assumption. Access to and egress from Eel Pie Island is not within the functional floodplain at present (it is within Zone 3a). There will be a fundamental change of policy which was unknown to, ignored, or left out of account by the policy makers.</div><div>Inconsistency of approach</div><div>12 All other London Boroughs identify the functional flood plain as equating with Zone 3b. RBRUT would be out on a limb were the proposed modification to be made, with no justification having been given for this inconsistency of approach. Defining the flood plain as Zone 3b gives a refined and fair basis for the application of policy (as it is based on detailed mapping) that takes into account individual circumstances at a local level and avoids the harsh unfairness that follows from the sledgehammer affect of the proposed modification.</div><div>Erroneous interpretation of planning policy</div><div>13 The EA/LBRUT Statement of Common Ground (at SOCG -08) characterises the proposed modification as a “minor” modification (and Report p7 para 29). That is a significant misinterpretation of planning policy. A modification which draws 95% of Eel Pie Island and some 200 occupants of the Island into the new world of restriction that automatically accompanies being included within the functional floodplain, could not on any reasonable basis, be considered to be a “minor modification”. The proposers of this modification have seriously misunderstood the proper interpretation of planning policy.</div><div>No proper planning justification for the policy</div><div>14 If a planning policy is to be defensible, it must be justified in the public interest. That is the only acceptable basis for allowing harm to be caused by the policy to private property interests.</div><div>15 No justification has been put forward for the policy, apparently (save for linguistic convenience) because there is no such justification (Report p7 para 27 and p9 para 43). The proposed modification has no proper place in the forthcoming Local Plan.</div><div>16 I therefore object to the proposed modification because: <div><div>(i)</div><div>It will be materially and significantly harmful to the interests of the Island and its occupants;</div></div><div><div>(ii)</div><div>It was formulated in the absence of proper public scrutiny;</div></div><div><div>(iii)</div><div>It was formulated without taking all material consideration into account;</div></div><div><div>(iv)</div><div>Its introduction would lead to an inconsistent approach being taken by RBRUT, to that taken by all other London Boroughs, without any justification;</div></div><div><div>(v)</div><div>It was formulated on the basis of an erroneous interpretation of planning policy; and</div></div><div><div>(vi)</div><div>It has not been sought to be justified by any proper planning purpose.</div></div></div></div>

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42	Ben Holland	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Eel Pie Island Floodplain Objection</p> <p>I am writing to formally object to the proposed reclassification of Eel Pie Island as a functional floodplain. As a resident of [personal details removed for data protection], I deeply care about the islands not just as a place but as a home and a community.</p> <p>My mother, [personal details removed for data protection], chose to move to Eel Pie Island because of its beauty and strong sense of community. Tragically, she died just over a year ago from [personal details removed for data protection], leaving me the home she built there, [personal details removed for data protection]. This home is now my most significant connection to her memory. The proposed reclassification of Eel Pie Island as a functional floodplain would make it near impossible for me - and many others - to continue living on the island, threatening not only our homes but also the close-knit community that Eel Pie Island is.</p> <p>If Eel Pie Island is designated as a functional floodplain, it would have devastating consequences. It would drastically increase insurance costs, make obtaining mortgages near impossible, and effectively prohibit any future chance of receiving planning permissions. This would force both me and other residents to leave the place they have called home, dismantling a thriving community which has existed for years.</p> <p>My mother adored Eel Pie Island and its community, and I firmly believe that others should continue to have the opportunity to experience it as she did. I sincerely urge the Planning Inspectors to reconsider the proposal - whether that is by maintaining the existing definition of the functional floodplain (Flood Zone 3b) or by making an exception for Eel Pie Island - so that it can remain a residential island where its community can continue to flourish.</p>
43	Clive Chapman on behalf of Jack Betteridge	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to Proposed Changes in Local Plan – Policy 8 (flood Risk and Sustainable Drainage)</p> <p>I am writing to formally object to the proposed Modification no. 44 under Policy 8 of the draft Local Plan, which would mean the reclassification of the whole of Eel Pie Island into Flood Zone 3b.</p> <p>Key Objections:</p> <p>1. Inaccurate Flood Risk Assessment: The proposed shift from Flood Zone 3a to 3b does not align with existing, reliable flood risk data. The current Zone 3a classification accurately represents the actual risk.</p> <p>2. Severe Impact on Community Sustainability: This change introduces unnecessary planning restrictions, hindering essential developments that have historically enabled our community to thrive sustainably.</p> <p>3. Financial and Insurance Consequences Reclassification will dramatically increase insurance costs, limit insurability, and severely undermine property values, making ownership and investment unsustainable.</p> <p>4. Lack of Proper Consultation MM44 was not included in the original public consultation and emerged only later without adequate public engagement or transparent justification.</p> <p>Recommendation:</p> <ul style="list-style-type: none">Retain the current Flood Zone 3a classification for Eel Pie Island.Adopt an evidence-based, site-specific approach, acknowledging our island’s unique circumstances. <p>This proposed modification offers no tangible flood risk benefits and poses unnecessary harm to our community. I urge the council to reject Modification No. 44 and pursue a balanced, evidence-based approach.</p> <p>It is clearly evidence that at extreme high tides when Twickenham Embankment (Flood Zone 3b) floods, but none of the island, we are not in Flood Zone 3b.</p>
44	Clive Chapman	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to Proposed Changes in Local Plan - Policy 8 (flood Risk and Sustainable Drainage)</p> <p>I am a long term resident of [personal details removed for data protection] and have run an architects practice on the Island since January 1981. As a practice we have been responsible the design and construction of many properties on the island including five new build houses, the complete remodelling of two houses, full planning approval for a house, and the ongoing design of a further new house.</p> <p>I formally object to the proposed modifications under Policy 8 (Modification no. 44) of the London Borough of Richmond upon Thames Schedule of Proposed Main Modifications, dated 31.01.25 (https://www.richmond.gov.uk/media/4iwfsa5o/psed_08_schedule_of_proposed_main_modifications_january_2025.pdf), with the redefinition of the Functional Floodplain as “land riverward of the Thames Tidal Flood Defences”, which would change the Island form being in Flood Zone 3a to Flood Zone 3b.</p> <p>Existing Policy LP 21 of the Local Plan (2018), and Emerging Policy 8 state that: “The borough contains a number of islands on the River Thames. Where the access and egress to and from the island is within the functional floodplain, for the purposes of new development, such islands will be considered and treated as functional floodplain (Zone 3b), even if parts of the islands may be within an area of lower probability of flooding.”</p> <p>Existing Policy LP of the Local Plan (2018) 21 states: “Redevelopment of existing developed sites will only be supported if there is no intensification of the land use and a net flood risk reduction is proposed; any restoration of the functional floodplain will be supported.”</p> <p>Emerging Policy 8 as it stands, states: “Redevelopment of existing developed sites will only be supported if there is no additional built development proposed within the undeveloped functional floodplain, no increase in vulnerability and a net flood risk reduction is proposed; any restoration of the functional floodplain will be supported.”</p>

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				<p>This change in the Emerging Local Plan to specifically make reference <i>to no additional development</i> and that the Island will actually be reclassified as Functional Flood Plain has already resulted to planning refusals. Until recently, planning applications on Eel Pie Island have been granted for an increase in floor area (e.g. Planning ref 19/1855/HOT The Moorings – “Single storey rear extension, rear dormer roof extension and a rear roof terrace.....”) Since the proposed modification to change the whole Island to 3b, a planning application for a replacement dwelling with no increase in bedrooms, but a small increase in floor area, has been refused, contradicting previous decisions.</p> <p>Specific Objections</p> <p>Flood Zone Reclassification Redesignating the entire Island as Flood Zone 3B does not take into account actual ground levels and existing flood defences that were constructed by the GLA in the late 1970s and early ‘80s. These defences and ground levels correctly designate the Island as Flood Zone 3a.</p> <p>Policy wording Introduction of the words, ‘no additional built development proposed within the undeveloped functional floodplain’</p> <p>Development Prevention These policies will effectively prevent any new homes that would be designed to have floor levels that meet 1 in100 year plus climate change, be flood resilient, have foundations that result in no loss of floodplain, or are built as sustainable construction with zero carbon footprint. The result will mean that a thriving ongoing upgrading of the built environment will end.</p> <p>Insurance Redefining the Island as Functional Floodplain will increase insurance premiums or possibly insurance unavailable, and make mortgages and property loans harder to obtain, which in turn, will decrease property values and lead to a general decline investment.</p> <p>Egress from the Island is via a footbridge (Flood Zone 3a) across a short (20m) section of Flood Zone 3b to higher ground on Twickenham Embankment (Flood Zone 3a). This short section of Flood Zone 3b is in the Tidal Thames, so that during an extreme event, flooding is only a matter of hours and not days. These proposed modifications offer no benefits, but only unnecessary negative impact on a residential and business community that know and understand the river.</p>
45	Sean Barrett	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to Proposed modification to Policy 8 (MM44) of the draft Local Plan</p> <p><i>[Please note that this response includes references to the representation submitted by Valerie Scott on behalf of Henry Harrison, see MM Rep No. 26 or in full at Appendix 2].</i></p> <p>I am Sean Barrett of <i>[personal details removed for data protection]</i> writing to formally object to the proposed modification that seeks to alter the floodplain status of Eel Pie Island. As an office occupier on the Island with professional experience in planning, I strongly oppose this modification.</p> <p>I have reviewed the planning report prepared by Valerie Scott Planning on behalf of Henry Harrison. My objection aligns with the concerns outlined in the report, particularly regarding the unjustified and detrimental impact on Eel Pie Island and its occupants.</p> <p>Key Objections</p> <ol style="list-style-type: none">Misclassification of Eel Pie Island<ul style="list-style-type: none">Currently, only 5% of Eel Pie Island is designated as functional floodplain (Zone 3b), with the remaining 95% classified as Zone 3a (Report, p.10, p.25).The proposed modification would place the entire island into Zone 3b, subjecting it to severe planning restrictions, affecting property development, financing, and insurance (Report, p.4, paras 10-12).Lack of Public Scrutiny<ul style="list-style-type: none">The decision was reached in a private meeting between LBRUT and the EA on March 19, 2024, without public consultation (Report, p.6, para 20).No opportunity was provided for public representations, violating fundamental principles of transparent planning (Report, pp.7-8, paras 30-35).Failure to Consider Material Factors<ul style="list-style-type: none">The modification disregards the financial and developmental impacts on Eel Pie Island’s residents and businesses.No justification has been provided for deviating from the standard approach used by other London Boroughs (Report, paras 9-16).Material Errors of Fact<ul style="list-style-type: none">The Draft Plan incorrectly assumes that access and egress to all affected islands lie within Zone 3b (Report, p.3).In reality, 95% of Eel Pie Island is in Zone 3a, making the basis for this modification factually flawed (Report, p.10, p.25).Inconsistent and Unjustifiable Approach<ul style="list-style-type: none">All other London Boroughs define functional floodplain as Zone 3b. LBRUT’s deviation lacks rationale and results in an unfair policy application (Report, para 12).The EA/LBRUT Statement of Common Ground mischaracterizes this drastic change as a “minor modification” (Report, p.7, para 29), misinterpreting planning policy.Lack of Proper Planning Justification<ul style="list-style-type: none">Planning policies must serve the public interest. This modification lacks any demonstrated justification (Report, p.7, para 27; p.9, para 43). <p>Conclusion I object to the proposed modification because:</p> <ul style="list-style-type: none">It would cause significant harm to Eel Pie Island and its occupants.It was introduced without public scrutiny or due consideration of material factors.It imposes an inconsistent and unjustified approach compared to other London Boroughs.It is based on a flawed interpretation of planning policy and lacks legitimate public interest justification.

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				I urge the authorities to reject this modification and ensure a fair, evidence-based planning process.
46	Emma Burke	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to Proposed Floodplain Reclassification – Eel Pie Island</p> <p>[Please note that this response includes references to the representation submitted by Valerie Scott on behalf of Henry Harrison, see MM Rep No. 26 or in full at Appendix 2].</p> <p>I am writing as an office occupier at [personal details removed for data protection], to formally object to the proposed modification altering the floodplain status of Eel Pie Island. As someone with professional experience in planning, I strongly oppose this change due to its unwarranted and harmful consequences for the Island and its community.</p> <p>Having reviewed the planning report by Valerie Scott Planning on behalf of Henry Harrison, I share the concerns outlined, particularly regarding the flawed classification and the lack of proper consultation.</p> <p>Primary Concerns</p> <p>Incorrect Floodplain Classification Currently, only 5% of Eel Pie Island is designated as functional floodplain (Zone 3b), while the remaining 95% falls under Zone 3a. The proposed modification would reclassify the entire Island as Zone 3b, leading to excessive planning restrictions that would negatively impact property development, financing, and insurance.</p> <p>Lack of Transparency and Public Engagement The decision was made behind closed doors in a private meeting between LBRUT and the EA on March 19, 2024, without any public consultation. The absence of public input contradicts fundamental principles of transparency and fair planning processes.</p> <p>Overlooking Key Considerations The financial and developmental consequences for Eel Pie Island’s residents and businesses have been ignored. No clear rationale has been provided for departing from the standard approach followed by other London boroughs.</p> <p>Errors in the Draft Plan The plan incorrectly assumes that all affected islands lack safe access and egress, despite 95% of Eel Pie Island being in Zone 3a. This fundamental inaccuracy calls into question the validity of the proposed reclassification.</p> <p>Unfair and Inconsistent Policy Application Other London boroughs classify only functional floodplains as Zone 3b, making LBRUT’s approach an outlier with no justification. The EA/LBRUT Statement of Common Ground misleadingly refers to this major change as a “minor modification,” misrepresenting planning policy.</p> <p>Lack of Sound Planning Justification Planning policies should serve the public interest, yet no valid reasoning has been provided for this modification.</p> <p>Conclusion This modification should be rejected because: It would cause unnecessary and significant harm to Eel Pie Island and its community. It was introduced without transparency or meaningful public engagement. It represents an unjustified and inconsistent approach compared to other London boroughs. It is based on flawed data and lacks a legitimate public interest justification. I urge the authorities to reconsider this proposal and ensure a fair, evidence-based planning process.</p>
47	Maher Maksoud	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Formal Objection to Main Modification 44 – Proposed Redefinition of Functional Floodplain</p> <p>I am writing to formally object to the proposed amendment under Main Modification 44 (MM44) of the London Borough of Richmond upon Thames Draft Local Plan, specifically the redefinition of the functional floodplain as encompassing all land “riverward of the Thames Tidal Flood Defences.” As Maher Maksoud, the owner of [personal details removed for data protection], a residential property located on [personal details removed for data protection], Twickenham, [personal details removed for data protection], I submit that this modification will impose significant and unwarranted adverse impacts on my property and the broader island community. I respectfully request that my concerns be given due consideration prior to the deadline of March 17, 2025.</p> <p>Grounds for Objection</p> <p>Formal Objection to Main Modification 44 – Proposed Redefinition of Functional Floodplain</p> <p>1. Inaccurate Representation of Flood Risk The proposed reclassification of Eel Pie Island as entirely within Flood Zone 3b (functional floodplain) is not supported by a robust evidence base. Existing flood risk assessments, including those reflected in the Aurora Mapping System, designate the majority of the island, including my property at [personal details removed for data protection], as Flood Zone 3a. Furthermore, the assertion that the island’s access via the footbridge lies within Flood Zone 3b is factually incorrect, as both ends of the bridge are situated in Flood Zone 3a. The tidal nature of flooding on the island is predictable and rapidly subsiding, rendering the blanket designation as functional floodplain disproportionate and unjustified.</p>

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				<p>2. Undue Restriction on Property Development</p> <p>As a property owner, I have previously undertaken an extension to <i>[personal details removed for data protection]</i> with the approval of the local planning authority, a decision consistent with the island’s historical capacity to adapt responsibly to changing needs. The adoption of MM44 would preclude such future modifications, including minor extensions or conversions, by imposing stringent planning restrictions applicable to functional floodplains. This would severely curtail my ability—and that of other residents—to maintain and enhance our properties, thereby undermining the long-term sustainability of Eel Pie Island as a viable community.</p> <p>3. Significant Financial and Insurance Implications</p> <p>The redefinition of the island as functional floodplain would have profound financial repercussions for property owners, including myself. Securing mortgages or loans against properties such as <i>[personal details removed for data protection]</i> would become markedly more difficult and costly, as lending institutions increasingly restrict financing for areas perceived as high-risk. Similarly, property insurance premiums would rise substantially, and in some instances, coverage may become unattainable. These consequences threaten the economic stability of residents and the viability of property ownership on the island, absent any corresponding increase in actual flood risk.</p> <p>4. Procedural Irregularities and Insufficient Justification</p> <p>The manner in which MM44 has been introduced raises serious concerns regarding transparency and fairness. This modification was not subject to public consultation during the Draft Local Plan’s initial stages in 2023 and emerged only subsequent to a closed meeting between the council and the Environment Agency in March 2024. Efforts by island residents, including myself, to raise objections during the June 2024 Public Inquiry were disallowed, leaving this current consultation as the sole opportunity for representation. Moreover, neither the council nor the Environment Agency has provided a clear rationale or empirical justification for this redefinition, rendering it an arbitrary imposition on affected stakeholders.</p> <p>Proposed Resolution</p> <p>In light of the foregoing, I respectfully urge the Planning Inspectors to adopt a more balanced and evidence-based approach:</p> <ul style="list-style-type: none">• Retain the Existing Definition: The current designation of the functional floodplain as Flood Zone 3b should be preserved, consistent with practices across other London boroughs and reflective of the actual flood risk profile of Eel Pie Island.• Grant an Exception for Eel Pie Island: Alternatively, an exception should be explicitly incorporated for Eel Pie Island, as has been precedent in prior Strategic Flood Risk Assessments, to safeguard its capacity for sustainable adaptation.• Adopt Site-Specific Assessments: Rather than applying a uniform policy, the council should assess each island individually, acknowledging their distinct characteristics and flood risk profiles. <p>Conclusion</p> <p>The implementation of MM44 would inflict unnecessary harm upon the residents and property owners of Eel Pie Island, including myself, without delivering commensurate benefits in flood risk management. As the owner of <i>[personal details removed for data protection]</i>, I am deeply invested in the continued vitality of this unique community, which this modification jeopardizes through its restrictive and poorly substantiated provisions. I implore you to reject MM44 in favor of a policy that supports responsible development and preserves the island’s economic and social fabric.</p> <p>I would be grateful for the opportunity to discuss this matter further and appreciate your attention to this objection.</p>
48	Shauneen Austin	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to Proposed modification to Policy 8 (MM44) of the draft Local Plan</p> <p><i>[Please note that this response includes references to the representation submitted by Valerie Scott on behalf of Henry Harrison, see MM Rep No. 26 or in full at Appendix 2].</i></p> <p>My Name is Shauneen Austin and I currently work on Eel Pie Island.</p> <p>I’m writing to object to the proposed change that would reclassify Eel Pie Island’s floodplain status.</p> <p>As someone who works on the island and I’m really concerned about how this could negatively affect the community and local businesses here.</p> <p>After reviewing the planning report prepared by Valerie Scott Planning on behalf of Henry Harrison, I agree with many of the concerns raised in the report, especially the potential negative effects this change could have on the island and its residents.</p> <p>Here’s why I’m objecting:</p> <ol style="list-style-type: none">1. Wrong Classification of Eel Pie Island Right now, only 5% of the island is classified as functional floodplain (Zone 3b), and the rest is in Zone 3a (Report, p.10, p.25). The proposed change would put the whole island in Zone 3b, which would create serious restrictions on development, financing, and insurance (Report, p.4, paras 10-12). This doesn’t seem fair or justified.2. No Public Consultation The decision to make this change was made behind closed doors by LBRUT and the EA on March 19, 2024, with no public consultation (Report, p.6, para 20). People should have had the chance to give their input, and not doing so goes against the principles of open planning (Report, pp.7-8, paras 30-35).3. Ignoring the Local Impact The modification doesn’t take into account the real financial and developmental impacts on people and businesses on Eel Pie Island. There’s no good reason given for why LBRUT is choosing a different approach than other London boroughs (Report, paras 9-16).4. Factual Mistakes in the Draft Plan The Draft Plan assumes that all access and egress to the islands are within Zone 3b (Report, p.3), but 95% of Eel Pie Island is actually in Zone 3a, so this assumption is just wrong (Report, p.10, p.25).

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				<p>5. Unfair Policy Approach Other London boroughs classify functional floodplain as Zone 3b, so LBRUT’s decision to do otherwise doesn’t make sense (Report, para 12). The EA/LBRUT Statement of Common Ground calls this a “minor modification” (Report, p.7, para 29), which is misleading and underplays how big of a change this really is.</p> <p>6. No Solid Justification Planning policies should be made with the public's best interests in mind, but this change doesn’t seem to have any strong justification behind it (Report, p.7, para 27; p.9, para 43).</p> <p>Given all of this, I strongly object to the proposed change because:</p> <ul style="list-style-type: none">It could harm the residents and businesses on Eel Pie Island.It was introduced without public consultation or consideration of the full impact.It’s an unfair and inconsistent approach compared to other boroughs.It’s based on incorrect facts and lacks solid justification. <p>I implore you to reconsider this modification and make sure that any decisions made are fair, transparent, and based on real evidence.</p>
49	Josh McGee	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to Policy 8 (MM44) of the draft Local Plan</p> <p>[Please note that this response includes references to the representation submitted by Valerie Scott on behalf of Henry Harrison, see MM Rep No. 26 or in full at Appendix 2].</p> <p>I'm Josh McGee from [personal details removed for data protection], and I'm writing to formally object to the proposed modification that seeks to change the floodplain status of Eel Pie Island. As both an office occupier on the island and someone with professional expertise in planning, I find this proposal not only misguided but harmful, and I strongly oppose it.</p> <p>I've reviewed the planning report from Valerie Scott Planning, commissioned by Henry Harrison, and I share the concerns laid out in the document, particularly regarding the severe and unjustified impact this change would have on Eel Pie Island and its residents.</p> <p>Key Objections:</p> <p>1. Misclassification of Eel Pie Island At present, only 5% of Eel Pie Island is designated as functional floodplain (Zone 3b), with the remaining 95% classified as Zone 3a. The proposed modification would arbitrarily place the entire island into Zone 3b, subjecting it to extreme planning restrictions that would cripple property development, financing, and insurance options. This change, if passed, would be devastating to the island’s future.</p> <p>2. Lack of Public Scrutiny This decision was made behind closed doors, with a private meeting between LBRUT and the EA on March 19, 2024, completely bypassing public consultation. There was no opportunity for residents or businesses to voice concerns, violating basic principles of transparency and public involvement in planning processes.</p> <p>3. Ignoring Material Factors The proposed modification completely disregards the economic and developmental consequences for Eel Pie Island’s businesses and residents. There is no reasonable justification for treating Eel Pie Island differently from other areas in London, especially when other boroughs follow a more consistent and fair approach.</p> <p>4. Material Errors of Fact The Draft Plan wrongly assumes that access and egress to all affected islands fall within Zone 3b. In reality, 95% of Eel Pie Island is in Zone 3a, which makes the basis for this modification fundamentally flawed.</p> <p>5. Inconsistent and Unjustified Approach While other boroughs adhere to the standard classification of functional floodplain as Zone 3b, LBRUT's decision to deviate from this norm is baseless and results in an unfair application of policy. The EA/LBRUT’s Statement of Common Ground dismisses this drastic change as a "minor modification," which is an outright misinterpretation of planning policy.</p> <p>6. Lack of Proper Planning Justification Planning policies must serve the public interest, and this modification fails to demonstrate any legitimate reason for the changes proposed. It lacks both clear justification and evidence supporting its potential benefits.</p> <p>Conclusion: I firmly object to this modification for the following reasons:</p> <ul style="list-style-type: none">It would cause irreparable harm to Eel Pie Island and its residents.It was pushed forward without proper public consultation or consideration of material facts.It imposes an unfair, inconsistent, and unjustified approach compared to other London Boroughs.It’s based on a flawed understanding of planning policy, with no legitimate public interest justification. <p>I urge the authorities to reject this modification and ensure that any future planning decisions are made based on solid evidence and a transparent, fair process.</p>

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50	Dannie Walton	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to Proposed modification to Policy 8 (MM44) of the draft Local Plan</p> <p>I am Dannie Walton, writing to formally object to the proposed modification that seeks to alter the floodplain status of Eel Pie Island. As an interested party with a deep understanding of planning principles, I strongly oppose this modification.</p> <p>Key Objections</p> <ol style="list-style-type: none">Misclassification of Eel Pie Island<ul style="list-style-type: none">Currently, only 5% of Eel Pie Island is designated as functional floodplain (Zone 3b), with the remaining 95% classified as Zone 3a. The proposed modification would reclassify the entire island as Zone 3b, imposing severe planning restrictions that could negatively impact property development, financing, and insurance.Lack of Public Scrutiny<ul style="list-style-type: none">The decision was made in a private meeting between the London Borough of Richmond upon Thames (LBRUT) and the Environment Agency (EA) on March 19, 2024, without public consultation. This lack of transparency violates principles of fair planning processes.Failure to Consider Material Factors<ul style="list-style-type: none">The modification disregards the financial and developmental consequences for residents and businesses on the island.It deviates from standard approaches used by other London Boroughs without justification.Material Errors of Fact<ul style="list-style-type: none">The Draft Plan incorrectly assumes that access and egress to all affected islands lie within Zone 3b. In reality, 95% of Eel Pie Island is in Zone 3a, undermining the factual basis for this modification.Inconsistent and Unjustifiable Approach<ul style="list-style-type: none">Other London Boroughs define functional floodplain (Zone 3b) differently. LBRUT’s approach is inconsistent and lacks rationale, leading to unfair policy application.The EA/LBRUT Statement of Common Ground misrepresents this significant change as a "minor modification," which misinterprets planning policy.Lack of Proper Planning Justification<ul style="list-style-type: none">Planning policies are meant to serve the public interest. This modification lacks evidence-based justification and does not align with broader planning principles. <p>Conclusion</p> <p>I object to the proposed modification because:</p> <ul style="list-style-type: none">It would cause significant harm to Eel Pie Island and its occupants.It was introduced without public scrutiny or due consideration of material factors.It imposes an inconsistent and unjustified approach compared to other London Boroughs.It is based on a flawed interpretation of planning policy and lacks legitimate public interest justification. <p>I urge the authorities to reject this modification and ensure a fair, evidence-based planning process.</p> <p>Thank you for considering my objections.</p>								
51	Nicola Cooper <i>(supported by Helen Montgomery-Smith)</i>	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: OBJECTION to Change of Flood Plain Definition</p> <p>I am writing to express my absolute outrage at the proposed redefinition of the functional floodplain, which is based on flawed and incorrect data (Eel Pie Island is wrongly assigned to Zone 3b, when in fact it is, and always has been, Zone 3a - and the access and egress is clearly in Zone 3a).</p> <table><tr><th>Change Ref.</th><th>Section of the Plan</th><th>Page</th><th>Proposed Modification & Reason for change</th></tr><tr><td>MM44</td><td>Policy 8 Flood Risk and Sustainable Drainage (Strategic Policy), Paragraph 16.66</td><td>207</td><td><p><i>[See also Statement of Common Ground with the Environment Agency (signed 18/04/2024 and updated 28/06/2024) (SOCG-08)]</i> For clarification, amend the reference in the supporting text to the functional floodplain to include land riverward of flood defences:</p><p>The borough contains a number of islands in the River Thames. Where the access and egress to and from the island begins within the functional floodplain, for the purposes of new development, such islands will be considered and treated as functional floodplain (Zone 3b), even if parts of the islands may be within an area of lower probability of flooding. For the River Thames, the functional floodplain is defined as land riverward of the Thames Tidal Flood Defences. In line with the guidance set out in the Council’s SFRA, new developments are restricted to ‘Water Compatible’ and ‘Essential Infrastructure’ (subject to an Exception Test) as per the guidance in the Flood Risk and Coastal Change PPG.</p></td></tr></table> <p>This change has been brought in very late in the proceedings and hence avoided all chance of debate or objection, and will have devastating consequences for Eel Pie Island. This reckless and ill-conceived change (or is it an erroneous error?) would effectively cripple the island’s ability to function, putting residents and businesses at serious financial and practical risk.</p> <p>Eel Pie Island is in tidal waters, yet this critical factor has been completely ignored in the broad-brush, one-size-fits-all approach being taken. The proposal would strip away existing planning rights, making it nearly impossible to get permission for even the most basic extensions or changes of use. This will prevent the island from evolving and adapting—something it has done successfully for centuries.</p> <p>Beyond this, the reclassification will directly impact property values, mortgage availability, and insurance costs. Lenders are already turning away from so-called high-risk areas, and this unnecessary change will make financing homes and businesses far more difficult, if not impossible. The local economy—particularly river-based businesses such as boatyards—will take a massive hit, all because of an arbitrary, illogical decision that contradicts established floodplain definitions used across other London boroughs.</p> <p>Let’s be clear: this is not about actual flood risk, which remains unchanged. It is a bureaucratic nightmare being imposed without proper justification. The vast majority of the borough’s islands are</p>	Change Ref.	Section of the Plan	Page	Proposed Modification & Reason for change	MM44	Policy 8 Flood Risk and Sustainable Drainage (Strategic Policy), Paragraph 16.66	207	<p><i>[See also Statement of Common Ground with the Environment Agency (signed 18/04/2024 and updated 28/06/2024) (SOCG-08)]</i> For clarification, amend the reference in the supporting text to the functional floodplain to include land riverward of flood defences:</p> <p>The borough contains a number of islands in the River Thames. Where the access and egress to and from the island begins within the functional floodplain, for the purposes of new development, such islands will be considered and treated as functional floodplain (Zone 3b), even if parts of the islands may be within an area of lower probability of flooding. For the River Thames, the functional floodplain is defined as land riverward of the Thames Tidal Flood Defences. In line with the guidance set out in the Council’s SFRA, new developments are restricted to ‘Water Compatible’ and ‘Essential Infrastructure’ (subject to an Exception Test) as per the guidance in the Flood Risk and Coastal Change PPG.</p>
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				<p>unaffected, yet Eel Pie Island—the largest and most economically active—is being unfairly included. Unfortunately no one from the council lives on Eel Pie Island otherwise this cavalier action to devastate peoples lives and businesses would never have happened - so much for the elected council looking after its constituents.</p> <p>This redefinition is unnecessary, harmful, and completely disconnected from reality. The existing definition of the functional floodplain must be retained, or at the very least, Eel Pie Island must be granted an exception, as has been done before. If this disastrous policy goes ahead, the responsibility for the damage caused—financially and structurally—will rest squarely on the shoulders of those who pushing it through without due consultation and preventing interested parties from even speaking out.</p> <p>I am hopeful that this error in flood classification of Eel Pie Island can be corrected before irreversible harm is done. I expect a response explaining how you intend to rectify this situation.</p>
52	Jack Garrett-Jones	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to Proposed Changes in LBRuT Local Plan – Policy 8 (Flood Risk and Sustainable Drainage)</p> <p>I am writing to express my deep concern regarding the current flood zone designation of Eel Pie Island and the recent policy shift that now enforces this classification without the pragmatic considerations previously applied. This approach is fundamentally flawed for the following reasons:</p> <p>1. Erroneous Original Classification as Flood Zone 3b The initial designation of Eel Pie Island as Flood Zone 3b—indicative of functional floodplain—was based on an inaccurate assessment of the island’s flood risk. The island itself is situated above the levels typically associated with Zone 3b and does not serve as a natural floodplain where water must flow or be stored during flood events. Historical data indicates that the mainland side of the island footbridge experiences only brief tidal flooding, lasting approximately an hour, a few times per year. This limited exposure does not meet the criteria for a Zone 3b classification, which is reserved for areas with a high probability of flooding, specifically those expected to flood with an annual probability of 5% or greater. Therefore, Eel Pie Island should be more accurately classified as Flood Zone 3a, reflecting a high probability of flooding but not functional floodplain status.</p> <p>2. Misguided Policy Shift Based on Access Point Flooding The recent policy change to strictly enforce the misclassification of Eel Pie Island as Zone 3b is primarily justified by the susceptibility of the footbridge’s access point on the Twickenham Embankment to flooding. While it is acknowledged that the Embankment is designated as functional floodplain (Zone 3b), this external factor should not dictate the classification of the entire island. Access points are separate from the island’s landmass and should be addressed independently. Penalizing the island’s residents and businesses by enforcing an inappropriate Zone 3b designation due to external access issues is unjust and illogical.</p> <p>3. Departure from Previously Pragmatic Approach Historically, the council adopted a pragmatic approach by treating Eel Pie Island as Zone 3a, acknowledging the island’s specific circumstances and mitigating potential negative impacts on property insurance and development opportunities. This balanced approach considered both the safety concerns associated with access during floods and the practical implications for residents and businesses on the island. The recent shift to enforce the erroneous Zone 3b classification disregards this nuanced understanding and imposes undue restrictions without clear justification.</p> <p>4. Inconsistency with Strategic Flood Risk Assessment (SFRA) Guidelines The council’s own SFRA emphasizes the importance of considering local circumstances and not defining functional floodplain solely based on rigid probability parameters. By focusing narrowly on the footbridge’s susceptibility to flooding, the council is applying a rigid interpretation that contradicts the SFRA’s guidance for a more holistic assessment. This approach fails to account for the actual flood risk to the island’s properties and overlooks the resilience measures that residents and businesses have implemented over the years.</p> <p>5. Adverse Impacts on the Community Enforcing the misclassification of Eel Pie Island as Zone 3b imposes significant restrictions on development in times of a housing crisis. Such a designation fails to reflect the actual flood risk to the island’s properties and overlooks the resilience measures that residents and businesses have implemented over the years. This policy shift undermines the community’s stability and prosperity without delivering corresponding benefits in flood risk management.</p> <p>6. Contradiction to Central Government’s Pro-Growth Planning Objectives The central government has emphasized the need for a pro-growth and pro-infrastructure planning system to stimulate economic growth. The Planning and Infrastructure Bill is central to the government’s plan to expedite the delivery of new homes and critical infrastructure, supporting the goal of building 1.5 million safe and decent homes in England and fast-tracking 150 planning decisions on major economic infrastructure projects by the end of this Parliament. The current misclassification of Eel Pie Island as Zone 3b, leading to unnecessary planning obstacles, directly contradicts this objective by hindering appropriate development and economic activity on the island.</p> <p>The Council Must Reverse This Policy and Adopt a Sensible, Evidence-Based Approach Given the serious flaws in the Council’s decision and its harmful consequences, I urge LBRuT to:</p> <p>A. Correct the flood zone classification of Eel Pie Island to reflect that it is in Flood Zone 3a, not 3b.</p> <p>B. Separate flood zone designation from access concerns and, if necessary, consider infrastructure improvements to the Twickenham Embankment rather than applying an inappropriate blanket classification.</p> <p>C. Reinstate the previous pragmatic approach that allowed Eel Pie Island to develop in a sustainable manner, ensuring that planning restrictions remain proportionate to actual flood risk.</p> <p>D. Engage with affected residents and businesses to fully assess the economic consequences of this policy shift before implementing changes that will harm livelihoods.</p> <p>E. Align local planning policy with national objectives by ensuring that flood risk policies do not unjustifiably obstruct investment and economic growth.</p> <p>By adopting a more informed and balanced approach, the council can ensure that flood risk management policies are both effective and reasonable, fostering a thriving and resilient Eel Pie Island community while supporting broader economic growth objectives.</p>

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53	Lacy Chapman on behalf of Ian Tyson	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>I am writing to formally object to the proposed Modification no. 44 under Policy 8 of the draft Local Plan, which would reclassify the whole of Eel Pie Island into Flood Zone 3b.</p> <p>The proposed shift from Flood Zone 3a to 3b does not align with existing, reliable flood risk data. The current Zone 3a classification accurately represents the actual risk.</p> <p>This change introduces unnecessary planning restrictions, hindering essential developments that have historically enabled our community to thrive sustainably.</p> <p>Reclassification will dramatically increase insurance costs, limit insurability, and severely undermine property values, making ownership and investment unsustainable.</p> <p>Most importantly, this proposed Modification was not included in the original public consultation and emerged only later without public engagement or transparent justification.</p> <p>I would like the Council to retain the current Flood Zone 3a classification for Eel Pie Island and adopt an evidence-based, site-specific approach, acknowledging our island's unique circumstances.</p> <p>This proposed modification offers no tangible flood risk benefits and poses unnecessary harm to our community. I urge the Council to reject Modification No. 44 and pursue a balanced, evidence-based approach.</p> <p>It is clearly evident that at extreme high tides the Twickenham Embankment (Flood Zone 3b) does flood, however, our homes and businesses on Eel Pie Island do not flood. Eel Pie Island is not in Flood Zone 3b.</p>
54	Lacy Chapman on behalf of Barry and Val Armstrong	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>I am writing to formally object to the proposed Modification no. 44 under Policy 8 of the draft Local Plan, which would reclassify the whole of Eel Pie Island into Flood Zone 3b.</p> <p>The proposed shift from Flood Zone 3a to 3b does not align with existing, reliable flood risk data. The current Zone 3a classification accurately represents the actual risk.</p> <p>This change introduces unnecessary planning restrictions, hindering essential developments that have historically enabled our community to thrive sustainably.</p> <p>Reclassification will dramatically increase insurance costs, limit insurability, and severely undermine property values, making ownership and investment unsustainable.</p> <p>Most importantly, this proposed Modification was not included in the original public consultation and emerged only later without public engagement or transparent justification.</p> <p>I would like the Council to retain the current Flood Zone 3a classification for Eel Pie Island and adopt an evidence-based, site-specific approach, acknowledging our island's unique circumstances.</p> <p>This proposed modification offers no tangible flood risk benefits and poses unnecessary harm to our community. I urge the Council to reject Modification No. 44 and pursue a balanced, evidence-based approach.</p> <p>It is clearly evident that at extreme high tides the Twickenham Embankment (Flood Zone 3b) does flood, however, our homes and businesses on Eel Pie Island do not flood. Eel Pie Island is not in Flood Zone 3b.</p>
55	Celia Holman	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>I am writing to formally object to the proposed modifications under Policy 8 (MM44) of the Local Plan, most specifically the redefinition of the functional floodplain.</p> <p>I am requesting that the definition of the functional floodplain should remain unchanged.</p> <p>Additionally, it is also essential that it is corrected that the access to Eel Pie Island is in Flood Zone 3a - and <u>not</u> Flood Zone 3b as has been repeatedly stated by the Council. Its own maps, and those of the EA, show that this is <u>not</u> the case.</p> <p>Please see the objection lodged by Valerie Johnson on behalf of Henry Harrison for more detail on the above, and on other matters relating to MM44. [See MM Rep No. 26 or at Appendix 2].</p> <p>The error regarding the access to Eel Pie Island has gone unnoticed and therefore unchallenged for several years as - until very recently - it had not affected the LPA granting planning permission on the island for residential developments, and for the change of use from office/commercial to residential.</p> <p>I was present at the Public Inquiry in June/July 2024 but was unable to speak as I had not responded to the public consultation in June 2023.</p> <p>The redefinition of the functional floodplain had not yet been proposed by the EA during the public consultation in June 2023. It first emerged in a Statement of Common Ground between the Council and the EA in late April 2024. This was extremely frustrating as the Public Inquiry would have afforded a very appropriate forum in which to raise our significant concerns.</p> <p>The proposed redefinition of the functional floodplain will have a profoundly negative impact on Eel Pie Island. Eight of borough's nine other islands will be largely unaffected, with the exception of Platt's Eyot, the island most comparable to Eel Pie Island in both size and due to the fact that its access and most of the island itself is located in Flood Zone 3a. Platt's Eyot is addressed in Site Allocation 2 of the Local Plan, in which it is being proposed to introduce residential use in order to underpin regeneration plans for the island. This is entirely at odds with the restrictions that would result from the proposed redefinition of the functional floodplain.</p> <p>The borough's islands are located in both tidal and non-tidal waters. This has not been taken into consideration. Flooding in tidal waters rapidly subsides on the turn of the tide. Any 'threat to life' to residents is very short-lived, a matter of hours.</p> <p>Property and business owners on Eel Pie Island have long been aware of and adapting to the potential for flooding. Both active and passive flood defences have been literally landscaped into the fabric of the island, something that can not be appreciated by looking at a flat plan or a Googleearth view. Many of the properties are also built raised up, so whilst the island itself might be in Flood Zone 3a, many properties sit raised at least a metre in most cases above this.</p> <p>Some background to my objection:</p>

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				<p>I have lived on <i>[personal details removed for data protection]</i> since <i>[personal details removed for data protection]</i>, and owned a property here since <i>[personal details removed for data protection]</i>.</p> <p>We are a small and tight knit community. We have two island organisations - the Eel Pie Island Association and the Island Bridge Company - under the umbrella of which we plan and organise to ensure the ongoing viability of the island. One recent example is the installation (the cost being met collectively by island residents and businesses) of an island-wide dry riser with multiple standpipes to which firefighters can attach hoses.</p> <p>As islanders, we similarly fully appreciate the potential threat posed by flooding, and have been actively mitigating against it for decades, as already referenced.</p> <p>In addition, there are multiple boats on the island to organise - in the highly unlikely event it where needed - an island evacuation. There are designated gathering places from which such an evacuation could place. There are many skilled boat handlers on the island. The island’s response to any ‘threat to life’ would be an active and not a passive one.</p> <p>And the LPA has previously recognised this and planning permissions for development and redevelopment and changes of use have been approved. The island has been allowed to adapt and change and remain viable and vital.</p> <p>During the time 10+ years that I have lived on the island, I have seen many changes. A large boatyard site has been rebuilt to a provide a mixed use premises of office space and residential, whilst also retaining its river moorings, which provide a mixture of overflow office space and residential on boats moored there.</p> <p>Across the island, many residential properties (former seasonal chalets, for example) have been either extended or rebuilt, to provide more sustainable, year-round, family accommodation.</p> <p>Both the Rowing and Yacht clubs have extended their premises, and increased their membership.</p> <p>And the island continues to experience change. More recently, once fully occupied offices on the island now lie in part empty, as indeed they do in central Twickenham and across the borough. The demand for self-contained, premium offices has changed.</p> <p>Against this background, Richmond Council is in the process of converting a substantial part of its Civic Centre (located a matter of minutes’ walk from Eel Pie Island) into ‘for rent’ office space.</p> <p>There is a large riverside development planned for Twickenham Embankment (the developer is Richmond Council), with office space included within it, too.</p> <p>The changing demand for office space and different types of office space is precisely the ‘challenge’ that Eel Pie Island, in the past, has been able to adapt to address. That is, up until now, with the proposed redefinition of the functional floodplain.</p> <p>Changes of use from office to residential (allowed under permitted development rights) are now being refused, against the background of the emerging Local Plan.</p> <p>This has also been the case for a recent relatively modest residential redevelopment that would previously have been approved by the LPA.</p> <p>The borough is failing to meet its housing quota and yet residential development - where it would previously have been approved - is now being rejected. And yet the actual risk has not changed.</p> <p>Eel Pie Island has a bi-annual ‘open studios’ event - literally 1000s of people visit from all over London and beyond. They come to see a vibrant community where people have been able to live, work and thrive over the centuries, the island having been able to adapt to change. This is not an island ‘in special measures’, with derelict sites and freeholders struggling in the face viability challenges.</p> <p>The proposed change to the definition of the functional floodplain - for which no material justification has been offered and against the background of a factual error regarding the access to the island being located in Flood Zone 3a - will significantly impact the island’s sustainability.</p> <p>I am therefore requesting that:</p> <ol style="list-style-type: none">1. the proposed redefinition of the functional floodplain not be adopted2. the existing definition (Flood Zone 3b) be retained3. The incorrect classification of Eel Pie Island’s access being located in Flood Zone 3b be corrected to Flood Zone 3a. <p>A Local Plan is precisely that - local. It needs to take into account specificity of place and unique circumstances. The proposed redefinition of the functional floodplain is a borough-wide proposal that is materially contrary to this. There is indeed a strong case to be made that Eel Pie Island should have its own Site Allocation going forward.</p> <p>Thank you for your consideration in these matters, and with my best wishes.</p>
56	Colin Heath	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Draft Local Plan</p> <p>THE EFFECT OF THE DRAFT LOCAL PLAN ON EEL PIE ISLAND</p> <p>Para 16.66 of the Draft Local Plan States:</p>

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				<p>“The borough contains a number of islands in the River Thames. Where the access and egress to and from the island begins within the functional floodplain, for the purposes of new development, such islands will be considered and treated as functional floodplain (Zone 3b), even if parts of the islands may be within an area of lower probability of flooding. In line with the guidance set out in the Council’s SFRA, new developments are restricted to ‘Water Compatible’ and ‘Essential Infrastructure’ (subject to an Exception Test) as per the guidance in the Flood Risk and Coastal Change PPG.”</p> <p>This takes no account of the fact that four of the islands are below Teddington Lock and therefore situated in tidal waters while the remaining six are in non-tidal stretches of the Thames.</p> <p>This makes a fundamental difference to the nature of any flooding.</p> <p>In the non-tidal areas flooding is essentially pluvial in nature driven by heavy rainfall in the river’s catchment area. When the floods occur, they persist for extended periods of time, sometime measured in weeks, while the river and its tributaries upstream drain.</p> <p>Flooding in the tidal areas is caused by a combination of fluvial (tide) and pluvial factors. The effect of this can be seen on the tide gauge at Richmond Lock in terms of the predicted tide height and any surge above that caused by rain water.</p> <p>The crucial difference to the non-tidal stretches is that the tide goes out. There is a short window, at most a few hours rather than days, when the river is at flood levels.</p> <div><p>Graph Generated at 19:12 GMT</p></div> <p>The graph above shows the high tides on 14 Mar 2025. To flood the Embankment at the bottom of Water Lane the sum of the predicted tide height and the rainfall surge on top of that needs to be in excess of 5.1m but it can be seen that for the evening tide in this example the period above this level was less than 30 minutes.</p> <p>This effect can be seen in recent flooding events.</p> <p>In the non-tidal areas, there were floods in 2013, a more sustained and deeper flood in 2014 and another flood in 2024. The flooded areas remained under water for extended periods that could be measured in days rather minutes.</p> <p>Eel Pie Island was unaffected by these floods.</p> <p>The transient nature of the tidal flooding means that risk to life by denial of evacuation is in fact very low.</p> <p>The decision to designate areas in Zone 3b as Functional Flood Plain appears to have been taken in private conversations between LBRuT and the EA after the consultation on the Draft Local Plan. The policy change has not been subjected to scrutiny.</p> <p>The rationale for Eel Pie Island being placed in the functional flood plain is that its access is in Zone 3b. This is simply untrue. Flood mapping clearly shows that both ends of the Eel Pie Island bridge and the greater part of island are in Zone 3a. Presumably the desire to treat all the islands the same caused this reality to be overlooked.</p> <p>Had there been some consultation and more transparency the differences between the various islands would have become apparent and the illogicality of treating all the islands as being the same would have been revealed.</p> <p>The four islands in the tidal part of the borough are very different, Glovers Island and Corporation Island are uninhabited, low lying and are only accessible by boat. Swan Island has a road bridge but habitation is only in houseboats. Eel Pie Island is by far and away the most substantial supporting a wide range of mixed uses. There are 50 houses, 20 houseboats, 3 boatyards, a rowing club and a yacht club. It is also located in the centre of Twickenham and is much visited for the wide range of leisure activities, such as boating, yoga, and art activities that it provides.</p> <p>Likewise, the islands in the non-tidal part are very different in nature.</p>

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				<p>The nearest equivalent to Eel Pie Island in this area is Platt’s Eyot. It has the same Zone 3a access and similar portions of the island is in Zone 3a.</p> <p>The treatment of the two islands could not be more different.</p> <p>Platt’s Eyot is presently run down but there is a vision that it should be regenerated to provide commercial and residential buildings.</p> <p>By contrast Eel Pie Island is a much larger, vibrant and busy mix of industrial, commercial and residential uses. However, development or renewal will be effectively prohibited.</p> <p>The effect of this is already being seen despite the policy not yet being adopted. I [personal details removed for data protection] Jacob’s Ladder. It is presently a derelict house which is beyond repair. A planning application for a sensitively designed replacement which respected the vernacular of the surrounding buildings and conservation area and was well supported by neighbours has been rejected on the grounds of this unadopted policy.</p> <p>All properties on the island will experience this stultifying effect. Eel Pie Island will effectively be frozen in time. It will be impossible refurbish or improve properties.</p> <p>There will also be secondary effects.</p> <p>Insurance for existing properties is already high. This change of policy will ensure that it will very difficult or even impossible to obtain insurance and costs of any insurance offered it very likely to be unaffordable.</p> <p>It will effectively prevent raising mortgages.</p> <p>The change of flood zone definition will not affect the other three islands in the tideway but will have a very deleterious effect on Eel Pie Island without any justification.</p> <p>This is a major unjustified change with serious implications for Eel Pie Island.</p> <p>The Island, which does not flood, and is a vibrant part of central Twickenham will be blighted.</p>
57	Coryn and Stephen Andrews	n/a	MM44 - in relation to Eel Pie Island	<p>Subject: Eel pie island</p> <p>We strongly object to the plans proposed by the Council to make Eel Pie Island a flood plain. The computer generated areas of flood plain make no sense to the actual effect of the river and are causing many problems of procuring mortgages, insurance etc.</p> <p>We strongly object to this proposal.</p>
58	Robert Tucker	n/a	MM44 - in relation to Eel Pie Island	<p>Subject: Eel Pie Island and current Flood Plain proposals</p> <p>I have read with deep concern the Council’s proposal to redefine the flood plain to include Eel Pie Island.</p> <p>Eel Pie Island is a unique historical and cultural icon of Twickenham which I know has implemented many flood defence schemes which has allowed the island to thrive as a home for business and residential homes.The inclusion of the island in a so called functional flood plain will most likely have a devastating impact on the life of the island.</p> <p>Obtaining insurance for both businesses and residents will become an immediate problem as will obtaining mortgages on homes.Employment opportunities will suffer and eventually you will see Eel Pie Island fade into an empty derelict island similar to other islands nearby in the Thames.</p> <p>There seems to have been no public consultation and I would ask that the Council reconsider their decision and at least put it out for public consultation.</p>
59	Sally Tucker	n/a	MM44 - in relation to Eel Pie Island	<p>Subject: Eel Pie Island and current Flood Plain proposals</p> <p>This is the reason why I am objecting to the changes to the local floodplain plan.</p> <p>I am horrified that Richmond Council, that should be there to protect the local residents, are pulling the carpet out from under their residents on Eel Pie Island.</p> <p>The residents have put into place many flood defence schemes and as a result there is now a thriving residential and business community which is unique.</p> <p>Already people putting forward planning applications are experiencing difficulties, insurance will become problematic, sales of homes impossible.</p> <p>And what will Richmond Council have then? An island dying, with drug users, the homeless and unsavoury activities taking place on it instead of what it has now.</p> <p>A more enlightened council would enhance and protect Eel Pie Island and see it as unique and maybe one could say almost a visitor attraction to Twickenham and the surrounding area.</p> <p>Please Richmond Council, don't shoot yourselves in the foot!</p>
60	Francesca Unsworth	n/a	MM44 - in relation to Eel Pie Island	<p>Subject: Eel Pie Island</p> <p>I was totally shocked to discover your intention to redefine the functional floodplain on Eel Pie Island in Twickenham. My family has lived on the Island for over 40 years and, despite horrendous weather on occasion, has never once even slightly been at risk. This will affect the islanders drastically, and totally unfairly, so I'm writing to ask you to reconsider.</p> <p>If you are going to redefine at all, can you please redefine it as a category 3A, as this is above the water line and that is the case for the whole of Eel pie Island. If you go through with any other category it really would be a travesty of injustice and kill off a thriving island.</p>
61	Tony and Jane Schiemann	n/a	MM44 - in relation to Eel Pie Island	<p>Subject: Flood Plain Redesignation MM4</p> <p>As residents of [personal details removed for data protection] we are writing to express our shock and concern at the proposal of LBRUT and the Environment Agency to redesignate Eel Pie Island from Flood Risk 3a to 3b, thereby deeming Eel Pie Island a part of the functional floodplain.</p>

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				<p>Eel Pie Island is situated in the tidal part of the Thames and protected up river by Teddington Lock and down river by the Thames Barrier. With exceptional flows and tides water may come up over island pathways but since the island is in a tidal part of the river the water soon subsides as the tide goes out. Most houses have been built well above ground level.and are therefore unaffected by flood water.</p> <p>Eel Pie Island comprises a thriving community with houses, businesses, boat yards, art studios and clubs – many of which are regularly visited by the surrounding community. Redesignation of the island effectively as a flood plain would be devastating to all of these as properties would become uninsurable, mortgages impossible to fund and presumably planning permission could no longer be granted for an extensions to or rebuilding of existing properties.</p> <p>It seems that this change of classification for Eel Pie Island, which would have disastrous consequences for the islands population, businesses and clubs, has been proposed at short notice and without proper public consultation. We therefore urge the authorities in question to retain the present classification, of the functional floodplain, rather than adopting a sweeping reclassification that fails to account for site-specific conditions.</p>
62	Heather Ganf	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Functional Floodplan regarding Eel Pie Island</p> <p>I write as a former resident of [personal details removed for data protection] who is dismayed by the changes in the definition of the functional flood plan. This will adversely affect the residents and businesses on Eel Pie Island.</p> <p>Richmond Council should rightly be proud and supportive of this unique community who are ratepayers and very active members of Twickenham cultural life. I urge you to listen to the knowledge and considered views of the impact this change (from 95% 3a to entirely 3b,) in the flood zones will have on the vitality and future of this community.</p> <p>I urge you to value what Eel Pie Island contributes to life in the borough and listen to their enormous knowledge of the river in all weathers... Is this upheaval necessary?</p> <p>Thank you for your consideration</p>
63	David Hopwood	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Local plan consultation - Objection to redefinition of Eel Pie Island</p> <p>I am a resident of [personal details removed for data protection] and I am writing to you to object strongly to the proposed modifications to the Local Plan, specifically <u>Main Modification 44</u>, the proposed redefinition of the ‘functional flood plain’ with the inclusion of Eel Pie Island, moving it from Flood Zone 3a to Flood Zone 3b.</p> <p>This redefinition seems to have been made without reference to any evidence, current or historic, that the properties on Eel Pie Island are at risk of flooding. I have lived there for over 20 years and even at the highest of high tides co-inciding with the periods of heavy rainfall (which caused extensive flooding elsewhere in the country) NONE of the properties on the Island have been even close to being flooded. Before any changes are made to the flooding categorisation we should be given the documentation on which this proposal is based and which cites actual evidence of the assumed risk.</p> <p>This proposal seems to have been made without the opportunity being given for it to be challenged or refuted. I have certainly not been made aware of it and wonder whether this is by design or carelessness. The council must presumably be aware of the adverse impact this will have on several aspects of living on the island. These include being denied the ability to change their dwelling to respond to changes in personal circumstances, inability to insure their properties, difficulty in selling their house at all even at reduced property values. These issues will have a serious effect on the island and the lives of the people who live there and I would ask that the council should reconsider or at least carry out a public consultation BEFORE this designation becomes part of the local plan.</p>
64	Catherine Bruzzone	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Local plan consultation - response from Eel Pie Island resident</p> <p><u>For the attention of the Planning Inspector</u></p> <p>I am a resident of [personal details removed for data protection] and I am writing to you to object strongly to the proposed modifications to the Local Plan, specifically <u>Main Modification 44</u>, the proposed redefinition of the ‘functional flood plain’ with the inclusion of Eel Pie Island, moving it from Flood Zone 3a to Flood Zone 3b which will have a seriously harmful affect on island residents, sports facilities and businesses.</p> <p>1. Eel Pie Island is a real benefit to the LBRuT: it has a historic significance and brings tourists and visitors to Twickenham. Twickenham Rowing Club for example was founded in 1860, sponsored by the exiled kings of France. Declaring the island a functional flood zone would have a serious negative consequences for the residents, sports facilities and businesses, inevitably affect its vibrancy and the reduce island’s role as an attraction for the Borough.</p> <p>2. Eel Pie Island is in a tidal section of the Thames and the tide is controlled artificially between Richmond and Teddington Locks. The level of the tide is mostly kept artificially low in this area and in any case, within six hours, high tides have completely subsided. The island is higher than the rest of the river bank, and it hasn’t flooded in the past 25 years. Most of the houses are also built even higher. It appears that there has been confusion in the designation of the island in the past and mis-understanding of the flood risk. This needs to be addressed and corrected, using evidence.</p> <p>3. The Council is about to develop the riverside directly opposite Eel Pie Island, presumably encouraging people to come and live and work there and enjoy the new facilities and yet it intends to blight this same area by declaring it a flood risk. This doesn’t make any sense.</p> <p>4. Eel Pie Islanders already have problems obtaining insurance for their homes as insurance companies are risk-averse and, despite the lack of evidence of flooding, use the proximity of the river to refuse insurance or offer prohibitive premiums. Any change in the designation will certainly mean that islanders will not be able to get insurance at all. Clearly this will be a disaster for the residents, sports facilities and business owners.</p> <p>5. Many homes and businesses on Eel Pie Island are over 50 years old. They need upgrading and building work has always been a feature of the island. We ourselves have added an extra floor to our house. Businesses thrive and residents love living on the island. So as they grow their businesses, increase their families or make space for elderly care, they rebuild or improve their homes and offices, thus improving the local area. Obtaining finances for these improvements will be badly affected by the proposed re-designation. The refusal of planning permission for new extensions has already started. As there is no evidence of flooding or the risk of flooding, this is simply unfair.</p>

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				<p>6. This is the first time we have heard of this drastic change to the nature of the island and we understand that representatives of the island were not allowed to speak at a previous meeting where amendments to the Local Plan were being considered. As we are so severely affected, this is also grossly unfair.</p> <p>For all these reasons, I object strongly to these modifications and hope that island residents can soon be reassured that the re-classification will not take place or an exception will be made for Eel Pie Island.</p>
65	Richard Wayman	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection - Draft Local Plan, Main Modification MM44</p> <p>I am writing to object to the Main Modification MM44 within the new version of your Local Plan. More specifically, I object to the new definition within the Local Plan that would classify Eel Pie Island as functional floodplain.</p> <p>My family and I have lived on [personal details removed for data protection] since purchasing our property, [personal details removed for data protection], in [personal details removed for data protection]. Hqving been a resident for nearly [personal details removed for data protection] years, I am acutely aware of some of the challenges that exist as a result of living on the Island. Obtaining a mortgage, securing affordable home insurance and obtaining planning permission for any changes to our property are, already, far from straightforward.</p> <p>It is my understanding that within the Local Plan, the new definition would state that: 'For the River Thames, the functional floodplain is defined as land riverward of the Thames Tidal Flood Defences.'</p> <p>This is clearly hugely significant and, indeed, deeply concerning as it would mean that Eel Pie Island would now be classified as functional floodplain. The consequences of this is that it would make obtaining a mortgage, home insurance and planning permission even more difficult than it has been up to now. Of course, this would also have significant adverse consequences for the value of properties on the Island.</p> <p>I am sure that this was never the intention and therefore would ask that the Planning Inspectors revisit the matter and recognise the impact that the proposed change will have on the Island. More specifically, I would request that the existing definition of the functional floodplain (Flood Zone 3b) is retained or, alternatively, that an exception is made for Eel Pie Island, so that it can continue to thrive in the years ahead.</p> <p>I look forward to hearing from you in response to my objection.</p>
66	K. Swift	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection Response: MM44 Policy 8 Flood Risk and Sustainable Drainage</p> <p>I am writing to formally object to the proposed main modifications relating to Policy 8 of the new Richmond Upon Thames Local Plan, specifically the redefinition of the functional floodplain, ref;</p> <p>Main Matter MM44 Policy 8 Flood Risk and Sustainable Drainage</p> <p>The proposal reclassifies Eel Pie Island to Flood Zone 3b which is not a sound plan as it will be detrimental to the residents and the future prosperity of the island.</p> <ul style="list-style-type: none">• It is factually incorrect, as the island is, and has historically been, in Flood Zone 3a. The recently proposed shift to classify the island to Zone 3b is not supported by any evidence seen or readily available in the public domain, therefore is not valid.• There has been no consultation. This proposal has not given local residents the opportunity to challenge this major change to their lives and livelihood. It has been stated as a fait accompli without any supporting evidence, consultation or consideration to the deleterious effect it will have on residents and businesses on the island.• This policy change will undermine the long-term viability of the Island and will have a severe impact for those who live and work on the island.• It will have negative financial consequences for residents. My mother has lived on the island for over [personal details removed for data protection] years and will struggle to obtain affordable insurance if the change goes ahead. Her property has never flooded in the whole time she has lived there.• It permanently blocks the island’s prosperity and will see the island thrust into decline. It will prevent potential buyers, including younger generations, from moving to the island as they won’t be able to afford the crippling mortgages and insurance, and they won’t be able to adapt or update properties in need of renovation as building regulations will prevent them from doing so. <p>Conclusion</p> <p>The proposal is invalid as it is factually and historically incorrect and has not had proper consultation. If implemented, it would cause unnecessary significant harm to the residents and businesses on the Island, as well as future generations. The plan is not a sound one. It has not been positively prepared, is not justified and won’t be an effective policy in any sense. The only winners are the insurance companies.... It would be more appropriate to retain the island’s flood zone 3a status which is both factually and historically accurate, as well as maintains the future prosperity for generations to come.</p>
67	Martin Wallraff and Claudia Villasis-Wallraff	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to Draft Local Plan MM44</p> <p>We are very concerned by the proposed new definition of the floodplain (Flood Zone 3b) that would include Eel Pie Island. We have only purchased the property [personal details removed for data protection] in [personal details removed for data protection] and have made this our main and only home. This change would have severe repercussions for us in several regards:</p> <ul style="list-style-type: none">• Increased property insurance premiums or even no insurance coverage, as we already struggled to find someone willing to cover the property under the current conditions• Re-mortgaging will become more difficult, given banks often use flood mapping to identify high-risk properties• Extensions and modifications will be largely curtailed• Impact on property value, given expected difficulties to sell the property in the future. <p>We strongly urge you to reconsider this new defitinion or amend it, so that Eel Pie Island is exempt and remains outside the functional floodplain.</p>

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68	Melanie Riach	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to Local Plan Eel Pie flood zone MM44</p> <p>Please accept this letter as an objection to the changes in the Local Plan. I wish to make a representation on MM44 (additional wording to Draft Local Plan highlighted in bold below). With reference to Policy 8 Flood Risk and Sustainable Drainage (Strategic Policy), and its effect on Eel Pie Island.</p> <p><i>Paragraph 16.66: The borough contains a number of islands in the River Thames. Where the access and egress to and from the island begins within the functional floodplain, for the purposes of new development, such islands will be considered and treated as functional floodplain (Zone 3b), even if parts of the islands may be within an area of lower probability of flooding. For the River Thames, the functional floodplain is defined as land riverward of Thames Tidal Flood Defences. In line with the guidance set out in the Council’s SFRA [Strategic Flood Risk Assessment], new developments are restricted to ‘Water Compatible’ and ‘Essential Infrastructure’ (subject to an Exception Test) as per the guidance in the Flood Risk and Coastal Change PPG.</i></p> <p>The functional floodplain is currently defined as Flood Zone 3b. Currently the majority of Eel Pie Island is not in the floodplain. This change in wording, would mean that all of Eel Pie would be considered to be in the floodplain. This would have a huge negative effect on island life and the draw to Twickenham that the island brings.</p> <p>Businesses and a community thrive on the island and the rich history is maintained and the community continues to develop and prosper. This change would make insurance and mortgages either extremely expensive or not obtainable at all. Development in the area would be significantly negatively effected and planning applications for simple changes to existing properties would be, for no one's benefit impeded. Worst case scenario, properties could not be remortgaged, people lose their homes and life savings. The point of policy is to build sustainably and protect communities. This policy change would do exactly the opposite.The UK has a housing shortage, the economy is on its knees and making planning changes on existing communities that stops progress or people improving their homes and businesses is only further detrimental to both of these.</p> <p>There has been a lack of proper consultation on the matter, the manner in which the policy wording was added at a later date, did not allow the community to be consulted or involved in the discussions and data does not support why this change has been suggested.</p> <p>The access or egress being in the flood zone on this island could very easily change. The new development of Water Lane and King St, will result in changes in levels in foot paths as the road is dug up and relayed. It would be very easy to heighten the very small strip that floods around the bottom of the bridge and then it would not flood at high tide. This very simple change in typography, would mean it would not be in the functional flood plain and therefore it would not be a risk of people loosing their homes due to insurance and no re-mortgages not being issued (if this policy were to come into force).</p> <p>I currently live on [personal details removed for data protection] and aspire to purchase a property on the island. Living on [personal details removed for data protection] and working from home, I see the daily backup of traffic at high tide as people are scared to drive their cars (sometimes SUVs) through inches of water. I then watch people walk in wellies through the water, not difficult. It is people that do not understand the water levels that cause issues for local people who have no issue living on the Thames with its tides. This appears to be an example of a policy that does not understand local situations and makes things worse for local people, not safer or better. This policy could mean that I can not get a mortgage or insurance on the island, or worse, I get one now, purchase and it can not be renewed and I lose my life savings as the bank repossesses a property that they will not let me mortgage again. I would be a younger generation that would sustain the life and culture on the island, this policy would stop me, others and the island's future prospering.</p> <p>Please rewrite the policy wording to consider the above, protect the existing and future Island's community that is so vital to housing stock and London's culture.</p>
69	Daniel Marques Sampaio	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to Main Modification 44 - its impact on Eel Pie Island</p> <p>I am writing to register my objection to the proposed modifications under Policy 8 (MM44) of the Local Plan, and in particular the reclassification of Eel Pie Island into Flood Zone 3b. There are a number of reasons why this reclassification is objectionable:</p> <p>. the proposed reclassification from Flood Risk 3a to Flood Risk 3b presents an inaccurate assessment of the actual risk for the island;</p> <p>. the change will make planning permission much more restrictive, which would affect the ability of our residents and businesses to extend and develop the island’s housing and installations as needed to meet future needs;</p> <p>. the change was not subject to public consultation;</p> <p>. reclassification will increase insurance costs and limit insurability;</p> <p>and it would negatively impact property prices and financial investment on the island, as mortgages and loans secured against property would become more difficult to obtain and more expensive.</p> <p>The reclassification offers no tangible flood risk benefits and presents an unnecessary harm to our community. Therefore, the council should reject MM44, or make an exception for Eel Pie Island so that it can continue to adapt, evolve, and thrive.</p>
70	Lucinda Pickard	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to MM44 – Proposed redefinition of Functional Floodplain</p> <p>I am a resident of [personal details removed for data protection] and I am writing to object to the redefinition of the Functional Floodplain as outlined in the MM44 of Policy 8 of the local plan. The reclassification of all land ‘riverward of the Thames flood defences’ as Functional Floodplain’ zone 3b. This is very worrying as it will classify the whole island as a Functional Floodplain. Firstly, this is not true. Most of the island is currently designated as 3a as it sits above the Functional Floodplain. I have lived at [personal details removed for data protection] for [personal details removed for data protection] years in my house, and it has never been flooded. Even during the very high tide on the 31st October 2000, my house, and my neighbours houses were no where near flooding. The tidal nature of flooding on the island is predictable, making the blanket designation as a Functioning Floodplain unjustified. The new classification will be detrimental to islanders as it will make home insurance more expensive and difficult to obtain. Mortgages and loans secured against a property will also become more expensive and more difficult to obtain. Finally, it also means that planning permission for even a small extension will be impossible, at a time when the Government wants to make planning permissions easier.</p>

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				<p>The residents and businesses of Eel Pie Island were not given a chance to challenge this significant change during the formal consultation process as the MM44 was not included in the original public consultation of the local plan. It only emerged after discussions between the Council and the Environmental Agency. No clear reason or supporting data have been given to justify the redefinition. Could you please recognise the detrimental impact that the redefinition outlined in the MM44 will have on the Eel Pie Island residents and businesses. Please consider keeping the existing definition of the Functional floodplain (flood zone 3b) or make an exception for Eel Pie Island so it can continue to thrive.</p>
71	Dr Diana Calam	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to Proposed Changes in Local Plan – Policy 8 (Flood Risk and Sustainable Drainage)</p> <p>I am writing to formally object to the proposed modifications under Policy 8 of the Local Plan, particularly the redefinition of the functional floodplain as outlined in MM44. I am concerned about the reclassification of all land “riverward of the Thames Tidal Flood Defences” as functional floodplain (Zone 3b) and the widespread and unnecessary negative consequences for Eel Pie Island and other affected areas.</p> <p>First of all and most importantly I believe the flood zone reclassification is incorrect. The reclassification in MM44 does not reflect the actual flood risk of Eel Pie Island. The current designation of most of the island in Flood Zone 3a aligns with established flood risk assessments, and the proposed shift to Zone 3b is not supported by consistent evidence. Moreover, the assumption that all borough islands have access points in Flood Zone 3b is demonstrably incorrect. This broad-stroke redefinition disregards the unique topography and risk levels of each location.</p> <p>Secondly, the process by which MM44 was introduced raises serious procedural concerns. The modification was not included in the original public consultation of the Local Plan and emerged only after discussions between the council and the Environment Agency. Stakeholders were given no opportunity to challenge this significant change during the formal consultation process. Additionally, no clear justification has been provided as to why this redefinition is necessary, nor has any supporting data demonstrated that such a change is required for flood risk mitigation.</p> <p>The proposed policy will severely limit property owners' ability to undertake necessary extensions, conversions, or developments that have historically allowed Eel Pie Island to remain a thriving and sustainable community. The functional floodplain classification will introduce unjustified planning restrictions that make future adaptation impossible, reducing the island’s long-term viability.</p> <p>Reclassifying Eel Pie Island as part of the functional floodplain will have an immediate and detrimental effect on the financial security of its residents and business owners. The ability to secure mortgages and business loans will be greatly diminished, with banks and insurers likely to withdraw support due to increased flood risk categorization. Insurance costs will rise sharply, while some properties may become uninsurable altogether, making ownership and investment unsustainable.</p> <p>I strongly urge the council to reject MM44 and instead introduce site-specific assessments rather than applying a blanket policy that disproportionately impacts some areas while leaving others unaffected.</p> <p>I would welcome the opportunity to discuss this matter further and look forward to your response.</p>
72	Stephen Harrison	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: PLAN MM44 FLOODPLAIN RECLASSIFICATION - RESIDENTS OBJECTION</p> <p>I am writing this letter to formally object to the proposed reclassification of Eel Pie Island into Flood Zone 3b, under policy 8 (MM44) of the local plan. I object on the following basis:</p> <ul style="list-style-type: none">• Incorrect Flood Zone Classification. The Island has historically been in Flood Zone 3a, and there is no reliable or certified flood data which suggests this reclassification to Flood Zone 3b needs to be implemented.• Impact on Community and Financial Consequences. Reclassification will drastically increase insurance costs, undermine property values and negatively impact viability for all of us who live and work here. The proposed change will have a significant effect on Islanders' abilities to improve their homes in coming years, and will also stagnate the flourishing of future generations on the Island, due to unnecessary planning restrictions.• Lack of Consultation. At no point have residents of Eel Pie Island been invited to challenge or consult on this change, which is completely exclusionary given how the reclassification will affect our livelihoods.• Personal Experience. I have been a resident of <i>[personal details removed for data protection]</i> for over <i>[personal details removed for data protection]</i> years. I work as a musician and like many was drawn here by the magnetic charm and rich cultural history. As someone born with a disability, I have zero experience of flooding ever posing a danger to my neighbours or a health concern to myself. In contrast, I spent a year during the pandemic staying on a houseboat in Chertsey where the Thames is non-tidal, and during the winter months had to routinely use waders (or call for assistance) to get to work, as exceptionally high water levels would sometimes remain for days, if not weeks on end. However, this is never the case on Eel Pie Island, as we are down river from Teddington lock. This change feels discriminatory to all residents, and poses a particular threat to the elderly and most vulnerable in the community.• Summary. We call for the retention of the current Flood Zone 3a status, which is both historically correct and site-specific. We urge the Council to acknowledge our Island's unique circumstances, reject MM44 and adopt an evidence-based approach to prevent harm to the future viability of our community.
73	Mareike Mundorff	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to Proposed Changes in Local Plan – Policy 8 (Flood Risk and Sustainable Drainage)</p> <p>I am writing to formally object to the proposed modifications under Policy 8 of the Local Plan, particularly the redefinition of the functional floodplain as outlined in MM44. I am concerned about the reclassification of all land “riverward of the Thames Tidal Flood Defences” as functional floodplain (Zone 3b) and the widespread and unnecessary negative consequences for Eel Pie Island and other affected areas.</p> <p>First of all and most importantly I believe the flood zone reclassification is incorrect. The reclassification in MM44 does not reflect the actual flood risk of Eel Pie Island. The current designation of most of the island in Flood Zone 3a aligns with established flood risk assessments, and the proposed shift to Zone 3b is not supported by consistent evidence. Moreover, the assumption that all borough islands have access points in Flood Zone 3b is demonstrably incorrect. This broad-stroke redefinition disregards the unique topography and risk levels of each location.</p> <p>Secondly, the process by which MM44 was introduced raises serious procedural concerns. The modification was not included in the original public consultation of the Local Plan and emerged only after discussions between the council and the Environment Agency. Stakeholders were given no opportunity to challenge this significant change during the formal consultation process. Additionally, no clear justification has been provided as to why this redefinition is necessary, nor has any supporting data demonstrated that such a change is required for flood risk mitigation.</p>

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				<p>The proposed policy will severely limit property owners' ability to undertake necessary extensions, conversions, or developments that have historically allowed Eel Pie Island to remain a thriving and sustainable community. The functional floodplain classification will introduce unjustified planning restrictions that make future adaptation impossible, reducing the island’s long-term viability.</p> <p>Reclassifying Eel Pie Island as part of the functional floodplain will have an immediate and detrimental effect on the financial security of its residents and business owners. The ability to secure mortgages and business loans will be greatly diminished, with banks and insurers likely to withdraw support due to increased flood risk categorization. Insurance costs will rise sharply, while some properties may become uninsurable altogether, making ownership and investment unsustainable.</p> <p>I strongly urge the council to reject MM44 and instead introduce site-specific assessments rather than applying a blanket policy that disproportionately impacts some areas while leaving others unaffected.</p> <p>I would welcome the opportunity to discuss this matter further and look forward to your response.</p>
74	Carmel Morrissey	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to proposed changes to Main Modification 44</p> <p>I am a resident on [personal details removed for data protection]. My property is [personal details removed for data protection], and in December I won my planning appeal to extend and improve my property. Part of the reason for the initial refusal was based on an erroneous report about the make up of the properties on the island.</p> <p>It is with dismay that I see the proposed changes to MM44 effectively moving Eel Pie Island from Flood Zone 3A to Flood Zone 3B. I do not see any justification for this.</p> <p>95% of the Island is not in FZ3B. Both ends of the foot bridge accessing the Island are also not in FZ3B, they are in FZ3A. This is demonstrated on the Arora Map that accompanies the Council’s SFRA of Eel Pie Island.</p> <p>However, the same SFRA erroneously states these as FZ3B. The impact of making this unnecessary change will be devastating to the home owners and businesses that thrive on the island.</p> <p>I respectfully request you keep the existing definition of the functional floodplain (Flood Zone 3B) or make an exception to exclude Eel Pie Island.</p>
75	Emma Edwards	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to reclassification of functional floodplain</p> <p>I have lived in [personal details removed for data protection], a few yards from the Thames for [personal details removed for data protection] years and the house has never come even close to being flooded. Before moving to [personal details removed for data protection] I researched and found that only when the entire City of London, much of the Underground and The Houses of Parliament are all under a metre of water then perhaps Eel Pie Island may have some flooding too. But there's no way in any foreseeable future that the multi billion pound damage to London would be allowed to occur and so to penalise me preemptively and so drastically with a reclassification of my area to MM44 seems grossly unjust and unnecessary.</p> <p>Eel Pie Island is 95% Flood Zone 3a so the leap to MM44 with no reasons given, is improper process. For myself and other property owners on Eel Pie Island this reclassification will mean huge insurance hikes or rejection of insurance altogether, severe restrictions on planning permission, difficulty or impossibility to obtain mortgages and loans with a consequent great loss in property value.</p> <p>Moreover I was given no notice of this proposal as it was not included in the public consultation. There has been no data provided showing the reclassification is necessary.</p> <p>I urge you to retain the existing Flood Zone 3b classification pending proper procedural process and factual justification.</p>
76	Jane Probyn	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to the proposal re Eel Pie Island</p> <p>Pursuant to the invitation to give my view to the proposed modifications to the local plan please see below setting out my objections to the re categorisation of the functional floodplain in regard to Eel Pie Island (EPI) as described in MM44. In summary, the proposal will have a profound negative impact upon residents and businesses on the island without any evidence based justification:</p> <p>(1) no reliable/ sufficient evidence in relation to the specific features of EPI in support of the proposed change;</p> <p>(2) failure to undertake an impact assessment upon the residents and businesses located on EPI;</p> <p>(3) failure to consult with the relevant stakeholders, namely property and business owners. This change was not included in the original consultation of the Local Plan and only became clear post discussions between LBRUT and the Environment Agency. There was no opportunity to challenge the plan, which represents a significant detrimental change to residents etc on the island.</p> <p>(4) Re classification of EPI does not reflect reality of the established flood risk assessments. The proposed change fails to address the unique features of EPI and as such is inherently flawed.</p> <p>(5) The proposals will impose entirely unwarranted restrictions on residents and businesses located on EPI. It will leave home and business owners unable to develop their property through the imposition of unmerited planning restrictions introduced as a result of this change. This is a wholly unjustified interference of property rights which will result in the diminution of the EPI community and the extent of the same will undoubtedly cause significant long term detriment to the character and the viability of home ownership and business activity on the island.</p> <p>(5) Reclassification will immediately result in a significant increase in insurance premiums and potentially mean that it is impossible to insure homes and businesses for a reasonable premium. Inevitably, this will negatively impact upon the availability of finance either for the purchase/ development of residential and commercial property on the island and the consequent diminution of value of all property on the island.</p> <p>In conclusion, the case is not made out in support of the proposed modification. The consequences are appalling for residents and businesses alike and is particularly egregious given the lack of consultation. Please record my strenuous objection to the proposals.</p>

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77	Isabel Offler	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: PLAN MM44 FLOODPLAIN RECLASSIFICATION - RESIDENTS OBJECTION</p> <p>I am writing this letter to object to the proposed reclassification of Eel Pie Island into Flood Zone 3b, under policy 8 (MM44) of the local plan. I object on the following basis</p> <p>I have been lucky enough to be welcomed into a family who have lived on the island for over 20 years. They have been upstanding members of the community not only providing architectural improvements (through building both personal and community use spaces) but also cultural significance (through creating art and music) to the island's already rich cultural heritage. They have played as headliners in the local High Tide festival and are featured in the Eel Pie Island Museum.</p> <p>Upon arriving to the island, I am always struck by the community spirit and beauty created by it's inhabitants. They join together to support each other and to grow as a group. When members of the community are ill or unfortunately pass, I have seen intensive and genuine community spirit that supports and protects those effected. This island is a bright light in the local area. When chatting to people, as far as Somerset, I often find people asking about the magical Eel Pie island. It truly represents a version of life that most people want to live and be a part of. When my partner, who is disabled, has had surgeries, he retreats to the island. It is a safe place.</p> <p>In my time coming here I have become much more aware of the tidal system. You have to become 'one' with the rising and lowering tides and begin to learn to have a coffee to bide your time before the river is crossable. Only once have I had to remove my shoes and socks to cross the river, it was refreshing and quickly forgotten. This has never in my six years of visiting and living on the island been a flood situation and the water dissipates around an hour after it arrives.</p> <p>The Island has historically been in Flood Zone 3a, and there is no reliable or certified flood data which suggests this reclassification to Flood Zone 3b needs to be implemented.</p> <p>Reclassification will drastically increase insurance costs, undermine property values and negatively impact viability for all of us who live and work here. The proposed change will have a significant effect on Islanders' abilities to improve their homes in coming years, and will also stagnate the flourishing of future generations on the Island, due to unnecessary planning restrictions.</p> <p>At no point have residents of Eel Pie Island been invited to challenge or consult on this change, which is completely exclusionary given how the reclassification will affect our livelihoods.</p> <p>We call for the retention of the current Flood Zone 3a status, which is both historically correct and site-specific. We urge the Council to acknowledge our Island's unique circumstances, reject MM44 and adopt an evidence-based approach to prevent harm to the future viability of our community.</p> <p>May I also ask that in the future, island residents are bought into these discussions and considered within the consultation period for changes of this magnitude?</p>
78	Marcia and Frederick Ayres	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Plan MM44 Floodplain Reclassification</p> <p>We are writing to formally object to the proposed changes under Policy 8 of the Local Plan; specifically, the redefinition of the functional floodplain as outlined in MM44. We are deeply concerned that the reclassification of Eel Pie Island to Flood Zone 3B will have significant negative impact on the island and our home should it be implemented.</p> <p>Incorrect Flood Zone Classification The reclassification in MM44 is incorrect. Historically, the Island has been in Flood Zone 3A, and there is no evidence to change this to Zone 3B.</p> <p>Severe Impact This policy change will undermine the long-term viability of the Island for those who live and work there.</p> <p>Negative Financial and Insurance Consequences We have lived on the Island for over 25 years and believe that if this change goes forward it will most likely make it impossible to obtain affordable insurance. Since living on the Island our property has never flooded. This change will be of no benefit to anyone except the insurance companies who already charge a premium for the Island’s insurance.</p> <p>Lack of Proper Consultation Residents have not been given the opportunity to challenge this major change nor have we seen any supporting data on the move to change.</p> <p>A more Considered View It would be much better to retain the Island’s Flood Zone 3A status, which is factually and historically accurate.</p> <p>Conclusion This policy would cause unnecessary harm to the residents and businesses on the Island. A more accurate and historically correct policy should be adopted. Many of the Island’s residents are retired elderly and this policy would negatively impact their lives and potentially prevent younger generations from moving to the Island threatening the unique Island Life. We urge the council to find a more reason solution, and reject the MM44.</p>
79	Winifred Swift	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: PLAN MM44 FLOODPLAIN RECLASSIFICATION</p> <p>This email is my formal objection to the proposed changes under Policy 8 of the Local Plan. Specifically, the redefinition of the functional floodplain as outlined in MM44. I am deeply concerned that the reclassification of Eel Pie Island to Flood Zone 3B will have significant negative impact on the island and my home should it be implemented.</p> <p>Incorrect Flood Zone Classification The reclassification in MM44 is incorrect. Historically, the Island has been in Flood Zone 3A, and there is no evidence to change this to Zone 3B.</p>

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				<p>Severe Impact This policy change will undermine the long-term viability of the Island for those who live handwork there.</p> <p>Negative Financial and Insurance Consequences I have lived on the Island for almost 30 years and I believe if this change goes ahead it will make it impossible to obtain affordable insurance. Sine living on the Island I can honestly say that my property has never flooded. This change will be of no benefit to man or beast except the insurance companies who already charge a premium for the Island’s insurance.</p> <p>Lack of Proper Consultation Residents have not been given the opportunity to challenge this major change to their lives and livelihood nor have we seen any viable supporting data on the move to change.</p> <p>A more Considered View It would be more appropriate to retain the Island’s Flood Zone 3A status, which is both factually and historically accurate.</p> <p>Conclusion Implementing this policy would cause unnecessary significant harm to the residents and businesses on the Island. A more accurate and historically and correct policy should be adopted. Many of the Island’s residents are elderly and this policy would negatively impact on their lives and potentially prevent younger generations from moving to the Island threatening our unique way of Island Life!</p>
80	Hugh and Claire Brasher	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: RE: Eel Pie Island flood</p> <p>I am writing on behalf of Hugh and Claire Brasher and our daughters <i>[personal details removed for data protection]</i>, all who live at <i>[personal details removed for data protection]</i>, Twickenham <i>[personal details removed for data protection]</i>.</p> <p>We are writing to object to the draft local plan which in its current form is proposing (ref Main Modification 44) that Eel Pie Island be classified with the Flood Zone 3b instead of Flood Zone 3a. It appears to be reclassified on erroneous information.</p> <p>First it doesn’t seem to take into account that 95% of the island is in Flood Zone 3a and second that the island is also situated in a tidal part of the Thames.</p> <p>These are unique factors that when combined mean that the planning inspectors should leave the classification as it is or should make an exception for the new wording of the definition of the flood plane with regards to Eel Pie Island.</p> <p>As a thriving island of businesses and homes, the reclassification could fundamentally change the nature of the island, making it virtually impossible to get insurance or a mortgage, apply for planning permission or continue to thrive.</p>
81	Philippa Boulter	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Regarding the Floodplain categorisation of Eel Pie Island</p> <p>I am writing with regard to the proposed categorising of Eel Pie Island being in a 3b flood plain. It seems that the council have either knowingly or mistakenly categorised it as such without any public consultation. Yet the Aurora Mapping system states it is in 3a flood zone. Apparently the proposed changes were not mentioned in the June /July 2023 version of LBRuT “Publication” draft. And it wasn't until 10th May 2024 that the proposed changes to the recategorization was made public. Following this, in subsequent meetings the representatives from Eel Pie Island were not allowed to speak, which is completely unacceptable. The embankment is a category 3a Flood Plain, yet it floods when there are high tides, but Eel Pie Island has never flooded in the 40 years that my mother lived on the Island and really should be in the category 3a. The Island is situated high enough above the river that even during very heavy rain it does not flood. If you continue with this completely unnecessary re-categorisation of the Island to 3b it will have a completely deleterious effect on the Islanders ability to keep the Island evolving and keeping up with the times. Ultimately it will create hardship for those living here and for anyone who wants to buy a property on the Island. Mortgages, either will not be granted or will be unaffordable. Insurance will skyrocket, and people will not be able to modify their homes.</p> <p>My Siblings and I are at present trying to sell my Mother's house as sadly she died last April. My sister has had to pay the inheritance tax up front which is crippling, and the proposed changes are putting a lot of prospective buyers off wanting to invest on the Island. Ultimately your proposals are very destructive and must be reconsidered.</p>
82	Nicola Lyon on behalf of Twickenham Rowing Club	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Twickenham Rowing Club - Response to Main Matter MM44 - Policy 8 Flood Risk and Sustainable Drainage</p> <p>I am writing on behalf of Twickenham Rowing Club which has resided on Eel Pie Island in Twickenham since 1876 and is one of the oldest rowing clubs in London. It is an active, healthy and vibrant club with nearly 400 members which has invested significantly in its own premises, the Island and the local infrastructure.</p> <p>We are a club open to the entire community which continues to grow and, as such, may look to invest further to allow that to happen. The proposed change to the definition of the functional floodplain will have a significant impact on our ability to do so both in terms of any further development of the Club’s premises and the availability and affordability of property insurance.</p> <p>We would ask the Planning Inspectors recognise this impact and refrain from allowing the proposed change to the existing definition of the functional floodplain.</p>
83	Anne Perry	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: The Flood plain in Twickenham</p> <p>I am writing to formally object to the proposed modification of Policy 8 of the Local Plan and the redefining of the floodplain as it will affect Eel Pie Island set out in MM44.</p> <p>The classification of this flood zone is not supported by the evidence. The current designation is that the island lies in Flood Zone 3a.</p> <p>To suggest that it should be moved into Flood Zone 3b is not supported by evidence, and does not take into account the different flood risks on different parts of the Island.</p> <p>Eel Pie Island is a thriving community.</p> <p>The proposed policy will change all this and make it impossible to make even minor changes to our properties, without very stringent evidence of the sort that applies to actual flood plains.</p> <p>This change is also likely to make insuring our properties far more difficult and expensive, despite the fact that I believe none of us have made insurance claims for damage caused by flooding.</p> <p>I understand that this proposal was not included in the original consultation of the Local Plan. It was added after discussions between the Local Authority and the Environment Agency.</p>

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				<p>We, as stakeholders, were not therefore, given an opportunity to challenge this significant change during the consultation process. There was a lack of proper consultation and proper justification.</p> <p>Surely the Council should consider an evidence based approach, and recognise the unique characteristics of Eel Pie Island and other affected areas? In the absence of sufficient evidence to the contrary Eel Pie Island should remain in Flood Zone 3a.</p> <p>The Embankment opposite the foot of the bridge is in zone 3b. The Island itself is in zone 3a.The Council should adopt a Site-Specific Assessment, rather than applying a uniform policy. You should acknowledge our distinct characteristics and flood profile.</p> <p>In conclusion Implementing MM44 will inflict unnecessary harm to the people who live on the Island and to the Island businesses, without delivering benefits to flood risk management. I have lived on the Island for [personal details removed for data protection] during which I have lived in 3 different houses on the Island. At no time over those years have my different properties on the Island been in any remote risk of flooding.</p> <p>I repeat, you have insufficient evidence to support this change. This proposed change lacks procedural fairness and justification. You should adopt a balanced approach, while maintaining proper flood risk management on the river.</p> <p>I would appreciate the chance to discuss the matter with you further.</p>
84	Tommy Cooper on behalf of Michael Cooper	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to Redefinition of Functional Floodplain – Eel Pie Island</p> <p>I am writing to formally object to the proposed redefinition of the functional floodplain in the Local Plan, which would incorrectly designate Eel Pie Island and its access as being within Flood Zone 3b.</p> <p>Historically, both the island and its access have been recognized as part of Flood Zone 3a, allowing for sustainable development and economic viability. The sudden reclassification would significantly impact residents and businesses by:</p> <p>Severely restricting planning permissions for new developments, extensions, and changes of use. Limiting access to residential mortgages and business loans, making financing more expensive and difficult to obtain. Increasing insurance premiums due to perceived higher risk, despite no actual change in flood conditions. Threatening the viability of river-related businesses such as boatyards.</p> <p>Moreover, this redefinition was introduced without proper public consultation. The changes were only made public in May 2024, nearly a year after the last consultation, preventing affected parties from voicing concerns through the appropriate channels. Previous Local Plans and SFRAs have recognized the unique characteristics of each island, yet this revision unjustly treats all islands as one, disregarding Eel Pie Island’s specific circumstances.</p> <p>I urge the Council to either retain the existing definition of the functional floodplain (Flood Zone 3b) or grant an exception for Eel Pie Island, as has been done in previous plans. A rushed, poorly justified change of this magnitude should not proceed without proper scrutiny and consultation.</p> <p>I appreciate your time and consideration and look forward to your response.</p>
85	Eileen Munro	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Change to Eel Pie Island flood label</p> <p>I am writing to object to the proposed change of flood classification that includes having my home on Eel Pie Island re-classified as being level 3b risk when this is not true. It would have considerable adverse financial repercussions for me and all others living and working on the island.</p> <p>The publicly available papers give no justification for the change. A bureaucrat may think they are making a minor amendment which makes the Local Plan look less complicated but the reality is that this proposed change would have a devastating impact on the island.</p> <p>Please reject it.</p>
86	Steven Nalon	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: [personal details removed for data protection] - proposed modification of floodplain status of Eel Pie Island</p> <p>[Please note that this response includes references to the representation submitted by Valerie Scott on behalf of Henry Harrison, see MM Rep No. 26 or at Appendix 2].</p> <p>I am Steven Nalon, from [personal details removed for data protection], writing to formally raise my objections to the proposed modification that aims to change the floodplain status of Eel Pie Island. As a professional involved in planning and an office occupier on the Island, I am strongly opposed to this modification.</p> <p>After reviewing the planning report by Valerie Scott Planning on behalf of Henry Harrison, I find my concerns align closely with the issues raised in the report, particularly the unnecessary and harmful impact this change could have on Eel Pie Island and its residents.</p> <p>Key Points of Objection</p> <p>Misclassification of Eel Pie Island</p> <p>At present, only 5% of Eel Pie Island is designated as functional floodplain (Zone 3b), while the remaining 95% falls under Zone 3a (as mentioned on p.10 and p.25 of the report).</p> <p>The proposed modification seeks to reclassify the entire island into Zone 3b, which would subject it to severe planning restrictions, greatly impacting property development, financing, and insurance (Report, p.4, paras 10-12).</p> <p>Lack of Public Consultation</p> <p>The decision to implement this modification was made during a private meeting between LBRUT and the EA on March 19, 2024, without any public consultation (Report, p.6, para 20).</p>

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				<p>This process did not allow for public input or scrutiny, which goes against the essential principles of transparent and inclusive planning (Report, pp.7-8, paras 30-35).</p> <p>Failure to Account for Key Factors</p> <p>The modification fails to adequately consider the financial and developmental impacts on Eel Pie Island's businesses and residents.</p> <p>Furthermore, there is no justification for departing from the standard approach applied by other London Boroughs (Report, paras 9-16).</p> <p>Inaccurate Information</p> <p>The Draft Plan incorrectly assumes that access and egress to all affected islands fall within Zone 3b (Report, p.3).</p> <p>However, in reality, 95% of Eel Pie Island is classified as Zone 3a, making the foundation for this modification factually incorrect (Report, p.10, p.25).</p> <p>Inconsistent and Unjustifiable Approach</p> <p>Other London Boroughs uniformly define functional floodplain as Zone 3b. LBRUT’s deviation from this standard is unsupported and leads to an unfair policy application (Report, para 12).</p> <p>Moreover, the EA/LBRUT Statement of Common Ground misleadingly labels this substantial change as a “minor modification” (Report, p.7, para 29), failing to interpret planning policy correctly.</p> <p>Lack of Adequate Planning Justification</p> <p>For any planning policy to be valid, it must serve the public interest. This proposed modification, however, lacks a sound justification (Report, p.7, para 27; p.9, para 43).</p> <p>Conclusion</p> <p>I object to this proposed modification for the following reasons:</p> <p>It will cause significant harm to Eel Pie Island and its residents.</p> <p>It was introduced without proper public consultation and fails to consider key factors.</p> <p>It takes an inconsistent and unjustifiable approach when compared to other London Boroughs.</p> <p>It relies on a flawed interpretation of planning policy and does not serve a legitimate public interest.</p> <p>I urge the relevant authorities to reject this modification and ensure that any future planning decisions are made with fairness and based on clear, evidence-based reasoning.</p>
87	Chloe Hall	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to Proposed modification to Policy 8 (MM44) of the draft Local Plan</p> <p><i>[Please note that this response includes references to the representation submitted by Valerie Scott on behalf of Henry Harrison, see MM Rep No. 26 or in full at Appendix 2].</i></p> <p>I am Chloe Hall, from <i>[personal details removed for data protection]</i>, writing to formally object to the proposed modification that seeks to alter the floodplain status of Eel Pie Island. As an office employee on the island, I strongly oppose this modification.</p> <p>Having reviewed the planning report prepared by Valerie Scott Planning on behalf of Henry Harrison, I find myself aligned with the concerns raised in the report, especially regarding the negative and unjustified impact this change would have on Eel Pie Island and its residents.</p> <p>Key Objections:</p> <ol style="list-style-type: none">Misclassification of Eel Pie Island: Currently, only 5% of Eel Pie Island is designated as functional floodplain (Zone 3b), with the remaining 95% classified as Zone 3a (Report, p.10, p.25). The proposed modification seeks to reclassify the entire island as Zone 3b, which would subject it to severe planning restrictions, potentially affecting property development, financing, and insurance (Report, p.4, paras 10-12).Lack of Public Scrutiny: The decision to implement this modification was made in a private meeting between LBRUT and the EA on March 19, 2024, with no public consultation (Report, p.6, para 20). There was no opportunity for public representation, undermining the principles of transparent planning (Report, pp.7-8, paras 30-35).Failure to Consider Material Factors: The modification fails to account for the significant financial and developmental impact on Eel Pie Island's residents and businesses. Additionally, no valid justification has been provided for departing from the standard approach followed by other London Boroughs (Report, paras 9-16).Material Errors of Fact: The Draft Plan wrongly assumes that access and egress to all affected islands fall within Zone 3b (Report, p.3). In fact, 95% of Eel Pie Island is classified as Zone 3a, rendering the basis for this modification factually inaccurate (Report, p.10, p.25).Inconsistent and Unjustifiable Approach: Other London Boroughs define functional floodplain as Zone 3b, but LBRUT’s approach deviates from this standard without adequate reasoning, resulting in an unfair application of policy (Report, para 12). Furthermore, the EA/LBRUT Statement of Common Ground inaccurately describes this significant change as a “minor modification” (Report, p.7, para 29), misinterpreting planning policy.Lack of Proper Planning Justification: Planning policies should serve the public interest. This modification lacks any clear, demonstrated justification for its implementation (Report, p.7, para 27; p.9, para 43). <p>Conclusion:</p> <p>I strongly object to the proposed modification for the following reasons:</p> <ul style="list-style-type: none">It would cause significant harm to Eel Pie Island and its residents.It was introduced without public scrutiny or proper consideration of material factors.It creates an inconsistent and unjustified approach compared to other London Boroughs.It is based on a flawed interpretation of planning policy and lacks any valid public interest justification. <p>I urge the authorities to reject this modification and ensure a fair, evidence-based planning process.</p>
88	KA Oberc	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Objection to proposed modification to Policy 8 (MM44) of the draft Local Plan</p> <p>Having moved to <i>[personal details removed for data protection]</i> with our young family in <i>[personal details removed for data protection]</i>, I am astonished to find out about the Council’s proposed redefinition of the floodplain. I am writing to strongly object to the changes.</p> <p>Eel Pie Island is a hive of activity: artists, rowers, boatbuilders, offices, and homes all coexist and thrive in a magnificent flurry of year-round, daylong mutual community. All islanders, both those who live here and those working and working out here, greet and speak to each other, acutely aware of their role as custodians of the island and its particularity.</p> <p>The biannual Eel Pie Island Open Studios events attract in two swoops thousands of curious visitors from all over London and beyond, and supports local Twickenham businesses by way of hungry and curious people who would not usually have visited, yet explore other nooks of the area. Twickenham Rowing Club and Richmond Yacht Club, both based on the island, in addition to their own</p>

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				<p>community-building sporting activities, regularly host parties and events at their much sought after, unique venues, also supporting further Twickenham businesses by way of catering and other events-related needs.</p> <p>The island’s businesses, from architect studios to boatbuilding and repair, are thriving beds of expertise. The boatyards in particular are some of the last remaining ones on the London stretch of the Thames to service the London fleet.</p> <p>The changes would in effect render every single property and business on the island uninsurable, unimprovable, and unsellable. Those families whose homes are on the island would be trapped in a loop of neither being able to move by not being able to sell their homes as no mortgage would cover a new buyer, nor being able to protect their homes through modifications. The healthy ebb and flow of human traffic would be strangled. Every dwelling on the island, bar one – Jacob’s Ladder, already being negatively affected by the proposed changes through the Council’s rejection of planning permission, despite the changes not yet being in effect – is full, housing families, professionals and workers. Yet all of our homes and businesses remain unaffected by flooding both due to the island’s unique build and position, and by careful building over the years. None of the properties have been affected by any of the floods in the last 15 years.</p> <p>The difference between Eel Pie Island and other islands along the Thames in the Borough are substantial and material to this issue, in particular the fact that Eel Pie Island is the only inhabited island in the tideway. The tideway is supported by the Thames Barrier and other locks to regulate flood water. Additionally, being uninhabited, the other islands will not be affected by the changes. Remaining inhabited islands included within the Draft Plan are in non-tidal areas. Their coexistence with the river is therefore of an altogether different nature and not material to this particular objection.</p> <p>Including Eel Pie Island within the Draft Local Plan will be devastating to its very existence. Historically, Eel Pie Island has played playing more than fair share in putting Twickenham on the map. It was then a hotbed for the British music scene, launching the Rolling Stones, Pink Floyd and other seminal musicians. It is currently a thriving community of residential, industrial and commercial activity. To include Eel Pie Island within the redefinition of the functional floodplain would be a death knell to the island, and I urge you to retain the existing definition.</p>
89	Nick Dinnage	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection: functional floodplain re Eel Pie Island as described in MM44</p> <p>Pursuant to the invitation to give my view to the proposed modifications to the local plan please see below the reasons for my objections, specifically to the re categorisation of the functional floodplain in regard to Eel Pie Island (EPI) as described in MM44. In summary, the proposal will have a profound negative impact upon residents and businesses on the island in the absence of any evidence based justification:</p> <p>(1) no reliable/ sufficient evidence in relation to the specific features of EPI in support of the proposed change;</p> <p>(2) failure to undertake an impact assessment upon the residents and businesses located on EPI;</p> <p>(3) failure to consult with the relevant stakeholders, namely property and business owners. This change was not included in the original consultation of the Local Plan and only became clear post discussions between LBRUT and the Environment Agency. There was no opportunity to challenge the plan, which represents a significant detrimental change to residents etc on the island.</p> <p>(4) Re classification of EPI does not reflect reality of the established flood risk assessments. The proposed change fails to address the unique features of EPI and as such is inherently flawed.</p> <p>(5) The proposals will impose entirely unwarranted restrictions on residents and businesses located on EPI. It will leave home and business owners unable to develop their property through the imposition of unmerited planning restrictions introduced as a result of this change. This is a wholly unjustified interference of property rights which will result in the diminution of the EPI community and the extent of the same will undoubtedly cause significant long term detriment to the character and the viability of home ownership and business activity on the island.</p> <p>(5) Reclassification will immediately result in a significant increase in insurance premiums and potentially mean that it is impossible to insure homes and businesses for a reasonable premium. Inevitably, this will negatively impact upon the availability of finance either for the purchase of property on the island and/or for investment and development of commercial enterprise with the consequent diminution of value of all property on the island.</p> <p>In conclusion, the case is not made out in support of the proposed modification. The consequences are appalling for residents and businesses alike and is particularly egregious given the lack of consultation. Please record my strenuous objection to the proposals.</p>
90	Doug Garrett	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to MM44 – Flood Zone Classification of Eel Pie Island</p> <p><u>Objection to MM44 – Flood Zone Classification of Eel Pie Island</u></p> <p>I am writing to express my concern regarding MM44 in the proposed Local Plan which, I believe, would adversely affect Eel Pie Island.</p> <p>While the Island has historically been considered Flood Zone 3b it was been treated as Flood Zone 3a from 2010 see: -</p> <p>“2010 Update: The Strategic Flood Risk Assessment (SFRA) Level 1 Update reclassified Eel Pie Island from Flood Zone 3b (Functional Floodplain) to Flood Zone 3a (High Probability). This change was based on updated flood modeling by the Environment Agency, reflecting a high probability of flooding (annual probability of 1% or greater) but not functioning as a natural floodplain.”</p> <p>However, the SFRA changed in 2016 See: -</p> <p>“Update 2016 Assessment: Contrarily, the SFRA Update in 2016 designated Eel Pie Island as Flood Zone 3b (Functional Floodplain). This designation was due to the access and egress routes to and from the island via a pedestrian footbridge, which, along with the Twickenham Embankment side, is also designated as functional floodplain Zone 3b.”</p> <p>It is only recently that the planning department has begun applying the Flood Zone 3b constraints to planning applications. In practice, multiple applications—including those for my property—have been assessed as if the land were in Flood Zone 3a, which should be its actual classification based on: -</p> <ul style="list-style-type: none">• Definitive Aurora mapping, which confirms access to the Island as Flood Zone 3a.• Elevation data, which further supports this classification. <p>Even if access to Eel Pie Island were considered Flood Zone 3b, the Island itself should not be treated in the same manner as non-tidal Thames islands. Given the tidal nature of the area, the presence of effective tidal/fluviat floodplains, and the fact that floodwaters drain naturally with each ebbing tide, it is illogical to apply a blanket Flood Zone 3b designation.</p> <p>Reclassifying Eel Pie Island as a functional floodplain—suggesting it is intended to store and carry floodwater—is plainly incorrect. Such a designation would impose unjustified restrictions on residents’ rights, create unnecessary difficulties in obtaining insurance, and fail to reflect the island’s actual flood risk.</p>

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				I urge the Council to reconsider MM44 and ensure that Eel Pie Island is classified appropriately as Flood Zone 3a, based on its real-world characteristics rather than an erroneous historical designation.
91	Alexandra and Elizabeth Strick	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to proposed Eel Pie Island floodplain modifications</p> <p>I write to share my support with Eel Pie Island residents (and many members of the wider community) regarding the proposals to redefine the functional floodplain.</p> <p>I understand that this proposal would involve reclassifying the entire island as a functional floodplain.</p> <p>I will keep this email extremely brief, conscious as I am that I am no longer technically an island resident. However, my family and I have lived in Twickenham for over 40 years and this included 30 years on Eel Pie Island. Although my mother recently had to relocate from the island, being now in her mid-80's, we wish to write to lend our support to the Island community.</p> <p>We believe that if this plan goes ahead, it will have a disastrous impact on Eel Pie Island in relation to mortgages, insurance and planning permission.</p> <p>There does not appear to have been full consultation on this matter and we would urge the council to re-consider and take action to avoid a very negative impact on this truly iconic local island.</p> <p>Thank you for reading this email.</p>
92	Anne Edwards	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Eel Pie island flood zone changes- formal objection</p> <p>I am writing to formally object to the proposed modifications under Policy 8 (MM44) of the Local Plan, particularly the reclassification of Eel Pie Island into flood Zone 3b.</p> <p>Firstly I am concerned that the flood risk assessment is inaccurate. The change from Flood zone 3a to 3b does not reflect the current flood risk. The actual risk is very accurately represented by 3a.</p> <p>The proposed changes have potentially vast and far reaching consequences by the way of unnecessary planing restrictions. This is likely to have a huge impact on the current community of the Eel Pie island. There is a real risk that these changes hinder essential extensions and developments on the island, that are important for the people who live and work on the island. The reclassification is very likely to bring changes in the form of dramatically increase in insurance cost and with that will severely undermine property values. I do not live on the island, but am a frequent visitor. I go to a well attended Yoga class in the yacht club. I have in my capacity as a self employed gardener worked on the island and have met on many occasions some of the local community. They are an amazing community, that we should support as it makes Twickenham culturally richer and a better place. Some of them might be perceived as a quirky lot. Everyone I have met makes Twickenham a more interesting, diverse and culturally rich community, that deserves our full support.</p> <p>I have met people who lives are very much shaped and enriched by living on the island. They are people who chose that life as it offers a community that is so rare these days. I would hate to see that go or become a place where you can't sell your house anymore or can't afford to insure it, because of a hasty change in legislation. I very much support them in their efforts to communicate their concerns to you.</p> <p>I am particularly concerned about the lack of proper consultation MM44 was not included in the original public consultation and emerged only later without adequate public engagement or clear justification.</p> <p>My recommendation is to retain the Flood Zone 3a classification for the Eel Pie Island. Also I would like to see evidence based site specific approach that takes into account the islands unique circumstances.</p> <p>I would like to think that no one in Twickenham knows the tides and potential floods better than the people on the island. No where else do you have to time your supermarket shopping delivery taking into account spring tides.</p> <p>Please consult them with regard to any changes. They are a willing conversation partner and will have a valuable insights to add to any discussion about this topic.</p>
93	Gabrielle Spriggs	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to Proposed Changes to Local Plan - Eel Pie Island</p> <p>I am writing to formally object to the proposed changes under Policy 8 (Flood Risk and sustainable drainage) of the Local Plan. I am particularly concerned by the redefinition of the functional floodplain as outlined in Main Modification 44 which will place the whole of Eel Pie Island in the functional floodplain.</p> <p>I have worked on Eel Pie Island for nearly 25 years and have seen it evolve in that time. I've been proud to work on an Island known by many for its rich history and music culture.</p> <p>The new proposals will make it impossible for the residents and businesses to obtain insurance, mortgages, loans, and extend their properties. No one will be able to sell and the subsequence of that will render Eel Pie Island a wasteland instead of the thriving community it is currently.</p> <p>I ask that the Planning Inspectors seriously consider the impact that these changes will make to this unique Island.</p>

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94	Elisabeth Bell	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Main Modification 44</p> <p>I am writing to formally object to the proposed amendment under Main Modification 44 (MM44) of the London Borough of Richmond upon Thames Draft Local Plan, in particular the redefinition of the functional floodplain as land “riverward of the Thames Tidal Flood Defences”</p> <p>Unlike other islands on this stretch of the river Eel Pie Island is located in Flood Zone 3a. This includes access points at both ends of the bridge.</p> <p>To classify Eel Pie Island as part of the functional flood plain Flood Zone 3b is incorrect and does not reflect the true situation.</p> <p>The proposed policy would have an adverse effect in many ways;</p> <p>The island is a thriving community which has evolved over many decades. This could not continue were there to be severe limitations regarding planning and any alterations to property.</p> <p>Property insurance would become much more expensive and even more difficult to obtain.</p> <p>I strongly urge the Planning Inspectors to reject MM44 and keep the existing definition of the functional floodplain (Flood Zone 3b) or make an exception for Eel Pie Island.</p>
95	Graeme Rimmer	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Local Plan changes, objection to policy 8 on flood risk and sustainable drainage</p> <p>I’m writing to express my concerns about the proposed changes to Policy 8 of the Local Plan, specifically the redefinition of the functional floodplain in MM44. Classifying all land "riverward of the Thames Tidal Flood Defences" as functional floodplain (Zone 3b) could have serious negative impacts on Eel Pie Island and surrounding areas.</p> <p>Firstly, the proposed changes do not accurately reflect the flood risk for Eel Pie Island. The current designation of Flood Zone 3a is supported by existing assessments, while the shift to Zone 3b lacks solid evidence. This reclassification misrepresents the actual risks faced by the island.</p> <p>Moreover, the new policy would severely limit property owners’ ability to make necessary improvements, which are vital for maintaining the sustainability of Eel Pie Island as a thriving community. This could stifle development opportunities and hinder the growth of the area.</p> <p>Additionally, reclassifying the island could pose significant financial and insurance challenges for residents and businesses. It may become more difficult to secure loans and insurance, leading to increased costs and potentially making some properties uninsurable.</p> <p>Lastly, I have concerns about the lack of consultation regarding MM44. This modification wasn’t included in the original public consultation, and stakeholders had no opportunity to voice their concerns. There has also been no clear justification provided for this redefinition, which raises questions about its necessity.</p> <p>In conclusion, I urge the council to reconsider the proposed changes. Keeping the current classification as Flood Zone 3a, recognising past exceptions for Eel Pie Island, and conducting site-specific assessments would be a more balanced approach. These changes could harm the community without offering real benefits in terms of flood risk management.</p> <p>I look forward to your response.</p>
96	H W Cope- Harrison	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to Proposed Modifications to Policy 8 (MM44) of the Local Plan</p> <p>Please find attached below the article published in the Observer newspaper yesterday 16th March 2025.</p> <p>Please take this as an objection to the proposed new flooding policies by Richmond Council.</p> <p>Loved by rockers and royals, Eel Pie Island is threatened by tide of red tape Planning policy The Guardian https://www.theguardian.com/politics/2025/mar/16/loved-by-rockers-and-royals-eel-pie-island-is-threatened-by-tide-of-red-tape</p>
97	Jake and Lauri Riviera	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Objection to Proposed modification to Policy 8 (MM44) of the draft Local Plan</p> <p><i>[Please note that this response includes references to the representation submitted by Valerie Scott on behalf of Henry Harrison, see MM Rep No. 26 or in full at Appendix 2].</i></p> <p>We are Jake and Lauri Riviera and are longtime residents of <i>[personal details removed for data protection]</i>, having moved <i>[personal details removed for data protection]</i>. In our time here we have refurbished the unused <i>[personal details removed for data protection]</i> boatyard turning it into a family home, rebuilt <i>[personal details removed for data protection]</i>, which was originally built with no proper foundations and also rebuilt <i>[personal details removed for data protection]</i> after it was involved in a fire. <i>[personal details removed for data protection]</i> was the last home we built and we were required to build it on raised foundations above the floodplain, a sensible requirement which simply and fully addressed any flooding issues. We have never experienced flooding of any of our properties.</p> <p>We have read carefully the objections that have been submitted to this policy by John Sebastian Head <i>[see MM Rep No. 41 or at Appendix 3]</i>, Valerie Scott Planning on behalf of Henry Harrison <i>[see MM Rep No. 26 or at Appendix 2]</i>, and Colin Heath <i>[see MM Rep No. 56]</i>, (all residents of the island) so will not be repeating all the points made in them, but suffice it to say we are in complete agreement with all arguments against this policy made in their submissions. Furthermore, we believe all the building work which we did with an eye to helping to maintain Eel Pie Island as a vibrant community, would likely not have been possible had this policy been in place. We are writing this letter of objection to the above proposed modification, which seeks to change current policy and by doing so would not allow the island to continue to be able to change to adjust to the needs of changing times.</p> <p>Even though the policy not yet being adopted we are already seeing a stagnating effect the island, specifically as regards the recent planning application for Jacob’s Ladder. The home is derelict and beyond repairing and needs to be rebuilt.. A planning application for a sensitively designed replacement which respected the conservation area and was well supported by neighbours has been rejected on the grounds of this unadopted policy.</p> <p>Without the ability to adapt going forward the island will suffer.</p>

MM Rep No.	Respondent name	Representor ID (from Index of all respondents to the Publication Plan consultation)	MM(s) commenting on	Comment
				<p>Insurance for properties on the island is already high and challenging to obtain. This change of policy will surely make the situation even more difficult. if available, premiums will be even higher than they already are, likely becoming unaffordable and worse case, be impossible to obtain.</p> <p>This proposed policy will also effectively prevent raising mortgages. This and the insurance issues will negatively affect property values and the ability for current home and business owners on the island to sell their properties on. For example:</p> <p>We are <i>[personal details removed for data protection]</i> and our home on the island is a major asset for us and a big part of the planning for our financial well-being going forward. As we get older there may be a time where island living will become difficult for us and at that point we would look to sell our home to fund age appropriate accommodation. If buyers are unable to obtain a mortgage or insurance, it will make it difficult or impossible to sell. This scenario would significantly and negatively impact our ability to care for ourselves in our old age and undo years of planning for this period in our life. It would have similar deleterious effect on every one of our neighbours, many of them long time island dwellers.</p> <p>This plan presents an unjustified change in policy which will have serious, negative implications for Eel Pie Island, a place with a special heritage, one that deserves to be preserved! The Island has a rich marine and musical history. It's marine spirit is still evident as it is home to 3 working boatyards. As home of the venerated Eel Pie Hotel, it's important place in the musical heritage of the UK in the 50's and 60's is undisputed, as it hosted hundreds of bands of the period. Both these legacies are celebrated at the Eel Pie Museum in Twickenham.</p> <p>The Council is keen to build on Twickenham's musical heritage and cement it's place on the UK musical heritage map in order to attract tourism from around the world. Surely then, the well-being and vitality of the island should be respected and nurtured, not stymied by unjustified, unfair and frankly not very well considered policies.</p> <p>Thanking you in advance for your attention and consideration.</p>
98	Penny Jones	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to the Functional Floodplain classification of Eel Pie Island MM44</p> <p>I am writing to formally object to the recent policy shift by the LBRUT regarding the flood zone classification of Eel Pie Island.</p> <p>This change, which effectively enforces an incorrect categorisation of the island as Flood Zone 3b (functional floodplain), is fundamentally flawed, lacks transparency, negatively impacts the island's economic viability and directly contradicts national policy objectives on sustainable development and economic growth, as follows:</p> <p>Flawed justification based on access rather than risk The justification for this change appears to be that the footbridge leading to Eel Pie Island has its access point on Twickenham Embankment, which is itself partially within Flood Zone 3b. This is an illogical and unreasonable basis for classifying the entire island as functional floodplain. The island itself does not serve as a flood storage area, nor does it experience frequent or prolonged flooding.</p> <p>If the Council is concerned about safe access during tidal events, the appropriate response is to address the infrastructure issues relating to the bridge and embankment, rather than imposing an unnecessary flood designation on the entire island. One would expect flood zone classifications to be based on actual flood risk to land and buildings, not on a single access point that is external to the site itself.</p> <p>Lack of proper consultation raises concerns about transparency Another troubling aspect of this decision is the lack of proper consultation. The change was introduced late in the Local Plan process and was not subject to meaningful public scrutiny. Residents and business owners were denied the opportunity to challenge the basis for this decision during the Local Plan public inquiry, as the wording had not been included in the original consultation draft. The fact that such a significant change is being pushed through without due consideration raises serious concerns about transparency and fairness.</p> <p>Significant negative impact on the island's residents, businesses and broader economic viability This policy shift is not just a technical change—it carries real-world consequences that will damage the local economy, property values, and the ability of Eel Pie Island to remain a thriving and sustainable community including: Severe planning restrictions Potential mortgage refusals Potential insurance refusals</p> <p>Contradicts national policy objectives on sustainable development and economic growth</p> <p>At a time when the government is actively seeking to reduce planning barriers to economic growth, LBRuT's decision moves in the opposite direction, introducing an unnecessary restriction that will stifle investment and economic activity, with no demonstrable benefit in terms of flood risk mitigation.</p> <p>This is particularly concerning given that Platt's Eyot—an island with nearly identical flood risk characteristics—is being actively supported for redevelopment in LBRUT's Local Plan. LBRUT is taking an inconsistent and arbitrary approach, one that unfairly penalises Eel Pie Island while making exceptions elsewhere.</p> <p>The classification of Flood Zone 3b must be reconsidered before it causes lasting harm to the island's community and economy.</p>
99	Neil Fraser	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to Proposed Floodplain Boundary Redefinition Affecting Eel Pie Island</p> <p>As a resident of <i>[personal details removed for data protection]</i>, I formally object to the Council's proposal to redefine the island's floodplain boundary under the Draft Local Plan.</p>

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				<p>Eel Pie Island sustains a thriving mixed-use community comprising artists, boatbuilders, rowing clubs, small enterprises, and family residences. Its distinctive integration of commercial, recreational, and residential uses creates substantial community cohesion and significantly contributes to the local economy. The activities of Twickenham Rowing Club and Richmond Yacht Club provide essential economic support to local hospitality and service industries through regular events.</p> <p>The island also hosts strategically important industries, including specialist architecture studios and boatyards that are among the few remaining facilities on the Thames capable of maintaining London’s commercial and leisure boating fleet. These unique industrial assets underscore the broader economic and strategic importance of the island.</p> <p>The proposed floodplain reclassification would severely undermine both economic stability and residential sustainability. Reclassification would render properties effectively uninsurable, prevent essential improvements or refurbishments, and eliminate resale viability. Consequently, residents would become immobilised, unable to relocate or undertake necessary property enhancements. Critically, Eel Pie Island has remained unaffected by flooding incidents for over 15 years, demonstrating the effectiveness of current flood mitigation infrastructure, including the Thames Barrier and associated defences, and highlighting the inappropriateness of the proposed boundary changes. Unlike other islands within the borough’s jurisdiction, Eel Pie Island uniquely lies within the actively managed tidal Thames section. Inclusion of this island, therefore, lacks justification when compared to non-tidal islands facing materially different flood risk scenarios.</p> <p>Recent decisions by the Local Planning Authority to refuse permitted development rights, notably office-to-residential conversions and modest residential developments previously considered acceptable, highlight an emerging pattern already detrimental to the island’s sustainability. Should these proposed boundary changes proceed, Eel Pie Island risks becoming effectively immobilised, unable to legally improve or adapt properties.</p> <p>In conclusion, the proposed redefinition is unjustified, disproportionate, and threatens the future viability and cultural heritage of Eel Pie Island. I respectfully urge the Council to withdraw the proposed modification and retain the current floodplain definition.</p>
100	Neil Fraser on behalf of Fraser & Fraser	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection to Proposed Redefinition of Floodplain Boundaries – Eel Pie Island</p> <p>I am writing to express my firm objection as a resident and stakeholder of [personal details removed for data protection] to the Council's proposed redefinition of floodplain boundaries within the Draft Local Plan. This proposed reclassification poses substantial and unjustified risks to the island's viability, community, and cultural heritage.</p> <p>Eel Pie Island has established itself as a dynamic community renowned for its distinct combination of residential, commercial, cultural, and recreational uses. Home to artists, skilled boatbuilders, vibrant rowing clubs, family households, and small businesses, the island exemplifies successful mixed-use integration. This multifaceted community not only promotes a strong sense of identity and mutual responsibility among residents but also significantly enhances Twickenham’s local economy.</p> <p>Central to the island’s economic and social fabric are institutions like Twickenham Rowing Club and Richmond Yacht Club. Both regularly attract visitors to their well-attended events, directly benefiting local hospitality, catering services, and related sectors. These activities contribute substantially to Twickenham’s broader economic vitality, underpinning the interconnectedness of Eel Pie Island with the wider borough.</p> <p>Additionally, Eel Pie Island supports critical industries, including architecture studios and marine businesses specialising in boatbuilding and repair. Notably, these boatyards represent some of the last remaining operational marine maintenance facilities along the London stretch of the Thames, servicing both commercial and recreational vessels. Their continued existence is vital not only to local economic sustainability but also to regional maritime operations and heritage.</p> <p>It is important to highlight that Eel Pie Island has remained unaffected by flooding events for over 15 years, primarily due to its advantageous geographical positioning within the actively managed tidal section of the Thames. Flood mitigation measures, such as the Thames Barrier and associated infrastructure, have consistently provided effective protection. Consequently, the proposed boundary change, which seeks to classify the island as part of the functional floodplain, appears to lack both logical and evidentiary support.</p> <p>Significantly, other islands within the borough that are included within the scope of the Draft Local Plan exist in fundamentally different conditions, being located outside the tidal zone. Their flood risk scenarios are substantially distinct and incomparable to Eel Pie Island’s context. This raises further questions about the rationale behind the proposal to subject the island to stringent and damaging floodplain restrictions.</p> <p>Recent Local Planning Authority decisions indicate an alarming trend toward restrictive practices detrimental to the sustainability and development potential of Eel Pie Island. Previously acceptable permitted developments, including office-to-residential conversions and modest residential improvements, have recently been refused, apparently influenced by the emerging Draft Local Plan policies. If formalised, the proposed floodplain reclassification would exacerbate these issues, effectively immobilising residents and businesses. Properties would become uninsurable, unsellable, and impossible to refurbish or improve legally.</p> <p>The combined economic, social, and cultural repercussions of this reclassification cannot be overstated. Eel Pie Island has historically contributed to Twickenham’s prominence, famously recognised for its significant role in British musical heritage and currently as a lively, thriving community. The proposed changes threaten this vibrant identity, risking irreversible damage to both tangible economic assets and intangible cultural heritage.</p> <p>In conclusion, the Council's proposal to redefine the floodplain boundaries to include Eel Pie Island is both disproportionate and unfounded. I strongly urge the Council to reconsider and retain the current floodplain designation, safeguarding the future viability, economic resilience, and cultural integrity of Eel Pie Island.</p>
101	Beverley Johnston	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: OBJECTION</p> <p>LBRUT as freeholders of a site that I have occupied since [personal details removed for data protection] have given me INSTRUCTION to carry out building works on the site to bring it up to regulation.</p> <p>So far I have spent [personal details removed for data protection] on this work and I still have a further [personal details removed for data protection] to invest.</p> <p>I have done this in the CLEAR understanding that this is a stipulation.</p> <p>I am halfway through this development and any change in flood plain status will mean my site is no longer viable for these planes which have been APPROVED AND INSTRUCTED by LBRUT</p> <p>IF THIS ACTION FOR CHANGE OF FLOOD PLAN IS INSTITUTED I WILL BE SELLING RESTITUTION.</p> <p>The very action of changing this flood plain is ludicrous. I am one of only four surviving boatyard on the island and in all t years it has NEVER flooded. If the water levels rose above t slipway level then the water would be flooding Ham common. It would then not be able to rise further. Once again the council has suggested a plan that is both ludicrous AND incorrect in its workings</p> <p>We as boatyard owners on eel pie island OBJECT VEHEMENTLY</p>

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102	Nicki Bell	n/a	MM44 - <i>in relation to Eel Pie Island</i>	<p>Subject: Objection on proposal of floodplain for Eel Pie Island</p> <p>I am writing to object to the Council’s proposal to redefine the floodplain for Eel Pie Island, Twickenham.</p> <p>This will put the whole of Eel Pie Island in the functional floodplain and that has a detrimental effect on not just my business but all businesses on the island. This will eradicate the possibility of getting insurance and if this happens it means that we can no longer operate our businesses on Eel Pie Island.</p> <p>I'd like to request that the planning department recognise the impacts that the proposed change will have and keep the existing definition of the functional floodplain in Flood Zone 3b or make an exception for Eel Pie Island so it can continue as is.</p>
Policy 9 Water Resources and Infrastructure (Strategic Policy)				
103	David Wilson, Thames Water	140	MM46	<p>London Borough of Richmond upon Thames Schedule of Proposed Main Modifications</p> <p>Thank you for allowing Thames Water Utilities Ltd (Thames Water) to comment upon the above.</p> <p>As you will be aware, Thames Water are the statutory sewerage and water undertaker for the Richmond Borough and are hence a ‘specific consultation body’ in accordance with the Town & Country Planning (Local Planning) Regulations 2012. We have the following comments:</p> <p>Mod Ref: MM46 – Policy 9</p> <p>We support the amended wording in Part D in relation to early engagement with the water and sewerage company and the potential need for phasing of development and the new wording in paragraph 16.99. However, we object to the deletion of Part F which is directly related and requires the applicants of major developments to provide evidence that capacity exists in the public sewerage and water supply network – this evidence can come from the early engagement with Thames Water.</p> <p>Water and wastewater infrastructure is essential to any development and capacity should be ensured through the planning process. Failure to ensure that any required upgrades to the infrastructure network are delivered alongside development could result in adverse impacts in the form of internal and external sewer flooding and pollution of land and water courses and/or low water pressure.</p> <p>A key sustainability objective for the preparation of Local Plans and Neighbourhood Plans should be for new development to be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. Paragraph 20 of the revised National Planning Policy Framework (NPPF), states: <i>“Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for... infrastructure for waste management, water supply, wastewater...”</i></p> <p>Paragraph 11 states: <i>“Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:</i> <i>a) All plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects”</i></p> <p>Paragraph 28 relates to non-strategic policies and states: <i>“Non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development. This can include allocating sites, the provision of infrastructure...”</i></p> <p>Paragraph 26 of the revised NPPF goes on to state: <i>“Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary....”</i></p> <p>The web based National Planning Practice Guidance (NPPG) includes a section on ‘water supply, wastewater and water quality’ and sets out that Local Plans should be the focus for ensuring that investment plans of water and sewerage/wastewater companies align with development needs. The introduction to this section also sets out that <i>“Adequate water and wastewater infrastructure is needed to support sustainable development”</i> (Paragraph: 001, Reference ID: 34-001-20140306).</p> <p>It is important to consider the net increase in water and wastewater demand to serve the development and also any impact that developments may have off site, further down the network. The new Local Plan should therefore seek to ensure that there is adequate water and wastewater infrastructure to serve all new developments. Thames Water will work with developers and local authorities to ensure that any necessary infrastructure reinforcement is delivered ahead of the occupation of development. Where there are infrastructure constraints, it is important not to under estimate the time required to deliver necessary infrastructure. For example: local network upgrades take around 18 months and Sewage Treatment & Water Treatment Works upgrades can take 3-5 years.</p> <p>Thames Water offer a free Pre-Planning service which confirms if capacity exists to serve the development or if upgrades are required for potable water, waste water and surface water requirements. Details on Thames Water’s free pre planning service are available at: https://www.thameswater.co.uk/developers/larger-scale-developments/planning-yourdevelopment/water-and-wastewater-capacity</p> <p>In light of the above, the amended text in Part D is supported in relation to early engagement with the water and sewerage company and the potential need for phasing of development is supported. However, we object to the deletion of Part F which is directly related and required the applicants of major developments to provide evidence that capacity exists in the public sewerage and water supply network – this evidence can come from the early engagement with Thames Water. Part F should therefore be reinstated.</p>
104	David Wilson, Thames Water	140	MM47	<p>Mod Ref: MM47 – Policy 9 Water Resources</p> <p>We support the additional wording in relation to water efficiency.</p>

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-	George Goodby, Environment Agency	31	MM47	[See MM Rep No. 19].									
Theme: Delivering new homes and an affordable borough for all													
Policy 10 New Housing (Strategic Policy)													
105	Hassan Ahmed, GLA on behalf of Mayor of London	80	MM48	<div><div>[See MM Ref No. 109 in relation to comments on MM49 on affordable housing including the general conformity issue raised].</div><div><table><tr><th>Modification</th><th>Section of Plan</th><th>Comments</th></tr><tr><td>MM48</td><td>Policy 10, paragraph 17.1</td><td>The proposed modification to paragraph 17.1 is incorrect. The London Plan ten-year housing target is for the period 2019/20-2028/2029. The original text was correct and should be retained. The LP2021 housing target for the 2019-2029 period should in turn be reflected correctly in the housing trajectory. It is LBRuT’s intention to follow a stepped housing trajectory which is supported by the LP2021, but it should be clear if the borough can meet its ten year housing target for the whole period 2019-2029. It is noted that LBRuT intend to reduce their overall housing target beyond 2032 from 411 to 306 homes a year. Beyond 2029 the borough should take into account that the LP2021 does not meet London’s housing need and therefore the overall amount of housing required annually should not be expected to reduce beyond 2029. The Mayor is in the process of preparing a new Strategic Housing and Land Availability Assessment (SHLAA) and London Plan which will apportion targets across boroughs. Recognition of this context would be a useful consideration when planning for housing beyond 2029 as well as the new mandatory housing requirement for London to deliver 87,992 homes per year.</td></tr><tr><td>MM48</td><td>Paragraph 17.1</td><td>It is noted that draft Plan period starts in 2021/22. Taking into account the LP2021 housing target period, it is not clear if there has been a shortfall in housing delivery between 2019 and 2021. If there has been a shortfall it should be made up by 2029. The housing trajectory appears to illustrate a shortfall but as the image is poor quality it is difficult to read it. The Mayor considers that LBRuT should demonstrate that they have exhausted all suitable options for meeting the housing target by 2028/29. Where it has been clearly demonstrated that the 10-year target will not be met by 2028/29 (if that is the case), LBRuT should add the shortfall to the target identified beyond 2028/29. The borough should clearly demonstrate how that shortfall can be delivered in the first few years after 2028/29.</td></tr></table></div></div>	Modification	Section of Plan	Comments	MM48	Policy 10, paragraph 17.1	The proposed modification to paragraph 17.1 is incorrect. The London Plan ten-year housing target is for the period 2019/20-2028/2029. The original text was correct and should be retained. The LP2021 housing target for the 2019-2029 period should in turn be reflected correctly in the housing trajectory. It is LBRuT’s intention to follow a stepped housing trajectory which is supported by the LP2021, but it should be clear if the borough can meet its ten year housing target for the whole period 2019-2029. It is noted that LBRuT intend to reduce their overall housing target beyond 2032 from 411 to 306 homes a year. Beyond 2029 the borough should take into account that the LP2021 does not meet London’s housing need and therefore the overall amount of housing required annually should not be expected to reduce beyond 2029. The Mayor is in the process of preparing a new Strategic Housing and Land Availability Assessment (SHLAA) and London Plan which will apportion targets across boroughs. Recognition of this context would be a useful consideration when planning for housing beyond 2029 as well as the new mandatory housing requirement for London to deliver 87,992 homes per year.	MM48	Paragraph 17.1	It is noted that draft Plan period starts in 2021/22. Taking into account the LP2021 housing target period, it is not clear if there has been a shortfall in housing delivery between 2019 and 2021. If there has been a shortfall it should be made up by 2029. The housing trajectory appears to illustrate a shortfall but as the image is poor quality it is difficult to read it. The Mayor considers that LBRuT should demonstrate that they have exhausted all suitable options for meeting the housing target by 2028/29. Where it has been clearly demonstrated that the 10-year target will not be met by 2028/29 (if that is the case), LBRuT should add the shortfall to the target identified beyond 2028/29. The borough should clearly demonstrate how that shortfall can be delivered in the first few years after 2028/29.
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106	Nick Alston (Avison Young) on behalf of St George Plc	126	MM48	<u>Policy 10 – New Housing</u> We support MM48.									
107	Nigel Walkden, National Highways	92	MM48, Annex A	<p>In terms of Schedule of Proposed Main Modifications, our comments are as follows:</p> <p>We note that the London Plan housing target for the borough is 4,110 homes, which was noted in our response to the Regulation 19 Consultation, whilst the main modifications also now refers to a total Local Plan housing requirement of 5,928 over the plan period, with the following stepped trajectory:</p> <ul style="list-style-type: none">• 2021/22 to 2024/25 – 210 dwellings per annum• 2025/26 to 2027/28 – 420 dwellings per annum• 2028/29 to 2030/31 – 670 dwellings per annum <p>We accept that the housing requirement for the plan period is unlikely to significantly alter the impact of the plan on the SRN. The cumulative impact on the SRN will not be significantly different from what is already agreed in the LP.</p>									
Policy 11 Affordable Housing (Strategic Policy)													
108	Nick Alston (Avison Young) on behalf of St George Plc	126	MM49	<u>Policy 11 – Affordable Housing</u> We support MM49.									

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109	Hassan Ahmed, GLA on behalf of Mayor of London	80	MM49	<p>General</p> <p>The Mayor is disappointed that the advice he has provided on affordable housing in his Regulation 18 and 19 responses and his examination hearing statement has not been followed. GLA officers attended the examination hearings on behalf of the Mayor to object to the proposed approach at that time, which ignored the Mayor’s threshold approach (as set out in Policy H5 of the LP2021).</p> <p>At this very late stage of Local Plan making LBRuT are now proposing to offer applicants the choice of following the Fast Track Route (FTR) or the Viability Tested Route (VTR) (the traditional maximum reasonable approach subject to viability).</p> <p>The proposed modifications contain no explanation setting out how the approach would work in practice which creates ambiguity and would be very confusing for applicants. The Mayor doesn’t believe that this would address the issues raised and that it would likely lead to more applications following the VTR, resulting in less and slower affordable housing delivery.</p> <p>In addition to this, LBRuT are also proposing a requirement that would set the threshold at 50 per cent for residential development of office and commercial space. This is not consistent with the approach in the LP2021 which sets the threshold at 35 per cent in these situations.</p> <p>The Mayor published his Accelerating Housing Delivery Planning and Housing Practice Note in December 2024¹ which sets out clearly in paragraph 3.5 that the Mayor’s threshold approach ‘has helped to secure significantly higher levels of affordable housing through the planning process in approvals and residential completions’. Conversely, LBRuT’s proposed approach would result in lower delivery of affordable housing.</p> <p>As the proposed approach in the modifications still does not follow the threshold approach in Policy H5 of the LP2021 it is the Mayor’s intention to maintain his general conformity objection as the modifications do not reflect the discussion and subsequent agreement between GLA officers and the Inspectors following the examination hearings.</p> <p>As currently written, it is the Mayor’s opinion that the draft Local Plan is not in general conformity with the LP2021.</p> <p>[See MM Ref No. 105 in relation to comments on MM48 on housing].</p> <table><tr><th>Modification</th><th>Section of Plan</th><th>Comments</th></tr><tr><td>MM49</td><td>Policy 11E E. For all major developments, applicants can either follow the Fast Track Route or the Viability Tested Route by providing the relevant threshold level of affordable housing and meeting other Local Plan requirements. F. 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				MM49 Contd	Paragraph 17.16 ... The LHNA estimates a net annual need of 1,123 affordable rented and 284 affordable home ownership products to be provided between 2021-2039...	LBRuT’s Local Housing Needs Assessment (paragraph 4.4) establishes the figure of need to be 552 affordable home ownership units each year. Instead, LBRuT have chosen to use a midpoint figure which is not considered to be the appropriate approach as the figure of need is still established as 552. In light of this the figure should be amended accordingly.																																													
<p>Next steps</p> <p>GLA officers will continue to offer their support in order to resolve the issues identified in this letter. I hope these comments inform the final stages of the LBRuT Local Plan examination and we look forward to continuing to work with you. If you have any specific questions regarding the comments in this letter, please do not hesitate to contact Hassan Ahmed on <i>[personal details removed for data protection]</i>.</p> <p>Footnotes: 1. https://www.london.gov.uk/sites/default/files/2025-01/Accelerating-Housing-Delivery-Planning-and-Housing-Practice-Note-December-2024-2.pdf</p>																																																			
Theme: Protecting what is special and improving our areas (heritage and culture)																																																			
Policy 28 Local Character and Design Quality (Strategic Policy)																																																			
110	Kim Miller, Historic England	52	MM59	We note the correction to Policy 28 to clarify that a programme for prioritising review of the Council’s Conservation Area Appraisals has ended (MM59). While this is not a soundness issue for the Local Plan, it is nevertheless a cause for regret. We encourage the Council to maintain the momentum on updates to these important evidence base documents to inform management and decision making in historic places.																																															
Policy 30 Non-designated Heritage Assets																																																			
111	John Phillips, London Historic Parks and Gardens Trust	72	[MM61]	<p>I am a member of the Planning and Conservation Working Group for the London Historic Parks and Gardens Trust, which trades as London Parks and Gardens (LPG). LPG is affiliated to The Gardens Trust (TGT) — a statutory consultee in respect of planning proposals affecting sites included in Historic England’s Register of Parks and Gardens.</p> <p>LPG is the County Gardens Trust for Greater London and makes observations on behalf of TGT in respect of Grade II registered sites and may also comment on planning matters affecting other green open spaces of historic interest, especially when included in LPG’s Inventory.</p> <p>I have reviewed the consultation documents on the Proposed Main Modifications to the Local Plan. LPG is pleased to see that the Council will use the London Historic Parks and Gardens Trust Inventory as a basis for considering locally listing such parks and gardens in the borough. Otherwise, we have no comments on the amendments.</p> <p>This does not in any way signify either our approval or disapproval of the proposals and should new information come to light that may have an impact on the heritage asset the Trust reserves the right to alter its observations.</p>																																															

MM Rep No.	Respondent name	Representor ID (from Index of all respondents to the Publication Plan consultation)	MM(s) commenting on	Comment
Policy 33 Archaeology				
112	Kim Miller, Historic England	52	MM63	Firstly, we welcome a number of corrections and clarifications made in response to our comments during the Regulation 19 consultation, as reflected in our Statement of Common Ground with the Council. For example, a reference to early consultation with the Greater London Archaeology Advisory Service (GLAAS) at paragraph 20.56 of the Plan (Modification MM63).
Theme: Increasing biodiversity and the quality of our green and blue spaces, and greening the borough				
Policy 39 Biodiversity and Geodiversity				
-	Hamish Dean (WSP) on behalf of Sainsbury's Supermarkets Ltd	118	MM66	[See MM Rep No. 12].
Policy 40 Rivers and River Corridors				
113	George Goodby, Environment Agency	31	MM69, MM70, MM71	MM69 Policy 40 Rivers and River Corridors, Part A MM70 Policy 40 Rivers and River Corridors, Paragraph 21.89 MM71 Policy 40 Rivers and River Corridors, Paragraph 21.92 We support the inclusion of additional wording in these modifications (MM69, 70 & 71), which provide clarification around the desired outcomes for improving water quality and biodiversity in the riparian zone, as part of development.
Theme: Improving design, delivering beautiful buildings and high-quality places				
Policy 45 Tall and Mid-Rise Building Zones				
114	Nick Alston (Avison Young) on behalf of St George Plc	126	MM72, MM73, MM74, MM75	<u>Policy 45 – Tall and Mid Rise Building Zones</u> MM72, 73, 74, and 75 are noted. Nonetheless in our view the modified policy (including supporting text and the tall building maps at Appendix 3) remains unjustifiably restrictive as per the reasons set out in our Hearing Statement to Main Matter 18.
115	Kim Miller, Historic England	52	MM73, MM74, MM87, MM88	Secondly, we broadly welcome changes to Policy 45 of the Plan (Tall and Mid-Rise Building Zones) and associated supporting text, maps and appendices (Modifications MM73, MM74, MM87, MM88). These address points that we raised during the Regulation 19 consultation by reducing ambiguity. The changes are also therefore helpful, to some extent, in relation to site allocations on which we also commented.
-	Jan Black	n/a	[also relevant to MM73]	[See MM Rep No. 117].
-	Tim Catchpole, Mortlake with East Sheen Society	85	[also relevant to MM73]	[See MM Rep No. 118].
Theme: Reducing the need to travel and improving the choices for more sustainable travel				
Policy 47 Sustainable Travel Choices (Strategic Policy)				
116	Nigel Walkden, National Highways	92	MM76, MM77, MM78, MM79	In terms of Schedule of Proposed Main Modifications, our comments are as follows: [See MM Ref No. 107 in relation to housing and the cumulative impact on the Strategic Road Network]. Policy 47 Sustainable Travel Choices (Strategic Policy), Part B, includes additional wording to clarify the requirement for the impact on the public transport network to be assessed and to reflect updates to the National Policy Planning Framework in 2023. The new statement reads ‘The impact of all major developments will be assessed relative to current and forecast capacity and passenger trips on the passenger transport network’. Policy 47 also includes a new paragraph regarding implementation of the Healthy Streets Approach, emphasising that all major developments must include an Active Travel Assessment as part of their transport assessment. Applicants will need to provide details of how the proposed development will provide a high-quality walking and cycling environment that promotes active travel. Additional details to Policy 47 relevant to National Highways include a requirement for new development proposals to include any necessary mitigation measures required as a result of the development to be funded and/or delivered by the developer, to ensure the continued safe and efficient operation of the strategic and local road and transport networks. If the proposals share a boundary with the SRN or are likely to generate a significant/ severe traffic demand on the SRN, National Highways will also need to be consulted. However, for Local Plan allocations, it is expected that traffic impacts, and any sustainable transport mitigation or capacity enhancements to the SRN, which are necessary to deliver (the proposals) strategic growth, should be identified as part of the plan-making process. This would be set out in an Infrastructure Delivery Plan (IDP), which sets out the infrastructure that is required to deliver the objectives, policies and development proposals set out within the Local Plan.
Appendices				
Appendix 3 Tall and Mid-Rise Building Zones				
117	Jan Black	n/a	Appendix 3 Tall and Mid-Rise Building Zones – in relation to	Subject: High rise development: Mortlake Brewery I write to say I strongly object to the amount of high rise development (red zone) indicated on the new plan for the borough for the Stag Brewery, Mortlake. In line with creating communities, this type of development is simply building the slums of the future.

MM Rep No.	Respondent name	Representor ID (from Index of all respondents to the Publication Plan consultation)	MM(s) commenting on	Comment
			<i>Stag Brewery [MM88, and also relevant to MM87, MM74]</i>	<p>Where are the families going to live? Where are the houses? Where are the green spaces other than a narrow path by the river? Where is the community centre?</p> <p>Where is the GP surgery, pharmacy, local grocery store? How are the hundreds of residents going to travel out of the area when traffic around Mortlake and Barnes is already at breaking point with road rage erupting in Barnes High Street with motorists' frustration with traffic jams and residents angry at not being able to shop in the High Street and support local businesses because the parking has been drastically reduced.</p> <p>At some stage someone is going to be killed on the narrow but historically important 'The Terrace' or in Barnes High Street.</p> <p>This proposed High Rise development at Mortlake Stag Brewery is unimaginative, ugly and socially destructive.</p> <p>Please reconsider this proposal.</p>
118	Tim Catchpole, Mortlake with East Sheen Society	85	<i>Appendix 3 Tall and Mid-Rise Building Zones – in relation to Stag Brewery [MM88, and also relevant to MM87, MM74]</i>	<p>Proposed Modifications to the Pre-publication Local Plan</p> <p>We are grateful to the Council for allowing us the opportunity to comment on the Proposed Modifications. We made comments on the Draft Plan in 2023 and also at the Public Examination in the summer of 2024. We feel that some of our comments have been addressed but would like to make two comments on the Proposed Modifications.</p> <p>(1) Building heights in the Site Allocations</p> <p>We are pleased to see that the thumbnail sketches of appropriate building heights on some of the Site Allocations have been enlarged so as to become more legible. The enlargements reveal subtle detail in the Arup Urban Design study which was not apparent in the thumbnail sketches. We are particularly pleased to see that the building heights for the Stag Brewery redevelopment (SA35), vis. 7 storeys along the waterfront (not 8 or 9 as in the scheme presented at the inquiry) and in place of the existing tall industrial buildings in the centre of the site, make a lot of sense and should have been followed in the proposed scheme that is now awaiting a verdict. Instead, the Council chose to ignore the Arup study describing it as 'broad-brush'. We fundamentally disagree.</p>
-	Nick Alston (Avison Young) on behalf of St George Plc	126	<i>[also relevant to MM88]</i>	<p>[See MM Rep No. 114].</p>
-	Kim Miller, Historic England	52	<i>[also relevant to MM88]</i>	<p>[See MM Rep No. 115].</p>
Appendix 4: Review of Sites of Importance for Nature Conservation				
119	Vicky Aston, Sport England	125	<i>Appendix 4: Review of Sites of Importance for Nature Conservation [MM89]</i>	<p>Annex 2.1 – Updated Appendix 4; Review of Sites of Importance for Nature Conservation</p> <p>Sport England questions the blanket designation of playing field sites that have fallen out of use due to a change in land ownership (such as Udney Park Playing Fields and Kneller Hall) but also those that are in use Barnes Playing Field etc. within the Local Plan as SINC. Sport England is concerned that any playing fields identified as SINC will no longer be able to have sports lighting or any new artificial pitches, games courts or ancillary facilities built on these sports grounds/playing fields, as this type of development is unlikely to receive planning permission on a Local Wildlife Site/SINC. Unfortunately, this issue was not picked up through our review of the proposed modifications in July 2023. This leaves us with only limited sites through this consultation where we can raise questions at this late stage about the change of designation from the existing designations for these sites within the adopted Local Plan to SINC (also known as Local Wildlife Sites).</p> <p>The Government's Planning Practice guidance states that Locally designated 'Local Wildlife Sites' and 'Local Geological Sites' are areas of substantive nature conservation value and make an important contribution to ecological networks and nature's recovery (Paragraph: 013 Reference ID: 8-013-20190721). The government's planning policy guidance sets out in Paragraph: 014 Reference ID: 8-014-20190721 the standard criteria for Local Wildlife Sites (SINC). Sport England requests that the Council and the Inspector revisit whether the standard criteria have been correctly applied to existing playing fields and sports courts and car parks throughout in the London Borough of Richmond Local Plan, with reference to the information within the Council's Playing Pitch Strategy? We question the following changes in these main modifications;</p> <p>M082 Richmond Park and Associated Areas The proposal is to amend the SINC boundary to include East Sheen Common's cricket field, tennis courts and bowling green and associated land. Sport England objects to this re-designation. This is a sports facility, if in the future there were proposals to provide new sports facilities on the site, such as new padel courts with sports lighting or there was a proposal to put in an artificial cricket wicket or an additional area of sports lighting, these may not be permitted under the new designation. As highlighted above, there are tests set out in the Government's planning practice guidance for identifying Local Wildlife Sites (known as SINC in London) Paragraph: 014 Reference ID: 8-014-20190721 and it cannot be correct that a playing field meets this designation?</p> <p>RiL03 Pensford Field – it is proposed to amend the boundary to include clay tennis courts and associated land. Sport England queries how clay tennis courts can meet the tests set out in the Government's planning practice guidance for identifying Local Wildlife Sites (known as SINC in London) Paragraph: 014 Reference ID: 8-014-20190721?</p> <p>[See also MM Rep No. 13].</p>

List of Appendices

Appendix 1 - Caroline Shah full response to the Main Modifications consultation (redacted)

Appendix 2 - Valerie Scott on behalf of Henry Harrison full response to the Main Modifications consultation

Appendix 3 - Sebastian Head full response to the Main Modifications consultation (redacted)

Appendix 4 - Transport for London - Appendix only showing table of specific comments

Appendix 5 - Natural England - Annex 1 Local Plan Advice

Richmond Council Local Planning Team

To: localplan@richmond.gov.uk

[REDACTED]
Kingston
[REDACTED]

16 March 2025

Dear Richmond Council Local Plan

I am writing to you regarding the Minor Modifications that Richmond Council has made to the Screening Assessment of Richmond Park SAC in the post-Examination in Public Habitats Regulations Assessment of the new Richmond Local Plan- HRA SD004a (the “post examination HRA”).

I attach my comments on the final Habitats Regulations Assessment of the draft Richmond Local Plan SD004A (the HRA) below. I believe that there are significant further changes that need to be made to the HRA to ensure that it is correct, evidence-based, consistent and reaches conclusions that cannot be undermined by rational argument. I urge you not to publish the new Richmond Local Plan as a result of the changes that need to be made. I request that you consider the evidence that I lay out in this letter as the basis for making such a decision.

Yours sincerely

[REDACTED]

Caroline Shah

I draw your attention to the information I have previously sent you in addition to the representations that I make in A and B below:

Date	Type	Information
31/10/23	Email	8 attachments: Email to Natural England; Distance A308 and Richmond Park; Point 4.54 from Reg 19 HRA; Points 4.55 and 4.56 Reg 19 HRA; Point 4.65 Reg 19 HRA; Concerns relating to recreational pressure at Epping Forest; Point 4.65 Reg 19 HRA; Epping Forest District Council – effects of one extra vehicle on pollution
8/11/23	Email	As above
10/11/23	Email laying out APIS pollution levels in Richmond Park 2018-2020	3 attachments: 1. Video of woodland between Kingston Gate and Ladderstile Gate of Richmond Park SAC 2. Map showing deposition and ancient woodland 3. Map showing Exceedance for nitrogen deposition in Richmond Park according to APIS
30/11/23	Email	Request that take the Reg 19 HRA back to council to correct errors and omissions and to reconsider analysis and put out to consultation again.
11/3/24	Email with new Expert Advice	1. Availability of dead wood depends on trees in Richmond Park; 2. Quality of dead wood is vulnerable to air pollution; 3. Quality of dead wood is vulnerable to recreational pressure; 4. Lucanus Cervus does not purely depend on deadwood; 5. Nitrogen deposition can favour more competitive fungi.
1/7/24	Email	Stag beetle vulnerable to recreational pressure, need for constant supply of ancient trees. David Attenborough correspondence.
25/7/24	Email with attachments	2 attachments: 1. In depth exposition of why Reg 19 HRA screening assessment of Richmond Park SAC is not sound; 2. Expert Evidence supporting assertions that screening assessment of Richmond Park SAC is not sound.

I would like to make the following additional observations following publication by Richmond Council of HRA on 19 January 2025:

A. Screening out of Recreational Pressure and Urbanisation from the new Richmond Local Plan as having a likely significant effect on the habitats of the stag beetle in Richmond Park SAC

Basis of screening out of Richmond Park from needing Appropriate Assessment for recreational pressure is not based on evidence or justified and does not follow the precautionary principle.

Point 4.63 makes reference to the scale of residential development coming forward in the new Richmond Local Plan of 4110 new homes over the next 10 years but does not extrapolate this in to likely visitor numbers to Richmond Park SAC, either from the plan alone or in combination with other plans and projects coming forward¹. In point 3.32, Richmond Council states that it has taken a “*risk based approach*” based on the “*precautionary principle*” and that “*a conclusion of no significant effect was only reached when it was considered unlikely, based on current knowledge and the information available, that a development plan policy or site allocation would have a significant effect on the integrity of the site.*” However, this is not the case, as the information in the screening assessment is erroneous and “*current knowledge*” and “*the information available*” have not been taken into account. In point 3.45, Richmond Council refers to the “*HRA Handbook*” , a subscription only handbook written by private individuals, the guidance in which should not be relied upon by the competent authority.

Richmond Council acknowledges in 4.62 that “*recreational pressure and general human presence can have a likely significant effect on a European site as a result of physical disturbance eg through erosion and trampling or disturbance to qualifying species*”. In 4.66, Richmond Council states that each European site will have a Zone of Influence of 7 km.

Two paragraphs, 4.69 to 4.70, of HRA SD 004a relate to “recreation and urban impacts” in Richmond Park SAC. In point 4.69, Richmond Council states that “*it is recognized that recreation is an important issue that affects habitats and species found at Richmond Park and that increases in recreation from the Local Plan has potential to result in increased pressure on those ecological features in the park.*”

In 4.70, Richmond Council state that “*Richmond Park SAC is designated for the stag beetle, which are not susceptible to recreational impacts at this location because the site is managed to ensure that the deadwood habitats which they depend upon is maintained...the majority of this species lifecycle is reliant on deadwood habitats located underground, and as such impacts are considered to be limited and unlikely to result in a reduction in the extent and availability of this habitat for this species.*” Richmond Council then conclude that “*proposed site allocations will not result in a LSE, either alone or in-combination with other plans or policies, on the qualifying features of this SAC*”.

The conclusion drawn in point 4.70 that the policies of the Richmond Plan are unlikely to have a significant effect on the protected species and its supporting habitat in Richmond Park ignores the acknowledgement in 4.69 that “*increases in recreation from the Local Plan has potential to result in increased pressure on these ecological features in the Park.*” The supporting habitat of stag beetle larvae in Richmond Park SAC, as can be seen from the Conservation Objectives for the SAC and the JNCC description of Richmond Park SAC, is not “deadwood habitat located underground”. The habitat is the “decaying timber of ancient trees”. The Citation for Richmond Park SAC supports the fact that it is the trees that are the primary source of habitat for the stag beetle in Richmond Park

¹ 4110 homes at an average occupancy of 2.60 people gives 10,686 new residents.

SAC². The larvae of the stag beetle in Richmond Park develop over about six years in the decaying timber of the trees in Richmond Park SAC. This may consist of stumps, parts of trunks, roots, and other parts of trees as laid out in the Conservation Objectives. Mr Colin Hawes, England's preeminent stag beetle expert, has reinforced in recent correspondence with me the reliance on the trees in Richmond Park as the habitat for the stag beetle in this Special Area of Conservation. Mr Hawes in an email reinforced that it is the decaying roots and underground part of the trunk or bole of older trees that are the essential continuing source of decaying wood for the Habitats Directive protected stag beetle, thus necessitating the long term survival of the trees that provide that decaying wood:

"Stag beetle larvae live underground. What is perhaps not understood by Richmond Park is the fact that it is the subterranean decaying deadwood that is essential because it is the food that stag beetle larvae use i.e. underground decaying roots as well as the decaying wood under the bole of the tree. The essential decaying wood that is used by the larvae can be from any broadleaf tree including veteran trees. However, stag beetle larvae will not feed on conifer wood."

The council relies in its conclusion on management by the Royal Parks to "maintain deadwood habitats" which is not an assumption that is allowed as it measures to reduce the likely effects of a plan may not be taken in to account at screening assessment as part of a Habitats Regulations Assessment. Richmond Council ignores the fact that the female stag beetle lays her larvae near or in rotting wood on the ground. Richmond Council ignores the fact that the male and female stag beetle spend the summer months in the open in the woodland and that the male stag beetle in particular stays close to where he emerges and is attracted to tarmac and paths and road surfaces that are warm in the sun and where he is vulnerable to being injured or killed. If a stag beetle larva is exposed as a result of its removal from, or by disturbance to, the decaying wood in which it is situated, the larva will die. It cannot be disputed that a higher number of people visiting Richmond Park will mean more trampling around trees and more decaying branches and limbs of trees that are partially covered in soil being taken to make dens or being disturbed by people climbing on or playing with them, killing both larvae and mature stag beetles. The more people who visit Richmond Park SAC, the more vulnerable old trees will be to damage and deterioration from people climbing in them, trampling their root areas and destroying the vital ecosystems on which the trees rely for their long-term survival.

Richmond Council ignores an assessment of the impact of its Local Plan policies on the **supporting habitats** for the stag beetle. These comprise scattered veteran trees as laid out in the Joint Nature Conservation Committee (JNCC) description of the habitat feature for which Richmond Park SAC is protected for the Habitats Directive Annex II species, the stag beetle. This states: "*Richmond Park has a large number of ancient trees with decaying timber. It is at the heart of the south London centre of distribution for stag beetle *Lucanus cervus*, and is a site of national importance for the conservation of the fauna of invertebrates associated with the decaying timber of ancient trees."*

In addition, Natural England's Conservation Objectives for Richmond Park SAC clearly that the objectives for the site include the habitats of the stag beetle in Richmond Park:

"Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the

² "The ancient parkland and its associated trees supports a nationally significant assemblage of invertebrates" and "indicative of ancient forest areas where there has been a long continuous presence of overmature timber."

site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

☐ *The extent and distribution of the habitats of qualifying species*

☐ *The structure and function of the habitats of qualifying species*

☐ *The supporting processes on which the habitats of qualifying species rely*

☐ *The populations of qualifying species, and,*

☐ *The distribution of qualifying species within the site."*

and

"These Conservation Objectives are those referred to in the Conservation of Habitats and Species Regulations 2017 as amended from time to time (the "Habitats Regulations"). They must be considered when a competent authority is required to make a 'Habitats Regulations Assessment', including an Appropriate Assessment, under the relevant parts of this legislation."

In addition, the Supplementary Advice to the Conservation Objectives highlights how the habitats on which the stag beetle relies are vulnerable to recreational pressure throughout the stag beetle's lifecycle:

"Female stag beetles lay their eggs near the rotting wood and roots of broadleaved trees which are in contact with the soil so that the wood remains moist and is able to rot."

"It is therefore critically important that sources of decaying timber are left undisturbed wherever possible."

"During their short adult lives the male stag beetles will spend their days sunning themselves in an attempt to gather strength for the evening's activities of flying in search of a mate."

"Active and ongoing conservation management is needed to protect, maintain or restore this feature at this site."

"The majority of decaying wood should be permanently moist and therefore timber is most favourable when buried at or near the soil surface".

"Views about Management" highlights the "wood pastures" with "Mosaics of scattered old trees" that constitute one of the two SSSI interests at Richmond Park. "Views about Management" also states:

"Access to the site, and any recreational activities within, may also need to be managed."

In addition, **"Operations likely to damage the special interest"** available on the Designated Sites website, clearly states for Richmond Park OLD1002388 that the following Types of Operation which can arise as a result of recreational pressure and increased human activity around Richmond Park SAC, amongst other types of operations, are likely to damage the special interest. These are all ignored by Richmond Council:

7. Dumping, spreading or discharge of materials
8. Burning
9. The release in to the site of any wild, feral or domestic animal, plant or seed

10. The killing or removal of any wild animal* (*"animal" includes invertebrates), including pest control
11. The destruction, displacement, removal or cutting of any plant or plant remains, (Including tree, shrub, herb, hedge, dead or decaying wood, moss, lichen, fungus, leaf-mould, turf)
12. Tree and/ or woodland management
- 13a. Drainage
21. Construction, removal or destruction of roads, tracks, walls, fences, hardstands, banks, ditches or other earthworks, or the laying, maintenance or removal of pipelines and cables, below or above ground.
22. Storage of materials
23. Erection of permanent or temporary structures, or the undertaking of engineering works, including drilling
26. Use of vehicles or craft likely to damage or disturb features of interest.
27. Recreational or other activities likely to damage features of interest.

Further, while Natural England in "Defining Favourable Conservation Status in England EIN062" makes clear that "*securing appropriate management, and addressing pressures or threats...can be considered in plans and strategies for achieving favourable conservation status,*" such management measures cannot be considered cannot be taken in to account in the screening assessment of the effects of the policies of a Local Plan as part of a HRA screening assessment.

The Screening Assessment conclusion in 4.70 of no likely significant effect takes into account management activities of The Royal Parks , which is not permissible at screening stage of a HRA. Richmond Council itself refers to this in paragraph 3.12 of the HRA SD 004a, quoting People Over Wind, Sweetman vs Coillte Teoranta, that "*it is not appropriate, at the screening stage, to take account of measures intended to avoid or reduce the harmful effects of the plan or project on that site.*"

While The Royal Parks have fenced some areas containing veteran trees off from the public (the fencing can be and often is breached by visitors), thus reducing recreational impact to some extent in such areas, the vast majority of trees and woodland in Richmond Park SAC are accessible to the public. Dead wood habitat in these locations therefore remains vulnerable to recreational impacts and many new paths are already being trodden through the woods and near to veteran trees.

In terms of urbanization, Richmond Council has ignored the expert opinion that I sent to it on 11 March 2024, that states that:

"Lucanus cervus does not purely depend on dead wood. It strongly depends on temperature and the proper mycelia inhabiting the dead wood; both are influenced by urbanization. The urban heat island can put species under additional stress and risk of extinction."

And

"Veteran trees and their associated species are to be considered micro ecosystems with hundreds of specialized insect (and other arthropods) species and fungi. Many of them will no doubt be strongly impacted by urbanization due to urban heat island, increased nitrogen deposition and other pollution, light pollution etc."

Further, there is clear evidence of erosion from trampling, compaction and cycling, all causing erosion as "urban edge effects" in Richmond Park SAC. This is particularly apparent from Kingston

Gate to Ham Gate along the Tamsin Trail and from Kingston Gate to Isabella Plantation but also throughout the park.

There is no evidence that Richmond Council has considered the in-combination effects of development projects and plans that have been agreed and that are coming forward in surrounding areas in the screening assessment of the effects of recreational pressure on the woodland and veteran tree interests of Richmond Park SAC that are the habitat of the stag beetle. In the Epping Forest Local Plan HRA, the Council states in 2.12 that *“an in-combination assessment is of greatest relevance when the plan would otherwise be screened out because its individual contribution is inconsequential”*. So, if the number of homes being built in Richmond over the 10 year period of the new Local Plan is considered to be inconsequential, it is even more important to look at development coming forward in other Local Plans in surrounding areas.

The London Plan 2021 shows that 60,250 new homes are being built in Richmond, Merton, Wandsworth, Hounslow and Kingston between 2019/20 and 2028/29 . Assuming an average occupancy rate of 2.6 people, this means that 156,650 new residents in these boroughs alone will be living in these Boroughs by 2029, all of whom will be in easy reach of the park. If 50% of these new residents visit Richmond Park an average of just once a fortnight , this will result in an additional 2 million visits a year, an increase from assumed 2019 levels 25%.

For example, as of 8 March 2024, the Kingston Local Plan finished its Regulation 18 stage consultation and the council had considered feedback given; therefore considerable weight should have been given to the housing and employment targets for Kingston in that plan in accordance with government guidance³, as well as arising from the fact that the Opportunity Area targets in the new London Plan are minimum targets.

In terms of individual projects in Kingston Town alone, Richmond Council has not taken into account the impact from recreational pressure from the following approved large-scale projects and plans in Kingston Town alone. It should be noted that a further 1181 units are being developed at Signal Park Tolworth, only 5km from Richmond Park. The number of projects approved but not completed within a 7km radius of Richmond Park SAC need to be considered in the in-combination assessment for likely significant effect from recreational pressure and urbanization effects on Richmond Park SAC and the stag beetle:

Kingston Town development	Number of units	Additional residents @2.6 per unit	Number of additional visits to Richmond Park SAC at 2 x per week
a. The Cambridge Road Estate	1400	3,640	378,560
b. Surrey County Council County Hall	292	759	78,957
c. Canbury Place Car Park	265	689	71,656
d. Eden Campus	115	299	31,100
e. Roupell House, Cumberland House, York Way	101	263	27,310

³ <https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site#screening>

in Richmond Park has soared in recent years. However, no account has been taken of the effects of dog walking and eutrophication from dog urine on the protected habitat for the stag beetle.

Natural England site condition visit notes:

- *“Evidence of ground damage due to excessive trampling is very localized”*

i.e. ground damage from excessive trampling already exists now

- *Some limited evidence of “desire lines” being created through*

i.e. new paths are already being made by visitors

- *“No real evidence seen of significant damage to trees by deer, vandalism, ground compaction in root zone (except in vicinity to car parks)”*

i.e. there is evidence but it is not real or significant apart from in vicinity to car parks where there is real evidence of significant damage by the listed things

- *“Pending review of the data, there is nothing to indicate that the saproxylic invertebrate assemblages should not be assessed as being in favourable condition, but do just need to consider whether there is sufficient consideration of long and very long term provision of veteran tree features across the site, and also sufficient connectivity of the supporting habitat across the site.”*

i.e. there is no positive evidence that the assemblages should be assessed as being in favourable condition and review of the data has not yet occurred, and there is a need for consideration of the “long and very long term provision of veteran tree features ... and sufficient connectivity of the supporting habitat across the site”.

Leaving decaying wood in situ does not remove possible recreational impacts on the stag beetle. When the male and female stag beetle emerge from their larval stage, in spring and summer months, they travel in order to find a mate. The female travels from 1 metre to 241 metres from where she emerged and the male travels from 144 metres to 250 metres from the place from where it emerged. No management actions can mitigate for the risk to stag beetles from recreational pressure given the random places to which stag beetles will travel to find a mate.

There is evidence that adult stag beetles are attracted to the warm surfaces of roads and paths where they can be trampled, run over, killed, gathered or predated.

An arbitrary “Zone of Influence” for all sites, including Richmond Park SAC, has been set at 7km. This is claimed to be a “precautionary approach” but Richmond Council has not considered the in-combination recreational pressure that will be created by developments that *have already been approved* within 7km of the perimeter of Richmond Park in Kingston, Merton, Wandsworth, Hounslow as well as in Richmond, let alone arising from the plans themselves. Moreover, Richmond Council has referred to a privately written “HRA Handbook” as authority rather than relying on government guidance that gives different advice.

In addition, evidence exists that visitors come to Richmond Park from much further afield than 7km, a fact that undermines assumptions made by Wandsworth Council in its screening assessment of Richmond Park SAC, which it anyway erroneously describes. According to the Royal Parks Movement Strategy Consultation for Richmond Park in 2021, of 10,765 people who responded to the consultation, 42% of people came from local post codes, with 48% of all responses (5,135 responses)

from “other locations in the UK (the majority from within Greater London)”. *31% of people who came to the park came by car* and 82% of all visitors visited the park at least fortnightly.

The Friends of Richmond Park stated in 2015 that there were already 5.4 million annual visitors to the park in 2015, up from 2.5 million in the mid-1990s and 4 million in 2008.

In the Richmond Park Management Plan 2019 – 2029, The Royal Parks state that “visitors to the park have increased twofold in the past 10 years and 4 fold in the past 25 years” and that “visitor numbers are continuing to rise”. Extrapolating from visitor data provided by The Friends of Richmond Park for 2008, this would make visitor numbers in 2019 over 8 million people. Up to 1000 people responded to the consultation from Lambeth which is 10 miles from Kingston Gate of Richmond Park SAC, and that many other people responded from each of a large number of locations much further afield in London .

The in-combination assessment that appears to have taken place only for Wimbledon Common SAC as part of the screening of that site is flawed, contains inconsistencies and is not evidence-based.

There is inconsistency in the screening of Richmond Park SAC and Wimbledon Common SAC that biases screening out Richmond Park SAC on the basis of recreational pressure and which exposes the lack of evidence used to screen out Richmond Park SAC from needing appropriate assessment. In 4.71, Richmond Council states of Wimbledon Common SAC that *“It is still considered that the site will draw in recreational visitors given its size, quality features of interest and the majority of proposed allocations within the 7km Zone of Influence”*. But all the development sites in the Richmond Local Plan are nearer to Richmond Park than to Wimbledon Common SAC. In screening Richmond Park SAC, Richmond Council ignores the fact that large numbers of visitors are attracted to much larger Richmond Park SAC with its scattered veteran trees and woodlands and which covers nearly 2500 acres in size compared to the 1140 acres that comprise Wimbledon and Putney Commons. Richmond Park is a Royal Park that has many “features of interest” that attract visitors, ranging from several ancient woodlands, acid grasslands, Pembroke Lodge for teas and food, weddings and other events, famous views from Pembroke Lodge Terrace and from King Henry’s Mound, to Holly Lodge for school trips and other education events, to The Royal Ballet School, to the renowned Isabella Plantation and Pen Ponds, to the park’s famous deer (which now appear on the signs welcoming people to Richmond Park), to two circuits around the park used by thousands of cyclists every week.

Wimbledon Common has only one free car park at The Windmill, which is halfway down Parkside a long way from any densely inhabited area. Richmond Park has car parks at Roehampton Gate, Kingston Gate, near Richmond Gate at Pembroke Lodge, at The Pen Ponds and at Sheen Gate, allowing many more visitors to come to Richmond Park by car. Wimbledon Common has only one café and one set of toilets, at the Windmill. Richmond Park has seven cafes: at Roehampton Gate, Pembroke Lodge – two, one outside and a restaurant inside – Ham Gate, Kingston Gate, Isabella Plantation and Pen Ponds and toilets at Kingston Gate, Roehampton Gate, Isabella Plantation, Pembroke Lodge and Ham Gate.

Paragraph 4.76 explicitly states that the screening in of Wimbledon Common SAC for possible significant effects of recreational pressure includes the consideration of in combination effects. No such consideration has been made for Richmond Park SAC.

B. Screening out of Pollution from the new Richmond Local Plan as having a likely significant effect on the habitats of the stag beetle in Richmond Park SAC

In reaching its conclusion of no likely significant effect from its Local Plan in terms of air quality either alone or in combination with other plans and projects, Richmond Council is mistaken:

- i. Not to have acknowledged or to have analysed in a coherent manner the sensitivity to nitrogen deposition of the supporting habitat – woodland and individual ancient trees - for the stag beetle in Richmond Park SAC.

While Richmond Council states that qualifying features of the site “*may be indirectly affected by changes to the supporting habitat*” (4.44 of the HRA of the Richmond Local Plan), the council claims in 4.55 that the stag beetle relies on “*deadwood habitats*” that are “*not considered susceptible to impacts from air pollution*”. This is contradicted on APIS - Species – Pollutant Results, Nutrient Nitrogen, Habitat Sensitivity where it is clearly stated that the broadleaved, yew and mixed woodland habitat on which the stag beetle relies for the decaying timber in which its larvae develop IS sensitive to nitrogen. In addition, APIS makes clear the deleterious effect of nitrogen pollution on soil processes and of nutrient imbalances on its website under “indicators of N enrichment” and “Critical Load/Level”. This level is exceeded in Richmond Park SAC.

It should be noted that, although Natural England has recently changed the status of the woodland SSSI units in Richmond Park to “Favourable”, this has been done without proper observation and analysis. The comments are generic, identical and do not allow a meaningful understanding of the condition of the woodland habitat needed to support the stag beetle in each unit. This contrasts with the unit comments for Epping Forest’s woodlands where specific observations have been made of each unit and separate comment given.

The statement in point 4.56 of the HRA that “*the ability of Richmond Park SAC to meet its Conservation Objectives for stag beetle is unrelated to nitrogen deposition rates*” and that “*partially buried deadwood*” “*will not be affected by changes in nitrogen deposition*” is clearly not based on evidence and the assertion that “This is based on the APIS website which clarifies that no negative effect on stag beetle is expected despite the sensitivity of its broad habitat” provides no reasonable explanation for why this might be the case.

APIS states that the stag beetle is not itself sensitive to nitrogen impacts on the broad habitat. However, the reason that is given is tautological and does not explain why harm to the stag beetle’s habitat will not harm the stag beetle: it states simply that there is “*no expected negative impact on species due to impacts on the species’ broad habitat*”. Why not? No explanation is given. While the stag beetle and its larvae may not themselves be sensitive to pollution, nitrogen deposition on the veteran (including ancient) trees and the habitat supporting those trees that comprise the stag beetle’s habitat in Richmond Park risks threatening the long-term existence of the ancient woodland habitat on which the stag beetle relies in the long term for its own survival. In addition, international etymologist, Arno Thomaes has stated that “*The quality of dead wood is vulnerable to air pollution (higher nitrogen content has been found in wood under higher nitrogen deposition which in turn strongly influences the fungi and mosses community living in/ on the logs)*” and “*Nitrogen deposition can favour more competitive fungi outrunning the needed fungi for Lucanus Cervus.*”

According to the JNCC, it is the “*decaying timber of ancient trees*” on which the stag beetle relies for its long-term survival in Richmond Park SAC and not simply dead wood.

Moreover, the Natural England Advice states in 4.5 that *“When determining whether air pollution from a plan or project has a likely significant effect upon a given qualifying feature under the Habitats Regulations, the extent to which there are risks of air pollution that might undermine the Conservation Objectives of the site is central.”* The Conservation Objectives for Richmond Park SAC - which are made up of Conservation Objectives and Supplementary Advice - make clear that maintaining or restoring the supporting woodland habitat for the stag beetle at favourable conservation status is critical to the integrity of the site in terms of:

- ② “The extent and distribution of the habitats of qualifying species
- ② The structure and function of the habitats of qualifying species
- ② The supporting processes on which the habitats of qualifying species rely”.

The Supplementary Advice clarifies the composition of this habitat. The habitat is titled *“decaying wood habitat”* the target for which, in terms of structure and function, is the maintenance of *“an abundance and constant supply of ancient trees, standing dead trees, fallen trees, stumps and roots in a state of decay”*. Under *“Woodland Habitat”*, the Supplementary Advice states that the target is: *“Maintain a well-structured broadleaved woodland habitat, with sheltered, sunlit glades and rides containing stumps and other suitable decaying wood”*. Further, under Supporting Processes, Natural Processes, the Supplementary Advice states that the target is *“continuity of timber decay and nutrient recycling processes, in particular the continued provision of plentiful stumps and roots.”*

Mr Arno Thomaes, a European entymologist has conducted research that provides evidence that dead wood is sensitive to pollution. Mr Thomaes has written in correspondence that:

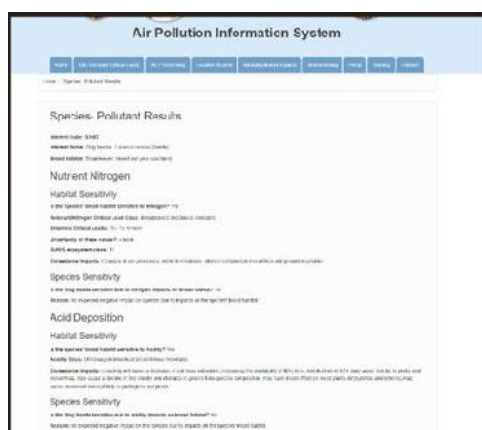
“Special Areas of Conservation are designated for habitats and/or species, never for dead wood. The quality of dead wood is vulnerable to air pollution (we found for example higher Nitrogen content in wood under higher nitrogen deposition which in turn strongly influence the fungi and mosses community living in/on the logs) and recreational pressure (the conflict between public safety and maintenance of veteran trees for example). Secondly, Lucanus Cervus does not purely depend on dead wood. It strongly depends on temperature and the proper mycelia inhabiting the dead wood: both are influenced by urbanisation. The urban heat island can put species under additional stress and risk of extinction, N deposition can favour more competitive fungi outrunning the needed fungi for Lucanus Cervus. Furthermore, veteran trees and their associated species are to be considered as micro ecosystems with hundreds of specialised insect (and other arthropods) species and fungi. Many of them will no doubt be strongly impacted by urbanisation due to urban heat island, increased nitrogen deposition and other pollution, light pollution etcetera.”

Further, The Royal Parks, in their Richmond Park Management Plan 2019 to 2029, state that *“The stag beetle...is the largest terrestrial beetle, Richmond Park...is at the heart of the South London centre of distribution for the stag beetle. Larvae develop in decaying tree stumps and fallen timber of broadleaved trees in contact with the ground, especially of oak among other species, and the presence and continuity of this resource in Richmond Park is essential to the conservation of this species”*.

Lastly, The Woodland Trust states in Woodwise – Life in Deadwood Autumn 2019 that: *“Decaying wood, whether on the ground or in a tree, is dynamic and transient. For a saproxylic species, availability of decaying wood habitat in the right place at the right time is vital. To conserve the diversity of life in deadwood we must ensure the next generation of veteran trees is already growing and cared for. Unfortunately, new tree planting will do little in the short-term to benefit saproxylic*

organisms. Such young trees will not provide those veteran features for many years and so there's urgent need to bridge the gap between decaying wood habitats of the present and those of the future. Above all though, we must value our current veteran trees and prevent their loss wherever possible."

ii. Not to have considered the actual levels of nitrogen deposition in Richmond Park and huge exceedances that already exist – which give a broad idea of nitrogen deposition levels across the park despite the latest measurements being taken during COVID. Where I previously noted a 2018-20 pre-Covid measurement, it was significantly higher as can be seen in the table below.to have accepted an arbitrary requirement for an increase in average annual daily traffic figures from a plan, alone and in combination with other plans, of 1000 vehicles on any road, or 200 HGVs, for an air quality appropriate assessment to be needed, even when a site, as is the case with Richmond Park SAC, already has a significant exceedance of nitrogen deposition. The range for the woodland habitat is listed as 10 to 15 kg N/ha/year. APIS states clearly that the lower level of 10 kg N/ha/year must be used in any screening assessment of nitrogen deposition in a protected site.



Name of woodland area	Grid Reference	Actual N deposition level kg N/ha/yr vs 10kg target during COVID (2020-22)	Exceedance (over 10kg target)
Teck Plantation	TQ201744	24.09	14.09
Sidmouth Wood	TQ190731	23.73	13.73
Queen Elizabeth Plantation	TQ194729	23.55	13.55
Pond Plantation	TQ197725	23.55	13.55
Prince Charles' Spinney	TQ204721	23.82	13.82
Isabella Plantation	TQ198718	23.47	13.47
Spankers Hill Wood	TQ207728	23.82	13.82
Saw Pit Plantation	TQ198728	23.55	13.55
Richmond Park near A3 at Roehampton Gate		2018-2020: 33.7	
Ham Cross APIS monitoring site	TQ191718	23.47 (31.51 pre-Covid)	13.47 (21.51 pre-COVID)

Modifying factors for empirical critical loads of nitrogen

Empirical critical loads for nitrogen are provided as a range for each habitat e.g. 5-10 kg N ha⁻¹ yr⁻¹. Modifying factors have sometimes been used to determine what critical load value should be applied with the range based on the sensitivity and specific location of features - for example bogs in areas with high precipitation have been considered less sensitive. However, UK evidence included in the 2022 review of critical loads for nitrogen (Bobbink et al., 2022; Rowe & Hina, 2023) showed ecosystem impacts at low deposition rates – generally at the lowest point of the given critical load ranges. The UK Conservation Agencies and Regulators therefore require the **minimum value of the critical load range** for the most sensitive habitat type present on the site to be used during the screening / Likely Significant Effect stages of air quality assessments. This enables assessment of exceedance of a threshold that reflects sensitive examples of the habitat. If exceedances of any thresholds are indicated during the detailed modelling stage, modifying factors can be considered based on the evidence provided in Bobbink et al. 2022 and Rowe & Hina, 2023 reports or other evidence sources for review by the relevant regulator during detailed assessment stages / Appropriate Assessment.

Roland Bobbink, Christin Loran, Hilde Tomassen. 2022. Review and revision of empirical critical loads of nitrogen for Europe

Rowe EC, Sawicka K, Hina NS, Carnell E, Martin Hernandez C, Vieno M, Tomlinson S, & Jones L(2023) Air Pollution Trends Report 2023: Critical load and critical level exceedances in the UK. Report to Defra under Contract AQ0849, UKCEH project 07617.

- iii. Not to have conducted a baseline assessment of nitrogen deposition levels in Richmond Park, for example by seeking APIS information about past and current levels of nitrogen deposition in Richmond Park, including seeking information on nitrogen deposition levels where trees exist in proximity to Queen's Road along its 2.2 mile length as it runs both ways through Richmond Park SAC from Kingston Gate to Richmond Gate.
- iv. To have relied on Natural England's internal advice for Competent Authorities on Road Traffic and Habitats Regulations Assessments, published in June 2018 ("the Natural England Advice") and to have ignored the fact that the Natural England guidance is simply guidance and not rules .
- v. To have relied on arbitrary and not relevant or evidence-based assertions in the Natural England Advice paragraphs 4.24 and 4.25 which in turn rely on "non-statutory or guideline threshold" used in the Design Manual for Roads and Bridges about the assumed level of increase in traffic that will harm a protected habitat in terms of emissions. The statement that new emissions must be more than 1% of the critical load is ambiguous and does not reflect the statement on APIS that in conducting screening assessment the lower band of the critical load must be used. In the case of broadleaved mixed woodland in Richmond Park SAC, the lower band for nitrogen deposition is 10kg of nitrogen per hectare per year, so an increase of 1% in this level would be an increase in 0.1kg of nitrogen per hectare per year.
- vi. Not to have included traffic levels on Park Road, King's Road and New Road, KT2, that run within 200 metres of Richmond Park . King's Road is often congested with traffic accessing Richmond Park and travelling to Kingston Hospital and the A3. Park Road is used as a Kingston by-pass for traffic travelling from the A3 to Richmond, and not have regard to traffic data that was collected by Kingston Council on Park Road in 2022 and which was updated in 2024.
- vii. Only to have considered "air pollution from changes in traffic volumes on roads close to sensitive habitats" (Point 3.30), ignoring Queen's Road that is open in daytime hours through Richmond Park. Queen's Road runs for 2.2 miles through Richmond Park. Queen's Road is a road used as a major daytime relief road for the congested A307 both ways from Kingston to Richmond.
- viii. Not to have corrected the erroneous statement in point 4.53, that, following consultation with Natural England, it has also considered the B351, Queen's Road, of which it states 1.01% lies within 200 metres of Richmond Park. This is not the case. Queen's Road is a through road for cars which runs for 2.2 miles from Kingston Gate to Richmond Gate and is surrounded by veteran trees and ancient woodland.
- ix. To have relied on the statement in 4.38 that "only those roads forming part of the primary road network...might be likely to experience any significant increases in vehicle traffic as a result of development (such as greater than 1000 AADT etc)" and "as such, where a site is within 200 me of only minor roads no significant effect from traffic-related air pollution is considered to be the likely outcome." These are arbitrary and non-evidence based assertions. One of two main routes between

Kingston and Richmond in daylight hours is Queen's Road through Richmond Park. This road takes as much car traffic and sometimes more than the A307 Petersham Road. The individual situation that exists for Richmond Park SAC has been ignored.

x. Not to have calculated the total percentage of Richmond Park's woodland habitat that is exposed to emissions or drawn a conclusion about the significance of the habitats within 200 metres of a road which are affected by nitrogen deposition. Even by its own calculations, 35 hectares of deciduous woodland is within 200m of a road passing near Richmond Park SAC, a figure that is ignored by Richmond Council. This does not include many individual veteran trees and small clumps of veteran trees. It is also before taking in to account the trees and woodland habitat surrounding the B351 Queen's Road as it runs for 2.2 miles through Richmond Park, and emissions from traffic on King's Road and Park Road where these roads pass within 200 metres of woodland areas in Richmond Park SAC.

xi. Not to have considered the habitat in Richmond Park for the stag beetle to be the ancient trees and the woodlands in the park that are the source of "decaying timber", and not merely "dead wood". The Citation for Richmond Park SAC description of the protected habitat in Richmond Park SAC includes noting the "ancient trees found throughout the parkland" and states that "broadleaved woodlands ...add to the diversity of habitats present and ancient trees are present throughout". It further states that "the ancient parkland and its associated trees supports a nationally significant assemblage of invertebrates. It is one of the prime sites in Britain for beetles associated with dead and decaying wood...Many of these beetles are indicative of ancient forest areas where there has been a long continuous presence of overmature timber." This supports the JNCC designation of Richmond Park SAC for the stag beetle in which it describes the supporting habitat as the "decaying timber of ancient trees".

xii. Not to have considered international stag beetle expert opinion sent to Richmond Council by me on 11 March 2024 and 25 July 2024, which includes amongst other statements that "the quality of dead wood is vulnerable to air pollution (higher nitrogen context has been found in wood under higher nitrogen deposition which in turn strongly influences the fungi and mosses community living in/on logs)", and "Nitrogen deposition can favour more competitive fungi outrunning the needed fungi for *Lucanus Cervus*".

xiii. Not to have corrected the statements in points 4.54 and 4.61 of the HRA in which Richmond Council states that, in 4.54, that "the habitats within 200m of the strategic roads were comprised solely of lowland acidic grassland", and – in 4.61 - that "despite recent traffic data having not been attained, it is considered that increased traffic flow along these routes would not significantly impact the qualifying or support features of which the Special Area of Conservation is designated for, as the habitats situated within 200m of the road are not suitable for stag beetle". There is no justification for this statement.

xiv. Not to have screened out the possibility of any likely significant effect from pollution arising from the policies of its new Local Plan without forecasting likely traffic increases arising from its new Local Plan in combination with other plans and projects coming forward. The Natural England Advice states in 4.44 that in-combination effects from "any proposed plans or projects that are reasonably foreseeable" must be taken in to account at the screening stage. Richmond Council has stated in 4.66, that there is a 7km Zone of Influence in its Local Plan. In combination effects must therefore consider the likely impact on air quality from developments coming forward in Hounslow, Merton, Kingston, Wandsworth and any borough within the 7km zone.

xv. to have relied on UCL Datashine Commute Data for commuting patterns to inform traffic forecasts (Reference 28 to Point 4.40). However, this data relates to a project that ran from 2013 to 2015 and the data from which is out of date.

xvi. To have ignored housing figures in The London Plan 2021 which show that between 2019 and 2029, a total of 60,250 new homes are forecast to be built in Hounslow, Kingston, Merton, Richmond and Wandsworth alone, with capacity for 54,000 new jobs in the same boroughs, excluding Merton. Many of these homes will be within 7km of Richmond Park SAC.

xvii. to have relied on the assessments that screened Richmond Park SAC out from any likely significant effect in existing and forthcoming Local Plans for local authorities in surrounding areas, such as Wandsworth and Hounslow. This is because the basis of the conclusions of the screening assessments is inconsistent, irrational, not based on evidence, is not precautionary and does not bear scrutiny.

xviii. Not to have included likely vehicular movements coming forward from the draft Kingston Local Plan for which Kingston Council had completed its Regulation 18 consultation in February 2023, before the Regulation 19 Richmond Local Plan was being consulted upon (between 9 June to 24 July 2023). Furthermore, Kingston Council's new Local Development Scheme, agreed in February 2025, states that "A new local plan is needed to conform with the requirements of... the adopted London Plan at the time of its Submission... and the need to plan for the London Plan's housing target for Kingston". This leaves no doubt as to the minimum numbers of new housing units and increase in the number of residents, as well as other development targets, for example, for employment, leisure, night time and education uses, that will be seen in Kingston as laid out in the London Plan. The London Plan is a statutory planning document for Kingston and the housing and employment targets in it must be translated into the Kingston Local Plan. Further, projects already approved or seeking planning permission in Kingston are already bringing 6,422 new residents in to the Borough in the next few years.

xix. To have screened out any likely effects from emissions from traffic movements generated by the Richmond Local Plan alone and in-combination with other plans and projects without giving the assumptions used when arriving at the modelling figures laid out in Appendix E. This undermines conclusions reached as a result of the figures given.

Caroline Shah

16 March 2025

VALERIE SCOTT PLANNING

Response to Main Modification MM44

Policy 8 Flood Risk and Sustainable Drainage

On behalf of Henry Harrison, Riverwharf Ltd,

**Phoenix Wharf, Eel Pie Island, Twickenham,
TWI 3DY**

London Borough of Richmond upon Thames

Schedule of Proposed Main Modifications 31.01.25

12 MARCH 2025

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(1) INTRODUCTION

1. My name is Valerie Scott and I am the Principal of Valerie Scott Planning. This statement has been commissioned by Henry Harrison of Riverwharf Limited, Phoenix Wharf, Eel Pie Island, Twickenham. Mr Harrison lives and works at Phoenix Wharf where he manages a boatyard and a block of studio units currently used for business purposes.

(2) EXECUTIVE SUMMARY

2. Mr Harrison wishes to make a representation on MM44 (additional wording to Draft Local Plan **highlighted in bold below**).

With reference to Policy 8 Flood Risk and Sustainable Drainage (Strategic Policy), Paragraph 16.66:

*The borough contains a number of islands in the River Thames. Where the access and egress to and from the island begins within the functional floodplain, for the purposes of new development, such islands will be considered and treated as functional floodplain (Zone 3b), even if parts of the islands may be within an area of lower probability of flooding. **For the River Thames, the functional floodplain is defined as land riverward of Thames Tidal Flood Defences.** In line with the guidance set out in the Council's SFRA [Strategic Flood Risk Assessment], new developments are restricted to 'Water Compatible' and 'Essential Infrastructure' (subject to an Exception Test) as per the guidance in the Flood Risk and Coastal Change PPG.*

3. Mr Harrison's representation is with reference to the deleterious impact on **Eel Pie Island** of the proposed change to the definition of the functional floodplain.
4. The functional floodplain is currently defined as Flood Zone 3b.
5. MM44 proposes that this definition be changed. Under MM44, all land "riverward of the Thames Tidal Flood Defences" would be redesignated part of the functional floodplain.
6. Eel Pie Island - its access and 95% of the island itself both not in the functional floodplain as it is currently defined (i.e. not in Flood Zone 3b) - would overnight, on the adoption of the Local Plan, find itself wholly 'relocated' in the functional floodplain.

7. Access to Eel Pie Island has, in successive SFRAs, been **erroneously categorised** as being located in Flood Zone 3b. This will be addressed in detail.
8. The borough's islands are located in both **tidal and non-tidal** waters. Eel Pie Island is located in tidal waters. This is relevant when assessing risk to life of an extreme flood event and has not been taken into account in the broad brushstroke proposed redefinition and the implications it will have.
9. The definition of the functional floodplain is critical to this assessment and to change the definition will have major implications in relation to the provision of new residential properties, extensions (be they of footprint or volume of space occupied e.g. a roof conversion) to existing residential properties, and conversions from business to residential use or mixed use.
10. **Planning permission** for extensions/change of use etc and existing permitted development rights would be severely restricted to the point of being effectively erased, adversely impacting Eel Pie Island's ability to adapt to change and accordingly remain vital.
11. **Residential mortgages and business loans** (this latter if secured against assets, of which a business premises is invariably a significant factor) would also be harder to obtain, with fewer lenders willing to lend, and as a result would be more expensive, impacting, for example, the viability of river-related businesses such as boatyards, of which there are currently four on Eel Pie Island.

It should be noted that the Nationwide Building Society has recently stated it will use flood mapping to identify high-risk properties and will decline to offer financing. (*Guardian, 30 April 2024*)

12. **Insurance premiums** would similarly rise against the background of the premises suddenly being located in the functional floodplain (even though the actual flood risk would remain unchanged), and the number of insurers prepared to take on the risk would shrink.

It should be noted that the Flood Re subsidised cover scheme is scheduled to end in 2039. (*Guardian, 30 April 2024*)

13. The overwhelming majority of the borough's ten islands, however, will not be impacted by the proposed redefinition of the functional floodplain, as
- (1) the entirety of those islands are already located in Flood Zone 3b or
 - (2) their access is already situated in Flood Zone 3b or
 - (3) the islands are non-tidal and hence not "riverward of Thames Tidal Flood Defences."
- See page 10 for **Figure 1: Flood Zone analysis of LBRuT islands supported by the Aurora Mapping System**
14. **Eel Pie Island**, the borough's largest island, though, will be significantly adversely affected.
15. 95% of Eel Pie Island is located in Flood Zone 3a, with its access located entirely in Flood Zone 3a. The island has long thrived precisely because it has been able to adapt to change and therefore remain viable and vital. Being able to obtain planning permission for development/redevelopment, along with the attendant financing and insurance, has clearly facilitated this.
16. It is the aim of this document to outline why this 'broad brushstroke, one size fits all' redefinition of the functional floodplain is both unnecessary and inappropriate, and materially harmful to the borough's largest island.
17. **The existing definition of the functional floodplain as Flood Zone 3b should be retained.** This would align LBRuT with all other London boroughs, in which the functional floodplain is identified as Flood Zone 3b. The wording of the proposed change "For the River Thames" is simply inaccurate. SFRA after SFRA across multiple London boroughs fronting the River Thames identify the functional floodplain as Flood Zone 3b.
18. Or, as has happened in the previous SFRA's and Local Plans, if LBRuT wishes to accept the EA's redefinition of the functional floodplain, then an **exception** should be made (as has been made in previous LBRuT Local Plans and accompanying SFRA's) for **Eel Pie Island**, so it can continue to thrive through being able to adapt to changing times, as it has done for centuries.

(3) CONSULTATION ON MM44

19. Mr Harrison did not make a representation at the consultation stage of the LBRuT “Publication” Draft Local Plan in June/July 2023 as this version of the Draft Plan did not include the change to Policy 8 as now proposed.
20. The proposed change to Policy 8 resulted from a meeting held between LBRuT and the Environment Agency (EA) that took place on 19 March 2024. A **Statement of Common Ground (Ref: SOCG-08)** was signed by both parties on 18 April 2024.
21. On 10 May 2024, LBRuT added the **Schedule of Proposed Modifications suggested by the Council (Ref: LBR-002)** to the Library of documents supporting the 2024 Local Plan Public Inquiry. This was the first time the proposed change to the definition of the functional floodplain in LBRuT had been made public.
22. On 13 June 2024 LBRuT added a further document to the Public Inquiry Library: **Main matter 13 – Responding to the climate emergency and taking action (policies 3 to 9) (Ref: WS-MM-13)**, once again referencing the proposed change.
23. The public consultation on Draft Local Plan had taken place in June/July 2023, almost an entire year before the proposed change was made public.
24. There were attempts to make representations on this matter at the June/July 2024 Public Inquiry. The Public Inquiry was contacted on 17 June 2024 by Ms Celia Holman, an Eel Pie Island resident, with a request to speak on this proposed change that had not been in place at the time of the June/July 2023 public consultation.
25. However, as no comments on this wording had been made at the consultation stage - a full year before the wording was made public, and indeed several months before it had even been drafted - the rules that govern a Public Inquiry meant that the Inquiry Inspectors were not permitted to hear any representations challenging (1) the need for this LBRuT-exclusive redefinition of the functional floodplain, (2) the deleterious impact it would have on Eel Pie Island and (3) the LPA’s claim that all of the borough’s ten islands currently have their access in Flood Zone 3b.
26. Mr Harrison and Ms Holman both nevertheless attended the Public Inquiry in person when this matter due to be discussed but neither, as mentioned above, were permitted to make representations before the Planning Inspectors.

(4) PROPOSED REDEFINITION OF THE FUNCTIONAL FLOODPLAIN

27. No detailed explanation is offered by either the EA or LBRuT as to why this redefinition of the functional floodplain is required. Additionally, there is no background paper; there is no publicly available representation that references it that predates the 18 April 2024 Statement of Common Ground.
28. No mention of any proposed redefinition of the functional floodplain is made by the Environment Agency:
in either **Summary of main issues raised during the Publication Local Plan (Regulation 19) consultation and Summary of the Council's response on main issues (January 2024) including summary of each response (Ref SD-013)**
or in the **Schedule of responses to the Publication Local Plan (Regulation 19) consultation (in plan order) with the Council's response (January 2024) (Ref SD-014)**
or in **Summary of place-based strategies and site allocations, and policies, outlining main changes to adopted Local Plan (June 2023) (Ref SD-009).**
29. In the EA/LBRuT Statement of Common Ground (Ref SOCG-08), there is reference to the contents of a letter dated 24 July 2023, saying that there are "areas where agreement has not been reached on key strategic matters." The Statement of Common Ground characterises the changes now being agreed between the EA and LBRuT as "minor modifications." The change in definition of the functional floodplain manifestly does not fall into the category of 'minor' considering the impact it will have on Eel Pie Island.
30. The letter dated 24 July 2023 was made available as part of the Public Inquiry Examination library (**Ref: Reg 19 ID 031**).
31. There is no reference in this letter to any proposed redefinition of the functional floodplain.
32. The wording of the proposed redefinition of the functional floodplain is located at the very end of the April 2024 Statement of Common Ground: the EA has suggested where

the revised definition can be inserted and the Council has accepted it, outside of any public scrutiny or consultation.

33. There was no public consultation whatsoever over this last-minute proposed change and the only opportunity to comment is now, at this very late stage in proceedings and outside of the rigour that the Public Inquiry itself would have afforded.
34. Council officers had been made aware in detail of the concerns regarding the proposed redefinition of the functional floodplain both before (from mid-June 2024 onwards) and during the course of the late June/early July 2024 Public Inquiry. In late June 2024, a further meeting took place between the EA and the Council. This resulted in amendments to the Statement of Common Ground, and a revised Statement was signed on 28 June 2024.
35. It should be noted that neither the EA nor the Council considered to involve either Mr Harrison or Ms Holman (who, by mid June 2024, had both raised their serious concerns in writing to the Council) in that meeting. This represented a missed opportunity to enter into dialogue with concerned residents and business owners that could have informed the Public Inquiry that was taking place at the time.
36. The EA/LBRuT updated their Statement of Common Ground 28 June 2024, to include the following assertion:

5.11 There is therefore no change in policy or to the designation, the islands are already considered to be within flood zone 3b as set out in the Council's SFRA at 6.2.4 and Local Plan Policy LP 21, paragraph 6.2.7. The Council's SFRA is clear that where the access and egress to and from the island is within the functional floodplain, for the purposes of new development, such islands will be considered and treated as functional floodplain (Zone 3b), even if parts of the islands may be within an area of lower probability of flooding.

37. It is crucial to note that it is simply incorrect and egregious to treat the borough's islands as one undifferentiated whole by stating that "the islands" are in Flood Zone 3b.
38. Each island presents a unique set of circumstances, whether it be how they are accessed or in which Flood Zone their access lies, and in which Flood Zone the islands themselves lie. The proposed redefinition effectively erases this.

39. Previous Local Plans and SFRAs have recognised and detailed the characteristics of each island. Indeed, the emerging Local Plan does so for **Platt's Eyot**, which is considered in detail as Site Allocation 2. This will be addressed in more detail in the section **(9) PLATT'S EYOT: SITE ALLOCATION 2** (page 28)
40. The factually incorrect statement that “the islands are already considered to be within flood zone 3b” is addressed in more detail in the following section entitled **(5) ACCESS TO EEL PIE ISLAND AND PLATT'S EYOT: FLOOD ZONE 3a** (page 10) which contains a detailed analysis of access to both islands using both photographs, detailed flood mapping and the Aurora Maps that accompany the Council's SFRA.
41. The 28 June 2024 Statement of Common Ground also includes the following paragraph:
- 5.14 The proposed modification seeks to formally capture and include other parts of the borough where land riverward of the River Thames Tidal Flood Defences has historically also been treated as functional floodplain. This applies to land that is in essence part of the river channel. For example, it includes around parts of Ham Lands and Old Deer Park. This is a common approach amongst other parts of the tidal Thames, including Wandsworth.*
42. The above paragraph 5.14 fails to acknowledge that Eel Pie Island has not been “historically treated as functional floodplain”. Eel Pie Island sits raised above the functional floodplain, located almost in its entirety in Flood Zone 3a. Eel Pie Island is not “in essence part of the river channel.” It sits in the river channel but is raised above it, as parts of the Ham Lands and Old Deer Park indisputedly are not.
43. It is to be noted that there is no justification for this redefinition offered by either the EA or LBRuT. The Statement of Common Ground simply cites “inconsistency” as needing to be resolved.
44. The Local Plan offers the multiple ways - most readily by the use of Site Allocations - through which any identified “inconsistency” can be resolved on a location-by-location basis.
45. However, the ‘one-size-fits-all’ approach to all “land riverward of the River Thames Tidal Flood Defences” fails to take into account uniqueness of place and in doing so causes material harm.
46. This representation, addressing matters not permitted to be heard at the Public Inquiry, is the only opportunity afforded residents and business owners to be heard on this

matter.

(5) ACCESS TO EEL PIE ISLAND AND PLATT'S EYOT - FLOOD ZONE

3a

47. Neither the policy nor the text in the Draft Local Plan in relation to the islands actually defines in which Flood Zone each of the ten islands in the borough have their access/egress located.
48. It is necessary, therefore, to refer to the flood risk mapping shown on the Aurora Mapping System.
49. The LBRuT website provides a link to the Aurora Mapping System which is referred to in and supports the SFRA. This mapping system, amongst many other things, shows the flood zones affecting the borough's islands and the adjoining mainland from where access and egress from each island is gained. It also shows the location of the borough's River Thames Tidal Flood Defences.
50. Please see the table below for Flood Zone information with respect to each of the borough's ten islands obtained from the Aurora mapping that supports the SFRA:

ISLANDS IN LBRuT	Access FZ	% island in FZ 3b	Location	Access	Residential	POP	Size (acre)
UNINHABITED:							
FLOODZONE 3b (access and/or island)							
Corporation Island (Richmond)	3b	30%	Tidal	Boat only	N/A	N/A	1.67
Glovers Island (Richmond)	3b	100%	Tidal	Boat only	N/A	N/A	1.37
Anglers Eyot (Teddington)	3b	100%	Non Tidal	Footbridge	N/A	N/A	1.04
FLOODZONE 3a (access and Island)							
Platt's Eyot (Hampton)	3a	10%	Non Tidal	Footbridge	N/A	N/A	10.50
Teddington Lock Ait (Teddington)	3a	30%	Non Tidal	Footbridge	N/A	N/A	1.48
INHABITED:							
<i>H = House [HB = Houseboat]</i>							
FLOODZONE 3b (access and/or island)							
Swan Island (Twickenham)	3a	100%	Tidal	Road bridge	[HB 30]	60	0.49
Taggs Island (Hampton)	3a	85%	Non Tidal	Road bridge	[HB 60]	100	6.91
Trowlock Island (Teddington)	3b	100%	Non Tidal	Chain ferry	H 29 [HB 25]	110	3.95
Ash Island (Hampton)	3b	10%	Non Tidal	Footbridge	H 2 [HB 30]	65	3.95
FLOODZONE 3a (access and Island)							
Eel Pie Island (Twickenham)	3a	5%	Tidal	Footbridge	H 50 [HB 20]	175	10.87

Figure 1: Flood Zone analysis of LBRuT islands supported by the Aurora Mapping System

51. A quick glance at the table above demonstrates the Council's assertion that all of the islands have their access located in Flood Zone 3b is simply incorrect.
52. To repeat the assertion, as found in the amended Statement of Common Ground (signed 28 June 2024):

*5.11 There is therefore no change in policy or to the designation, **the islands are already considered to [be] the [sic] within flood zone 3b** as set out in the Council's SFRA at 6.2.4 and Local Plan Policy LP 21, paragraph 6.2.7. The Council's SFRA is clear that where the access and egress to and from the island is within the functional floodplain, for the purposes of new development, such islands will be considered and treated as functional floodplain (Zone 3b), even if parts of the islands may be within an area of lower probability of flooding.*

53. However, the Aurora Mapping System clearly shows that not only **Eel Pie Island**, but also **Platt's Eyot, Swan Island, Taggs Island** and **Teddington Lock Ait** also have their access located in Flood Zone 3a.
54. In other words, 50% of the borough's islands have their access in Flood Zone 3a, contrary to what is being stated by the Council.
55. To examine each island's unique circumstances as detailed in Figure 1 (page 10):
56. As previously stated, **Eel Pie Island** is uniquely affected by the proposed modification, with both its access and the island itself currently located in **Flood Zone 3a**.
57. **Anglers Eyot, Ash Island, Corporation Island, Glovers Island** and **Trowlock Island** all have access located in **Flood Zone 3b**. Accordingly, these islands would be unaffected by the proposed modification.
58. **Swan Island**, whilst its access is located in Flood Zone 3a, the island itself is entirely located in **Flood Zone 3b**. Accordingly, this island also would be unaffected by the proposed modification.
59. **Tagg's Island**, whilst its access is also located in Flood Zone 3a, the island itself is 85% located in **Flood Zone 3b**. Accordingly, this island also would be largely unaffected by the proposed modification.

60. **Teddington Lock Ait** is a tiny sliver of land (which forms part of Teddington Lock) and whilst largely located in Flood Zone 3a with its access also located in Flood Zone 3a, it is not suitable for either commercial or residential use. Hence it being uninhabited and undeveloped, and therefore its viability unaffected by any change in a definition of the functional floodplain.
61. **Platt's Eyot**, however, with its access and 90% of island itself located in **Flood Zone 3a**, can most closely be compared to Eel Pie Island.
62. Access to Platt's Eyot is, as per Eel Pie Island, located in Flood Zone 3a.
63. This is contrary to what is asserted in para 5.11 of the Statement of Common Ground that "the islands are already considered to [be] the [sic] within flood zone 3b"
64. See screenshot below of Platt's Eyot from the Aurora Mapping System below:



Figure 2: Screenshot from Aurora Mapping System showing Platt's Eyot

65. Like Eel Pie Island, Platt's Eyot is accessed by a footbridge. The bridge to Platt's Eyot has its access located within Flood Zone 3a, as shown in the enlarged screenshot and the photographs below.

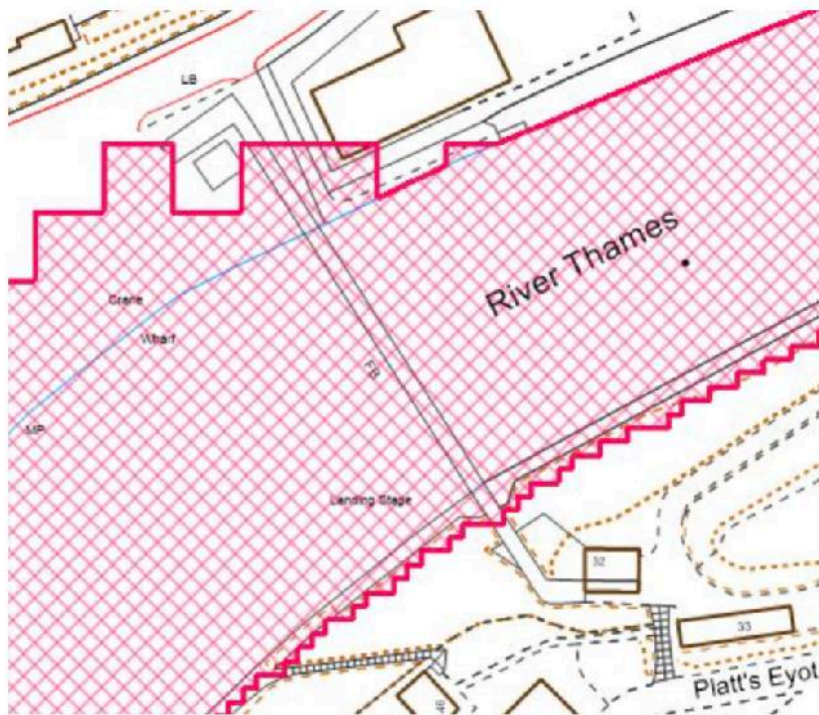


Figure 3: Screenshot from Aurora Mapping System showing bridge to Platt's Eyot

66. Note how the Aurora Mapping System, as per with the Eel Pie Island Bridge (see Figure 7 below), shows the central section of Platt's Eyot footbridge located in Flood Zone 3b. This is clearly a mapping error. See below for photographs of Platt's Eyot footbridge. There is a similar ramp on the island side of the bridge, with its landing point also in Flood Zone 3a.



Figure 4: Photograph of footbridge to Platt's Eyot



Figure 5: Photograph of the Platt's Eyot footbridge spanning the River Thames (mainland to the left, island to the right)

67. As per Eel Pie Island, access to Platt's Eyot is situated in Flood Zone 3a, with 90% of the island itself also located in Flood Zone 3a.
68. However, Platt's Eyot is located in non-tidal Thames, therefore the island cannot be said to lie "riverward of Thames Tidal Flood Defences" as there are no tidal flood defences in place in that location. This can be determined with reference to the Aurora Mapping System, which also shows the location of such defences.
69. This raises the question as to what constitutes the Council's definition of the functional floodplain on non-tidal Thames, there being no Thames Tidal Flood Defences of which these non-tidal islands can sit "riverward".
70. It is of relevance to note that the Draft Local Plan refers in detail to Platt's Eyot, identifying it as Site Allocation 2. Please see section below **(9) PLATT'S EYOT: SITE ALLOCATION 2** (page 28) for an examination of how Platt's Eyot is addressed in the Local Plan.
71. Turning now to access to **Eel Pie Island**.
72. This has been erroneously identified as being in Flood Zone 3b in successive SFRA's.
73. See below for a screenshot of Eel Pie Island from the Aurora map that accompanies the Council's SFRA of Eel Pie Island:

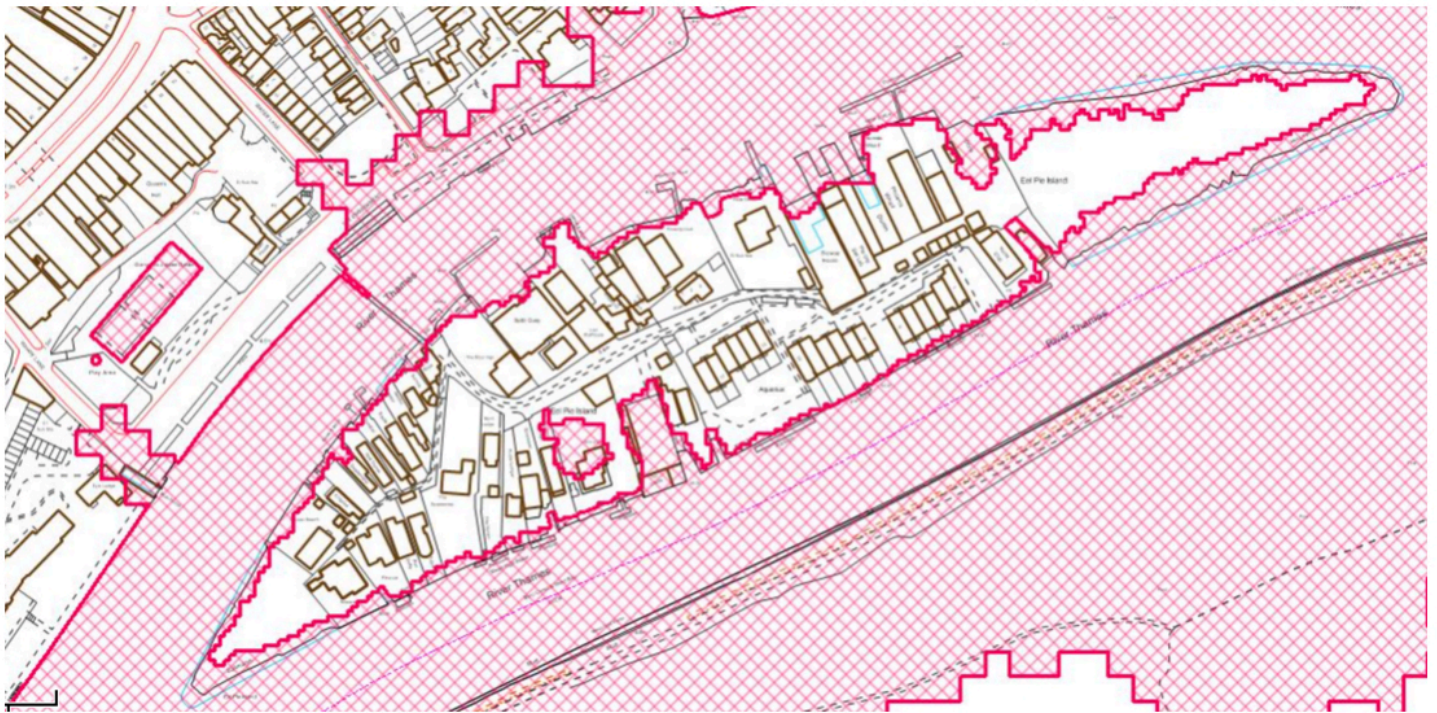


Figure 6: Screenshot from Aurora showing Eel Pie Island, with Flood Zone 3b hatched in red

74. Please see below for an enlarged view of Eel Pie Island, showing the island's footbridge:



Figure 7: Screenshot from the Aurora Flood Map showing Flood Zone 3b hatched in red

75. The enlarged view in Figure 7 shows the functional floodplain (Flood Zone 3b) marked in red hatching. It also shows very clearly both ends of the island's bridge over the River Thames are not located in Flood Zone 3b. The mainland (north western end) end of the bridge is not in Flood Zone 3b and the end of the bridge on the island (south eastern end) is not in Flood Zone 3b either.
76. This is contrary to what has been repeatedly and erroneously stated in the Council's SFRA's and Local Plans, which state that the access/egress to Eel Pie Island is in Flood Zone 3b.
77. Up until this point in time, this error had passed unnoticed by Eel Pie Island property and business owners as - until very recently - it had not been referred in any planning permission decisions. Planning permission has been granted for both development and redevelopment that have introduced 'more vulnerable use'. This is addressed in more detail in the section below entitled **(7) PLANNING PERMISSIONS ON EEL PIE ISLAND** (page 23).
78. Planning permission had continued to be granted because the Council had afforded Eel Pie Island "exception" status from being classified as being in the functional floodplain, in spite of its access having been erroneously labelled as being in Flood Zone 3b. This is addressed in more detail in the section below entitled **(8) STRATEGIC FLOOD RISK ASSESSMENTS (SFRA): 2010, 2016 and 2021** (page 25).
79. Regarding the Aurora Mapping of the Eel Pie Island Bridge, the red hatching shown along part of the bridge itself is clearly not correct. As has already been shown with reference to Platt's Eyot (see Figure 8), the Aurora mapping system categorises structures over water inconsistently - with several bridges across the borough shown as being partially 'in' the river. Clearly the bridge itself cannot be in Flood Zone 3b. The Eel Pie Island bridge curves upwards from the start at each end in order to allow boats to pass beneath the bridge. The bridge is higher than the two ends of the bridge and cannot possibly be within the functional floodplain (Zone 3b) if the two ends of the bridge which are at the lowest parts are in Flood Zone 3a.
80. See below for photographs of the bridge to Eel Pie Island.



Figure 8: Photograph of bridge to Eel Pie Island taken from mainland



Figure 9: Access to the Eel Pie Island bridge from mainland



Figure 10: Access to the island bridge as one leaves Eel Pie Island

81. It should also be noted that there is egress from Flood Zone 3a on the Embankment at the foot of the Eel Pie Island Bridge to Flood Zone 1 without having to pass through those areas of the Embankment that are located in Flood Zone 3b. This is via the public steps up to the Diamond Jubilee Gardens from the Embankment. These steps are not labelled as steps on Aurora Mapping but do exist, as seen in the photograph below.



Figure 11: Photograph of steps to Diamond Jubilee Gardens



Figure 12: Screenshot from Aurora Mapping System showing steps to Diamond Jubilee Gardens

82. Planning permission was granted in November 2022 for the Twickenham Riverside Development (**Ref: 21/2758/FUL 1-1C King Street, 2-4 Water Lane, The Embankment And River Wall, Water Lane, Wharf Lane And The Diamond Jubilee Gardens, Twickenham**). It should be noted that this development will not preclude egress from Flood Zone 3a at of the foot of the Eel Pie Island Bridge into Flood Zones 2 and 1 without having to pass through those areas of the Embankment that are located in Flood Zone 3b.

(6) TIDAL AND NON-TIDAL THAMES

83. The redefinition of the functional floodplain - “land riverward of the Thames Tidal Flood Defences” - fails to take into consideration that the Thames in LBRuT is both tidal and non-tidal.
84. Whether or not an island is located in tidal or non-tidal waters is relevant on several fronts.
85. Firstly, in the London Borough of Richmond upon Thames, in which it is proposed that the functional floodplain is redefined as “land riverward of Thames Tidal Flood Defences”, one has to ask how the functional floodplain in the absence of tidal flood defences.
86. Figure 1 (page 10) shows that six of the borough’s ten islands are located in non-tidal Thames where there are no tidal flood defences.
87. Proposed definitions to one side, the second consideration is that being located in tidal (as opposed to non-tidal) Thames is hugely significant when assessing the risk to life an extreme flood event present to vulnerable uses i.e. residential properties.
88. In the ordinary course of events, any flooding which might occur after periods of exceptionally wet weather (pluvial) and/or exceptionally high tides (fluvial) quickly subsides, usually within one hour after the peak of a High Tide.
89. The difference between High Tide and Low Tide on the tidal River Thames (with the exception of the very short stretch of the Thames where there is what is known as the Maintained Level) is c.5m.

90. This indicates the enormous volume of water being carried downstream on an outgoing tide, and is indicative of how quickly, on the turn of the tide, an extreme flooding event on tidal Thames would subside, allowing any additional measures, to include evacuation, to take place.
91. It is difficult to envisage that, even in the event of an extreme flood, residents would be prevented from leaving Eel Pie Island via the footbridge for a period of more than six hours.
92. The hydrograph below shows how quickly on tidal Thames - within a matter of hours - the water levels subside even during an extreme flood event:

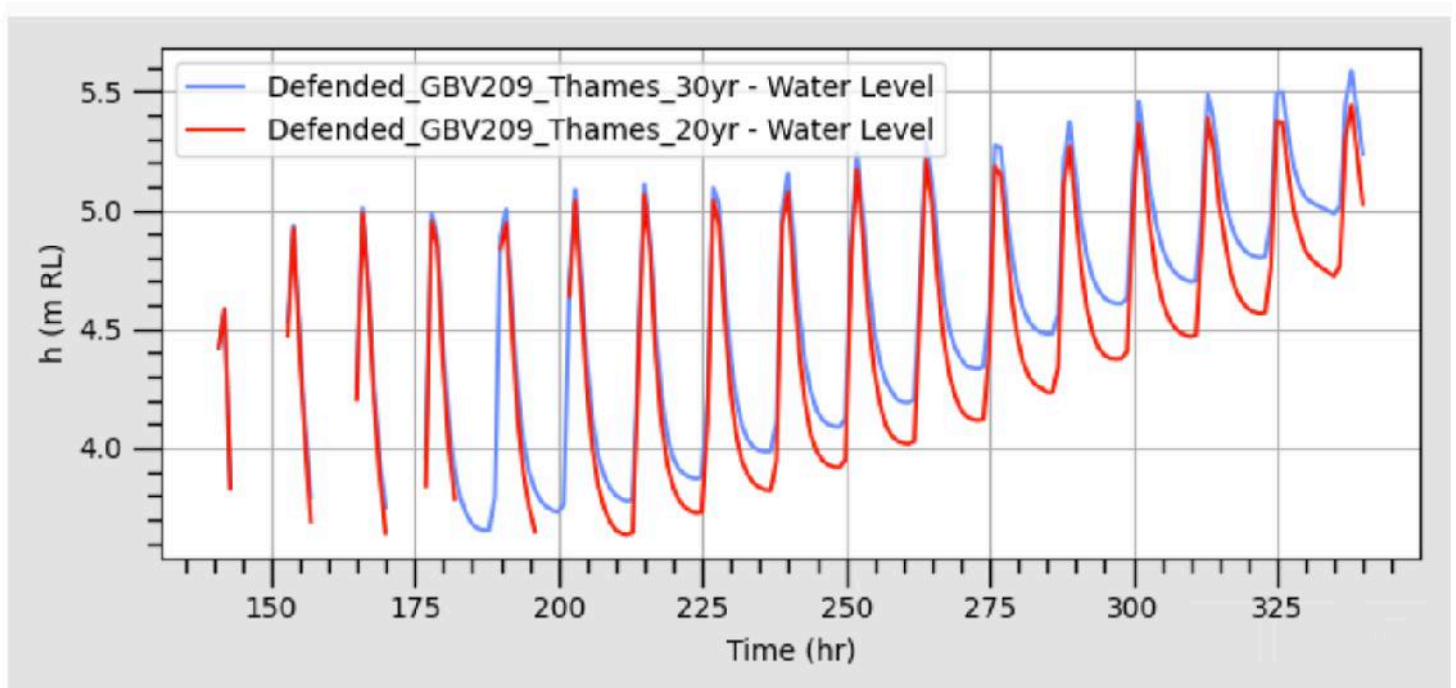


Figure 13: Hydrograph showing flood event on tidal Thames (Source:TUFLOW)

93. Located on tidal Thames, Eel Pie Island has long been actively anticipating and preparing for flood events. For example, the vast majority of the c. 50 residential properties on the island are built raised up. In addition to this, several have passive flood defences, with many properties having more active defences that can be brought into use if needed.
94. Flood warnings are quickly and efficiently communicated by social media (by the PLA and the EA) and further shared amongst islanders via WhatsApp and email.
95. In the extremely unlikely event there were the need to evacuate the island during (as opposed to before) an extreme flood event, many business owners and residents have

both commercial and private powered boats moored alongside the island. In fact, there are more boats than there are residential properties on Eel Pie Island.

96. The risk to life an extreme flooding event would present on Eel Pie Island is extremely low so as to be almost negligible.
97. All of the above were previously taken into consideration by LBRuT, and Eel Pie Island was accordingly identified as an **exception** in the 2010 SFRA.
98. See the section below entitled **(8) STRATEGIC FLOOD RISK ASSESSMENTS (SFRA):2010, 2016 and 2021** (page 25) for more detail on this.

(7) PLANNING PERMISSIONS ON EEL PIE ISLAND

99. The following are amongst some of the planning permissions granted on Eel Pie Island since 2010:

I Aquarius, TWI 3EA - first floor extension

II Aquarius, TWI 3EA - ground floor extension

I5 Aquarius, TWI 3EA - 2nd floor extension (new storey)

I6 Aquarius, TWI 3EA - ground floor extension

I7 Aquarius, TWI 3EA - 2nd floor extension (new storey)

I8 Aquarius, TWI 3EA - 2nd floor extension (new storey)

Wild Thyme, TWI 3DY - demolition of an existing 3-bedroom house and permission for a larger 3-bedroom house

The Cottage, TWI 3DY - demolition of an existing 3-bedroom house and permission for a larger 3-bedroom house

Wyndfall, TWI 3DY - extension of an existing 2-bedroom house

Love Shack, TWI 3DY - construction of a 2-storey rear extension, to extend an existing 1-bedroom house

Palm Beach, TWI 3DY - extension to an existing 5-bedroom house

The Haven, TWI 3DY - demolition of an existing 1-bedroom house and permission for a smaller 1-bedroom house

The Nook, TWI 3DY - extensions to an existing 3-bedroom house

The Moorings, TWI 3DY - extensions to an existing 3-bedroom house

Ivy Castle, TWI 3DY - extension to an existing 4-bedroom house

100. Most recently, however, planning applications for extensions, for example, are being objected to by the Environment Agency, who now consider “any increase in built footprint represents intensification in land use”, and subsequently being refused by Richmond LPA. There is a planning application (**Jacob’s Ladder, TWI 3DY Ref: Planning Inspectorate APP/L5810/W/24/3358054 and LBRuT LPA 24/0477/FUL**) that is currently the subject of an Appeal.
101. Similarly, applications under existing permitted development rights to change from, for example, Business Use Class E to Dwellings Class Use C3 are also now being refused by Richmond LPA, citing the emerging Local Plan and the redefinition of the functional floodplain. There was a recent refusal that was upheld at Appeal relating to a change of use from Class E to Class C3 (**Ref: Planning Inspectorate APP/L5810/W/24/3339064: Upper Decks units 3, 4 and 6 Phoenix Wharf, TWI 3DY**) that cited flooding risks as the sole reason for refusal.
102. The above refusals represent the material impact this emerging redefinition is already having on the ability of properties, be they residential or commercial, on Eel Pie Island to adapt/change and in doing so allow the island to continue to thrive.
103. All of the above planning applications - with the exception that granted to The Haven - would be refused if Eel Pie Island were to be reclassified as being located in the functional floodplain by reason of the island and its access lying “riverward of the Thames Tidal Flood Defences.
104. It should be noted, though, that the above planning permissions (para 99) were granted against the background of the Council erroneously believing that the access to Eel Pie Island lay in Flood Zone 3b.
105. It is, however, being asserted by the Council and the EA in their amended Statement of Common Ground that the proposed redefinition would make no difference to Eel Pie Island as the island had, since at least 2010, been considered, for planning purposes, to be in the functional floodplain by reason of its access being in Flood Zone 3b.
106. If this is the case, one has to question why the extensive list of planning permissions granted in para 93 were given permission when similar applications are now being refused given the emerging Local Plan.

107. Please see a section below entitled **(8) STRATEGIC FLOOD RISK ASSESSMENTS (SFRA) - 2010, 2016 and 2021** that will examine how Eel Pie Island has been categorised for planning purposes over the past 15 years.

(8) STRATEGIC FLOOD RISK ASSESSMENTS (SFRA): 2010, 2016 and 2021

108. In its 2010 Strategic Flood Risk Assessment (SFRA), LBRuT took into consideration the **exception** presented by Eel Pie Island (page 59 of PDF as shown below):

Eel Pie Island

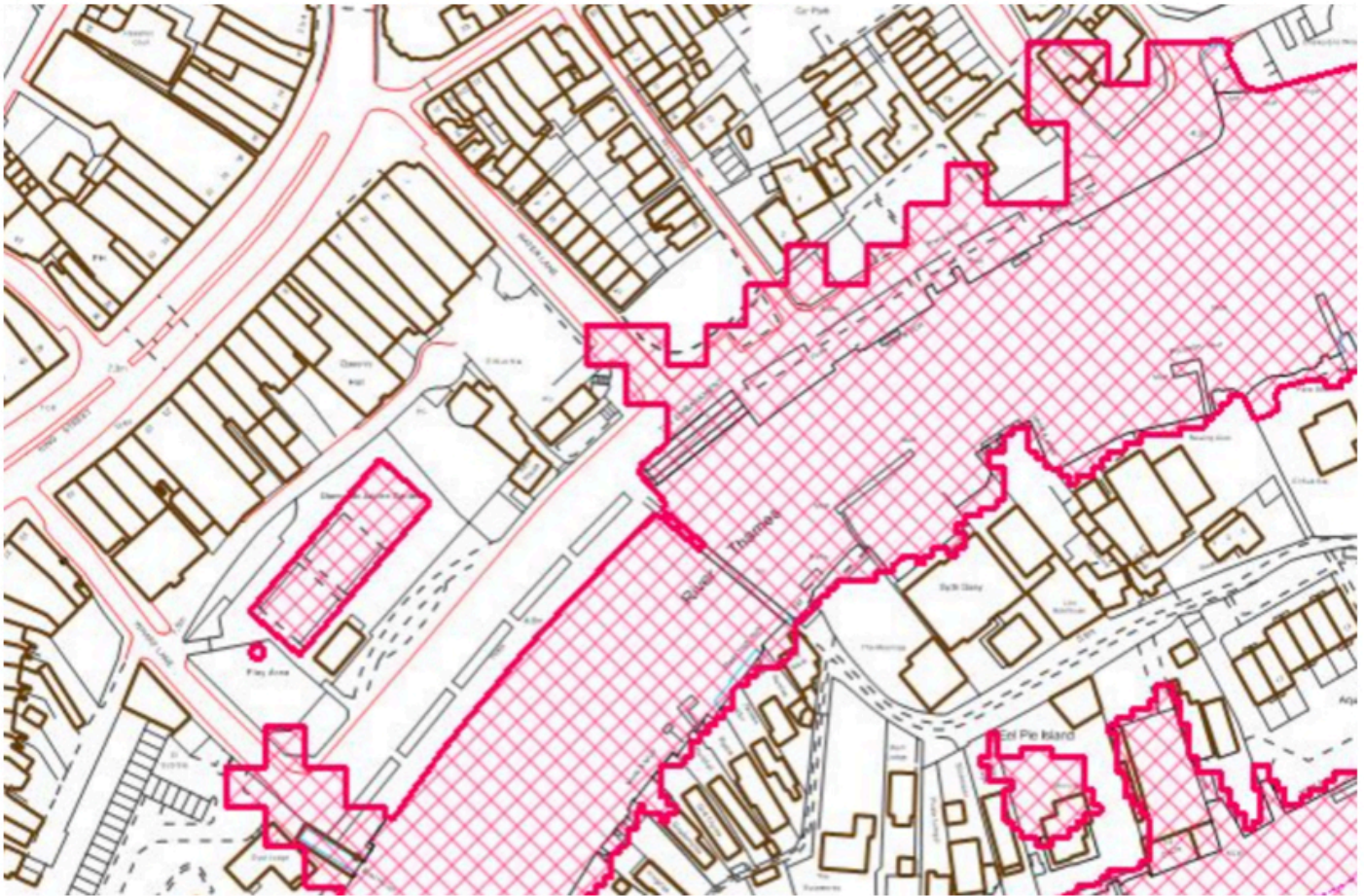
The flood risk designation for Eel Pie Island has changed from functional floodplain (zone 3b) to a high probability flood risk area (zone 3a). This is due to the latest flood modelling carried out by the Environment Agency.

Whilst PPS25 (Table D.1) would allow Local Planning Authorities in such circumstances to designate the entire Island as functional floodplain, the Council took a pragmatic approach and designated the Island as zone 3a. The Local Planning Authority therefore represents accurately the level of flood risk on Eel Pie Island. It also took into consideration the implications for existing developments on the Island for obtaining property insurance if the Island were entirely designated as functional floodplain.

109. The above was in spite of the erroneous categorisation of access to the island being located in Flood Zone 3b (page 59 of PDF as shown below):

However, access and egress to or from Eel Pie Island is only via a pedestrian bridge, which has its foot on the north side, which together with Twickenham Embankment, is in the functional floodplain (zone 3b).

110. The above states that Twickenham Embankment is located in Flood Zone 3b. This is manifestly incorrect. Parts of Twickenham Embankment are located in Flood Zone 3b, and parts of it are not. This is shown on the Aurora Mapping System image below:



111. *Figure 14: Flood Zone 3b on Twickenham Embankment*

112. LBRuT’s 2016 SFRA continued to apply this **exception** to Eel Pie Island (page 20 of the PDF as shown below):

Zone 3b	The functional floodplain. This zone comprises land where water has to flow or be stored in times of flood.	>5% chance in any one year or land which is designed to flood in an extreme (0.1%) flood; exception is Eel Pie Island .	<ul style="list-style-type: none"> • Water Compatible • Essential Infrastructure only if Exception Test passed
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113. However, this exception was not noted in the body of text that related to Eel Pie Island (page 67 of PDF as shown below) and continued to erroneously place the island’s bridge in Flood Zone 3b due to its foot being on Twickenham Embankment, which is again incorrectly categorised as being entirely in Flood Zone 3b:

Eel Pie Island

284. The flood risk designation for **Eel Pie Island** is **functional floodplain flood zone 3b**.
285. **Eel Pie Island** has been given this designation due to the access and egress routes to and from the **island** is via a pedestrian foot bridge, which has its foot on the Twickenham Embankment side, also designated as a functional floodplain zone 3b.

- I 14. The 2016 SFRA was prepared (for the first time) by Metis Consultants and checked by LBRuT. This internal contradiction was clearly missed and island's exception status was not noted in the main text.
- I 15. In the 2021 SFRA was again prepared and this time not checked by LBRuT but rather checked by Metis Consultants themselves. In this SFRA, the **exception** afforded Eel Pie Island has disappeared entirely and all the borough's islands are dealt with en bloc (from para 6.2.4, page 44 of the PDF):

Several of these islands are developed and serve both residents and visitors of Richmond. All these islands are entirely within Flood Zone 2, and a large proportion of their total area coverage is within Flood Zone 3a and Flood Zone 3b. LP 21 of the Local Plan currently states that "where the access and egress to and from the island is within the functional floodplain, for the purposes of new development, such islands will be considered and treated as functional floodplain (Zone 3b), even if parts of the islands may be within an area of lower probability of flooding."

- I 16. The exception that applied to Eel Pie Island has been gradually erased with each successive version of LBRuT's SRFA. It is suggested that this was a drafting error rather than a deliberate act. If it was a conscious change, then it has not, until very recently with the emerging Local Plan, affected planning permissions on Eel Pie Island.
- I 17. This proposed change to the definition of the functional floodplain is already having a negative impact on Eel Pie Island's viability as a place for people to live, work and thrive, as already indicated in the section entitled **(7) PLANNING PERMISSIONS ON EEL PIE ISLAND** (page 23).

(9) PLATT’S EYOT: SITE ALLOCATION 2

118. By way of further context, we would like to draw the Inquiry Inspectors’ attention to **MM8**. This is a modification that relates most specifically to Platt’s Eyot, the island most similar to Eel Pie Island of the borough’s islands.
119. Platt’s Eyot is a similar size to Eel Pie Island, and likewise has its access in Flood Zone 3a. The majority (c.90%) of the island is located in Flood Zone 3a.
120. Unlike Eel Pie Island, Platt’s Eyot is situated in non-tidal Thames
121. MM8 looks to introduce the “dwelling” to the existing land uses:

Site Allocation 2 Platts Eyot, Hampton

Amend the text to clarify the existing land uses in the context:

Business and employment uses including river-related and river-dependent operations, workshops (Use Class B2/B8), office (Class E(g)), and recording studios (Sui Generis) and dwelling (C3); carpark

122. The draft Local Plan, in the “Vision” for **Platt’s Eyot (Site Allocation 2)**, refers to the introduction of residential development “to achieve viability” necessary to support regeneration plans:

Vision: Proposed site - Platts Eyot

The Council is committed to working in partnership with the site owners and Historic England to develop a Masterplan or development brief for the island. Regeneration should maintain, and where possible enhance, existing river-dependent and river-related uses. New business and industrial uses that respect and contribute to the island’s special and unique character are encouraged. Some residential development may be appropriate where it enables for the restoration of the listed buildings, especially those on the Heritage At Risk Register.

123. The Council and the EA, in the Statement of Common Ground, assert that all the borough’s islands have their access in Flood Zone 3b. Planning applications, for residential refurbishments and change of use from business to residential, are being refused on Eel Pie Island citing flood risk.
124. And yet the same LPA is being directed by the emerging Local Plan to support the introduction of residential - an introduction that will require a change of use, change of

use having been recently refused on Eel Pie Island - on an island that is virtually identical to Eel Pie Island.

- 125. And an island - like Eel Pie Island - that the LPA erroneously considers to have its access in Flood Zone 3b.
- 126. On the adoption of MM4, the ambiguity of the definition of the functional floodplain that refers to tidal flood defences on non-tidal Thames to one side, Platt's Eyot would be classified as being located in its entirety in the functional floodplain.
- 127. **Policy LP 21** states, under "Land uses and developments - restrictions", that "proposals for the change of use of the conversion to a use with a higher vulnerability classification will not be permitted."
- 128. And yet MM8 is supporting exactly the above - the introduction of residential development in converted boatyard building is a "conversion to a use with a higher vulnerability."
- 129. The scenario being envisaged (the introduction of residential) to support the regeneration of Platt's Eyot is directly comparable to a change-of-use planning application that was refused on Eel Pie Island a matter of months ago.
- 130. The use of a Site Allocation to Platt's Eyot is to be supported. And is surely proof positive that each of the borough's islands is unique, something that should be recognised in both the Local Plan and the accompanying SFRA. One size clearly does not fit all, and if there is to be a more general policy adopted, then **exceptions** should be made in the case of both Platt's Eyot and Eel Pie Island where there is clearly justification.

(10) CONCLUSION

- 131. I would therefore on behalf of my client, Mr Henry Harrison, urge the Inspectors to **refuse to allow the proposed change to the definition of the functional floodplain with regard to Policy 8 of the emerging Local Plan.**
- 132. If this main modification to Policy 8 is allowed, a significant number of members of the community, particularly those with property both residential and commercial on Eel Pie Island and Platt's Eyot, would be affected in a harmful and unnecessary manner.

- I33. This proposed change would have significant impact on the provision of new residential or mixed use development on both Eel Pie Island and Platt's Eyot, to include extensions to residential properties and changes of use from commercial to residential use.
- I34. It will also affect the availability and affordability of property insurance.
- I35. It will also affect the availability and affordability of financing eg mortgages and business loans secured against property.
- I36. The proposed change also takes away property owners permitted development rights to change from commercial to residential if the local planning authority refuse prior approval due to flooding issues.
- I37. All the above will negatively impact Eel Pie Island's ability to adapt to change and continue to thrive and the aspiration to regenerate Platt's Eyot..
- I38. We would also request that the **erroneous statement that all of the borough's islands have their access in Flood Zone 3b be corrected**, and more specific reference is made to each island.

Twickenham

13th March 2025

Objection to Proposed modification to Policy 8 (MM44) of the draft Local Plan

I am Sebastian Head and I am writing this letter of objection to the above proposed modification, which seeks to change the flood plain status of, *inter alia*, Eel Pie Island. I do so as an occupier of an office on the Island. I have past professional experience in the planning world.

I have had the opportunity of reading a planning report prepared by Valerie Scott Planning on behalf of Henry Harrison. References to page and paragraph numbers below are references to that Report, save as otherwise specified. I write this objection in support of the approach that the Report states should be taken in relation to proposed modification.

Although that Report has a wider scope, my comments below are confined to the impact of the proposed modification on Eel Pie Island and its occupants.

It is the sea in which all planners swim, that in order to be defensible, any planning policy must have been formulated:

- Subject to proper public scrutiny;
- Taking all material considerations into account;
- Other than on the basis of material errors of fact;
- With a view to a consistent approach being taken by the planning authority in question and neighbouring planning authorities;
- Other than on the basis of material errors of interpretation of planning policy; and
- In order to serve a proper planning purpose.

- 1 The proposed modification seeks to include the whole of Eel Pie Island within the functional floodplain (Zone 3b).
- 2 At present only 5% of Eel Pie Island lies within the functional floodplain (see table at the foot of page 10 of the Report and the references to the flood modelling to support this at p25 (table)). The remaining 95% falls outside the functional floodplain and within Zone 3a.

- 3 Thus the impact of the proposed modification is to draw 95% of the Island into the functional floodplain and to render the Island and its occupants subject to the significantly restrictive policies that apply within the functional floodplain (water compatible developments and essential infrastructure only).
- 4 This will lead to serious harm being suffered by the Island and its occupants as summarised, *inter alia*, at page 4, paras 10 -12 of the Report (e.g. inability to develop properties, restrictions on residential and business financing and difficulties with insurance).

Public scrutiny

- 5 The proposal to include an additional 95% of Eel Pie Island within the functional floodplain, was not reached subject to proper public scrutiny, rather it was reached at a private meeting between LBRUT and the EA on 19th March 2024 (p6 para 20). The proposal had not been part of the Draft Local Plan as published in the summer of 2023 (p6 para 19).
- 6 The modification was proposed without any public scrutiny whatsoever (Report pp 7-8 paras 30 – 35).
- 7 Apart from the inherent unattractiveness of this clandestine approach, its result was also that the proposed modification was introduced with no opportunity for the public to make representations. Those proposing the modification were therefore unable to take into account material matters that the public would have raised had there been an opportunity to make such representations.

Failing to take into account material considerations

- 8 The decision to introduce proposed modification was made, failing to take into account the following material considerations:
 - (i) The impact upon occupiers of Eel Pie Island in terms of their ability to develop their properties;
 - (ii) The impact upon the occupiers of Eel Pie Island in terms of their ability to raise finance (both business and residential) on their properties;
 - (iii) The impact upon the occupiers of Eel Pie Island in terms of their ability to insure their properties, whether at all, or at a reasonable cost;
 - (iv) That Eel Pie Island is currently unaffected by the most onerous flooding policies (as it is 95% in Zone 3a), but would, by the introduction of the proposed modification, become completely subject to those policies (paras 9-11 below);

- (v) That the proposed modification would lead to a significant inconsistency of approach, whereby RBRUT would be the only London Borough to use this proposed definition of functional flood plain, all others identifying it as Zone 3b (para 12 below); and
- (vi) That there is no tenable justification for the proposed modification by reference to the public interest (paras 14 -16 below).

Material errors of fact

- 9 Paragraph 16.66 of the Draft Plan (p3 of the Report) assumes that all of the Islands affected by the proposed modification have an access to and egress from them, which lies in the functional floodplain and therefore are already within Zone 3b and will therefore be unaffected by the new definition of functional floodplain. The assumption of those formulating the modification is that those to whom it applies will be unaffected by it.
- 10 This is manifestly incorrect. 95% Eel Pie Island lies within Zone 3a and not Zone 3b (Report table at p10 and table at p25). Access to and egress from the Island are within Zone 3a and not Zone 3b. The proposed modification was made on the basis of a significant and material error of fact. The proposed modification is indefensible in this respect. The impact of the proposed modification would be profoundly different from that contemplated by those formulating it at their private meeting on 19th March 2024.
- 11 If more were needed to demonstrate the erroneousess of this approach, the Statement of Common Ground of 28.06.24 states, at para 5.11 (Report p11 para 52):

“There is therefore no change in policy or to the designation, the islands are already considered to [be] [sic] within flood Zone 3b where access and egress to and from the island is within the functional floodplain, for the purpose of new development, such islands will be considered and treated as functional floodplain ...”

The policy makers have assumed that there will be no policy change to Eel Pie Island. This is a false assumption. Access to and egress from Eel Pie Island is not within the functional floodplain at present (it is within Zone 3a). There will be a fundamental change of policy which was unknown to, ignored, or left out of account by the policy makers.

Inconsistency of approach

- 12 All other London Boroughs identify the functional flood plain as equating with Zone 3b. RBRUT would be out on a limb were the proposed modification to be made, with no justification having been given for this inconsistency of approach. Defining the flood plain as Zone 3b gives a refined and fair basis for the application of policy (as it is based on detailed mapping) that takes into account individual circumstances at a local level and avoids the harsh unfairness that follows from the sledgehammer affect of the proposed modification.

Erroneous interpretation of planning policy

- 13 The EA/LBRUT Statement of Common Ground (at SOCG -08) characterises the proposed modification as a “minor” modification (and Report p7 para 29). That is a significant misinterpretation of planning policy. A modification which draws 95% of Eel Pie Island and some 200 occupants of the Island into the new world of restriction that automatically accompanies being included within the functional floodplain, could not on any reasonable basis, be considered to be a “minor modification”. The proposers of this modification have seriously misunderstood the proper interpretation of planning policy.

No proper planning justification for the policy

- 14 If a planning policy is to be defensible, it must be justified in the public interest. That is the only acceptable basis for allowing harm to be caused by the policy to private property interests.
- 15 No justification has been put forward for the policy, apparently (save for linguistic convenience) because there is no such justification (Report p7 para 27 and p9 para 43). The proposed modification has no proper place in the forthcoming Local Plan.
- 16 I therefore object to the proposed modification because:
- (i) It will be materially and significantly harmful to the interests of the Island and its occupants;
 - (ii) It was formulated in the absence of proper public scrutiny;
 - (iii) It was formulated without taking all material consideration into account;
 - (iv) Its introduction would lead to an inconsistent approach being taken by RBRUT, to that taken by all other London Boroughs, without any justification;
 - (v) It was formulated on the basis of an erroneous interpretation of planning policy; and
 - (vi) It has not been sought to be justified by any proper planning purpose.

13th March 2025


John Sebastian Head



Appendix: Specific suggested edits and updated comments from TfL on the Proposed Main modifications of Richmond’s draft Local Plan

Section	Track change/comment – Reg. 18	Updated track change/comment – Reg. 19	Statement of common ground conclusion	Updated TfL response
Site Allocation I: Hampton Square Hampton	The requirement to retain adequate car parking to meet the needs of the community centre and new uses should be modified by stating that car parking should be minimised as part of any redevelopment, consistent with stated objectives to reduce car dominance and should not exceed maximum parking standards.	Although we welcome the reference to car parking provision in line with London Plan standards, the use of the word ‘retain’ could be misinterpreted as requiring the existing level of provision. London Plan Policy T6 part B states that <i>‘Car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking (‘car-lite’).’</i> Part L states that <i>‘Where sites are redeveloped, parking provision should reflect the current approach and not be re-provided at previous</i>	On-going in relation to London Plan parking standards in Site Allocation I. TfL preference is to remove the word ‘retain’ even if the word ‘minimise’ is not adopted instead.	TfL maintains that wording should be changed to use the word ‘minimise’. To ensure the site allocation isn’t misinterpreted as requiring the existing level of provision, the use of the word ‘retain’ should be changed to ‘minimise’.

Section	Track change/comment – Reg. 18	Updated track change/comment – Reg. 19	Statement of common ground conclusion	Updated TfL response
		<i>levels where this exceeds the standards set out in this policy. Some flexibility may be applied where retail sites are redeveloped outside of town centres in areas which are not well served by public transport, particularly in outer London.’</i> Therefore, to be consistent with London Plan Policy T6 the site allocation should be amended as follows: ‘ retain minimise car parking provision in line with current London Plan standards.’		
Site Allocation 30: Sainsbury's, Lower Richmond Road, Richmond	The site is adjacent to the Transport for London Road Network (TLRN). Early engagement should take place with TfL to assess potential impacts on the TLRN.	The first point of the vision now states that ‘Any redevelopment proposal will be required to retain and/or re-provide the existing retail floorspace; associated car parking provision is expected to be re-provided in line with London Plan standards.’ Although we welcome the reference to London Plan standards, the London Plan	On-going in relation to reference to parking provision in Site Allocation 30, and this is expected to be discussed with other respondents. TfL preference is to remove the word re-provided in connection with car parking because this is misleading so that it	London Plan policy 10.6.4 states that ‘ <i>When calculating general parking provision within the relevant standards, the starting point for discussions should be the highest existing or planned PTAL at the site, although consideration should be given to local circumstances and the</i>

Section	Track change/comment – Reg. 18	Updated track change/comment – Reg. 19	Statement of common ground conclusion	Updated TfL response
		<p>requires retail development in PTAL 5 to be car free and so an expectation that associated car parking should be re-provided is inappropriate., particularly in light of London Plan Policy T6 which states that <i>'Where sites are redeveloped, parking provision should reflect the current approach and not be re-provided at previous levels where this exceeds the standards set out in this policy.'</i> The London Plan standard of car free development should be made clearer in the wording. We welcome the reference to engagement with TfL to ensure development does not lead to unacceptable impacts on the local road network</p>	<p>reads '...associated car parking provision is expected to be in line with London Plan standards'</p> <p>This would be consistent with the representation on behalf of Sainsburys</p>	<p><i>quality of public transport provision, as well as conditions for walking and cycling.'</i> As shown in the map below, this site includes a PTAL 5 grid with coordinates Easting: 519071, Northing: 175650. In the context of Car Parking this site should therefore be treated as PTAL 5.</p>  <p>The London Plan required retail development in PTAL 5 to be car free and so an expectation that associated car parking should be re-provided is inappropriate. The word</p>

Section	Track change/comment – Reg. 18	Updated track change/comment – Reg. 19	Statement of common ground conclusion	Updated TfL response
				're-provided' should be removed as this could be misleading. Instead it should read '...associated car parking provision is expected to be in line with London Plan standards'.
Site Allocation 31: Kew Retail Park, Bessant Drive, Kew	The site is adjacent to the Transport for London Road Network (TLRN). We therefore welcome the statement that 'The applicant is strongly advised to seek pre-application transport and highway safety advice from Borough and TfL Officers before writing their transport assessment.'	The PTAL for a large part of the site is 2 including the main access points and frontage, so we would expect this to be used as the baseline rather than the stated PTAL of 0 which is influenced by the lack of access to the rear of the site. We welcome confirmation that 'Car parking provision is expected to be in line with London Plan standards'	On-going Although TfL welcomes the more accurate PTAL score of 0-2 the subjective wording 'worst to poor' should be removed from the modification.	TfL still maintains that subjective wording 'worst to poor' should be removed from the modification.
Site Allocation 35: Stag Brewery, Lower Richmond	We note the statement that <i>'The Council will expect the developer to work together with relevant partners, including Transport for London, to ensure that</i>	We reiterate our previous comments that the proposed bus standing within the Stag Brewery site should be regarded as additional to, and independent of, the bus	On-going in relation to the Avondale Road bus station. TfL maintains its position that the more flexible wording regarding bus standing should be adopted	We reiterate our previous comments that the proposed bus standing within the Stag Brewery site should be regarded as additional to, and independent of, the bus

Section	Track change/comment – Reg. 18	Updated track change/comment – Reg. 19	Statement of common ground conclusion	Updated TfL response
Road, Mortlake	<p><i>where necessary improvements to sustainable modes of travel, including public transport facilities, are secured as part of any development proposal. 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.'</i></p> <p>Although we support the requirement for bus standing space within the development site, TfL does not support the closure of Avondale Road Bus station. The proposed bus standing within the Stag Brewery site should be regarded as additional to, and independent of, the bus</p>	<p>stops and standing facility at Avondale Road. To ensure consistency with London Plan Policy T3 the wording should be amended to remove reference to the Avondale Road bus station by replacing the current wording: 'The opportunity to relocate the bus stopping/turning facility from Avondale Road bus station to this site should be investigated, if appropriate, as part of a comprehensive redevelopment' with 'Additional bus standing space is likely to be required within the development site.'</p>	<p>because the Avondale Road bus station is a separate issue.</p>	<p>stops and standing facility at Avondale Road. To ensure consistency with London Plan Policy T3 the wording should be amended to remove reference to the Avondale Road bus station by replacing the current wording: 'The opportunity to relocate the bus stopping/turning facility from Avondale Road bus station to this site should be investigated, if appropriate, as part of a comprehensive redevelopment' with 'Additional bus standing space is likely to be required within the development site.'</p> <p>TfL would also like to note that bus standing/turning area within the site was to allow for future route</p>

Section	Track change/comment – Reg. 18	Updated track change/comment – Reg. 19	Statement of common ground conclusion	Updated TfL response
	stops and turning facility at Avondale Road.			extensions, not to replace Avondale Road bus station. In the original planning permission, the feasibility of extending bus route 209 to the Stag Brewery site was investigated, allowing for the closure of Avondale Road bus station, but this was deemed unviable. Areas of the development which were proposed for bus standing/turnaround facility safeguarding were disregarded by Richmond council and that land now forms part of a community park in the latest planning application.

Annex 1 - Natural England's Local Plan Advice

Biodiversity and Geodiversity

The Plan should set out a strategic approach, planning positively for the creation, protection, enhancement and management of networks of biodiversity. There should be consideration of geodiversity conservation in terms of any geological sites and features in the wider environment.

A strategic approach for networks of biodiversity should support a similar approach for green infrastructure (outlined below). Planning policies and decisions should contribute and enhance the natural and local environment, as outlined in para 180 of the NPPF. Plans should set out the approach to delivering net gains for biodiversity. Net gain for biodiversity should be considered for all aspects of the plan and development types, including transport proposals, housing and community infrastructure.

Priority habitats, ecological networks and priority and/or legally protected species populations

The Local Plan should be underpinned by up-to-date environmental evidence. This should include an assessment of existing and potential components of local ecological networks. This assessment should inform the Sustainability Appraisal, ensure that land of least environment value is chosen for development, and that the mitigation hierarchy is followed and inform opportunities for enhancement as well as development requirements for particular sites.

Priority habitats and species are those listed under Section 41 of the Natural Environment and Rural Communities Act, 2006 and UK Biodiversity Action Plan (UK BAP). Further information is available here: [Habitats and species of principal importance in England](#). Local Biodiversity Action Plans (LBAPs) identify the local action needed to deliver UK targets for habitats and species. They also identify targets for other habitats and species of local importance and can provide a useful blueprint for biodiversity enhancement in any particular area.

Protected species are those species protected under domestic or European law. Further information can be found here [Standing advice for protected species](#). Sites containing watercourses, old buildings, significant hedgerows and substantial trees are possible habitats for protected species.

Ecological networks are coherent systems of natural habitats organised across whole landscapes so as to maintain ecological functions. A key principle is to maintain connectivity - to enable free movement and dispersal of wildlife e.g., badger routes, river corridors for the migration of fish and staging posts for migratory birds. Local ecological networks will form a key part of the wider Nature Recovery Network proposed in the 25 Year Environment Plan. Where development is proposed, opportunities should be explored to contribute to the enhancement of ecological networks.

Planning positively for ecological networks will also contribute towards a strategic approach for the creation, protection, enhancement and management of green infrastructure, as identified in paragraph 181 of the NPPF.

Soil, Agricultural Land Quality and Reclamation

The Minerals and Waste Plan should give appropriate weight to the roles performed by the area's soils. These should be valued as a finite multi-functional resource which underpins our wellbeing and prosperity. Decisions about development should take full account of the impact on soils, their intrinsic character and the sustainability of the many ecosystem services they deliver for example:

1. Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society, for instance as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that the soil resources are protected and used sustainably. The [Natural Environment White Paper](#) (NEWP) 'The Natural Choice: securing the value of nature' (Defra, June 2011), emphasises the importance of natural resource protection, including the conservation and sustainable management of soils, for example:

- A Vision for Nature: 'We must protect the essentials of life: our air, biodiversity, soils and water, so that they can continue to provide us with the services on which we rely' (paragraph 2.5).
 - Safeguarding our Soils: 'Soil is essential for achieving a range of important ecosystem services and functions, including food production, carbon storage and climate regulation, water filtration, flood management and support for biodiversity and wildlife' (paragraph 2.60).
 - 'Protect 'best and most versatile' agricultural land' (paragraph 2.35).
2. The conservation and sustainable management of soils also is reflected in the [National Planning Policy Framework](#) (NPPF), particularly in paragraph 180. When planning authorities are considering land use change, the permanency of the impact on soils is an important consideration. Particular care over planned changes to the most potentially productive soil is needed, for the ecosystem services it supports including its role in agriculture and food production. Plan policies should therefore take account of the impact on land and soil resources and the wide range of vital functions (ecosystem services) they provide in line with paragraph 180 of the NPPF, for example to:
- Safeguard the long-term capability of best and most versatile agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future.
 - To avoid development that would disturb or damage other soils of high environmental value (e.g., wetland and other specific soils contributing to ecological connectivity, carbon stores such as peatlands etc) and, where development is proposed.
 - Ensure soil resources are conserved and managed in a sustainable way.
3. To assist in understanding agricultural land quality within the plan area and to safeguard 'best and most versatile' agricultural land in line with paragraph 180 of the National Planning Policy Framework, strategic scale Agricultural Land Classification (ALC) Maps are available. Natural England also has an archive of more detailed ALC surveys for selected locations. Both these types of data can be supplied digitally free of charge by contacting Natural England. Some of this data is also available on the www.magic.gov.uk website. The planning authority should ensure that sufficient site specific ALC survey data is available to inform decision making. For example, where no reliable information was available, it would be reasonable to expect that developers should commission a new ALC survey, for any sites they wished to put forward for consideration in the Local Plan.

General mapped information on soil types is available as 'Soilscapes' on the www.magic.gov.uk and also from the LandIS website <http://www.landis.org.uk/index.cfm> which contains more information about obtaining soil data.

Further guidance for protecting soils (irrespective of their ALC grading) both during and following development is available in Defra's [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#), to assist the construction sector in the better protection of the soil resources with which they work, and in doing so minimise the risk of environmental harm such as excessive run-off and flooding. The aim is to achieve positive outcomes such as cost savings, successful landscaping and enhanced amenity whilst maintaining a healthy natural environment, and we would advise that the Code be referred to where relevant in the development plan.

All of the allocated sites contain BMV agricultural land. In line with the Planning Practice Guidance (PPG) to support the NPPF; we welcome that the allocated sites are all accompanied by a detailed ALC Survey (Post-1988), available on the [magic](#) website. Where minerals underlie BMV agricultural land, it is particularly important that restoration and aftercare preserve the long-term potential of the land as a national, high-quality resource. Where alternative after-uses (such as forestry and some forms of amenity, including nature conservation) are proposed on BMV agricultural land, the methods used in restoration and aftercare should enable the land to retain its longer-term agricultural capability, thus remaining a high-quality resource for the future.

Reclamation to non-agricultural uses does not mean that there can be any reduced commitment to high standards in the reclamation. Such reclamations require equal commitment by mineral operators, mineral planning authorities and any other parties involved to achieve high standards of implementation.

Sustainable soil management should aim to minimise risks to the ecosystem services which soils provide, through provision of suitable soil handling and management advice. The planning authority should ensure that sufficient site-specific soil survey data is available to inform decision making. To include, for example, assessment of soil properties to inform appropriate soil management, restoration and drainage, where required.

The [25 Year Environment Plan](#) (25YEP) sets out government action to help the natural world regain and retain good health, including highlighting the need to:

- protect the best agricultural land.
- put a value on [natural capital](#), including healthy soil.
- ensure all soils are managed sustainably by 2030.
- restore and protect peatland.

Air pollution

We would expect the plan to address the impacts of air quality on the natural environment. In particular, it should address the traffic impacts associated with new development, particularly where this impacts on European sites and SSSIs. The environmental assessment of the plan (SA and HRA) should also consider any detrimental impacts on the natural environment and suggest appropriate avoidance or mitigation measures where applicable.

Natural England advises that one of the main issues which should be considered in the plan and the SA/HRA are proposals which are likely to generate additional nitrogen emissions as a result of increased traffic generation, which can be damaging to the natural environment.

The effects on local roads in the vicinity of any proposed development on nearby designated nature conservation sites (including increased traffic, construction of new roads, and upgrading of existing roads), and the impacts on vulnerable sites from air quality effects on the wider road network in the area (a greater distance away from the development) can be assessed using traffic projections and the 200m distance criterion followed by local Air Quality modelling where required. We consider that the designated sites at risk from local impacts are those within 200m of a road with increased traffic, which feature habitats that are vulnerable to nitrogen deposition/acidification. APIS provides a searchable database and information on pollutants and their impacts on habitats and species: <http://www.apis.ac.uk/>

It is advised that [Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations](#) is followed when assessing impacts on protected sites.

Please note that ammonia (NH₃) from traffic emissions should also be assessed as the impact from this source on designated sites is currently unclear.

It is advised air quality impacts on interest features of nationally and locally designated sites is also carried out as part of an assessment of impacts on SSSIs and wider biodiversity.

Biodiversity Net Gain

Embedding biodiversity net gain

It is highly recommended that the Local Plan Update incorporates a policy for biodiversity net gain. Biodiversity net gain is a key tool to help nature's recovery and is also fundamental to health and wellbeing as well as creating attractive and sustainable places to live and work in. The NPPF highlights the role of policies and decision making to minimise impacts and provide net gains for biodiversity (para 180).

Planning Practice Guidance describes net gain as an ‘approach to development that leaves the natural environment in a measurably better state than it was beforehand’ and applies to both biodiversity net gain and wider environmental net gains. For biodiversity net gain, Natural England’s [statutory metric](#), can be used to measure gains and losses to biodiversity resulting from development. We advise you to use this metric to implement development plan policies on biodiversity net gain. Any action, as a result of development, that creates or enhances habitat features can be measured using the metric and as a result count towards biodiversity net gain.

The Chartered Institute of Ecology and Environmental Management, along with partners, has developed ‘[good practice principles](#)’ for biodiversity net gain, which can assist plan-making authorities in gathering evidence and developing policy.

The following may also be useful considerations in developing plan policies:

- Use of a map within the plan. Mapping biodiversity assets and opportunity areas ensures compliance with national planning policy and helps to clearly demonstrate the relationship between development sites and opportunities for biodiversity net gain.
- Use of a biodiversity net gain target. Any target should be achievable, and evidence based and may be best placed in lower tier documents or a Supplementary Planning Document, or similar, to allow for regular updates in line with policy and legislation.
- Consideration should be given to thresholds for different development types, locations or scales of development proposals and the justification for this. Setting out the scope and scale of expected biodiversity net gains within Infrastructure Delivery Plans can help net gain to be factored into viability appraisals and land values. Natural England considers that all development, even small-scale proposals, can make a contribution to biodiversity. Your authority may wish to refer to Technical Note 2 of the [CIEEM guide](#) which provide useful advice on how to incorporate biodiversity net gain into small scale developments.
- Policy should set out how biodiversity net gain will be delivered and managed and the priorities for habitat creation or enhancement in different parts of the plan area. The plan policy should set out the approach to onsite and offsite delivery. Natural England advises that on-site provision should be preferred as it helps to provide gains close to where a loss may have taken place. Off-site contributions may, however, be required due to limitations on-site or where this best meets wider biodiversity objectives set in the development plan. Further detail could be set out in a supplementary planning document.
- The policy could also usefully link to any complementary strategies or objectives in the plan, such as green infrastructure and Local Nature Recovery Strategies.

Wider environmental gains

Natural England focusses our advice on embedding biodiversity net gain in development plans, since the approach is better developed than for wider environmental gains. However, your authority should consider the requirements of the NPPF (paragraph 180, 185 and 186) and seek opportunities for wider environmental net gain wherever possible. This can be achieved by considering how policies and proposed allocations can contribute to wider environment enhancement, help adapt to the impacts of climate change and/or take forward elements of existing green infrastructure, open space or biodiversity strategies. Opportunities for environmental gains, including nature-based solutions to help adapt to climate change, might include:

- Identifying opportunities for new multi-functional green and blue infrastructure.
- Managing existing and new public spaces to be more wildlife friendly (e.g., by sowing wild flower strips, changing cutting regime of open spaces and road verges*) and climate resilient
- Planting trees, including street trees, characteristic to the local area to make a positive contribution to the local landscape.
- Improving access and links to existing greenspace, identifying improvements to the existing

public right of way network or extending the network to create missing footpath or cycleway links.

- Restoring neglected environmental features (e.g., a hedgerow or stone wall or clearing away an eyesore).
- Designing a scheme to encourage wildlife, for example by ensuring lighting does not pollute areas of open space or existing habitats

*Please see this [paper](#) regarding cost-effective and low-maintenance management for species-rich grassland on road verges and the value it can contribute to biodiversity and ecosystem services

Any habitat creation and/or enhancement as a result of the above may also deliver a measurable biodiversity net gain.

Evidence gathering

Existing environmental evidence can be gathered from various sources including online data sources like [MAGIC](#), the [Hampshire Biodiversity Information Centre](#) (HBIC), and strategies for green infrastructure, open space provision, landscape character, climate and ecosystem services and biodiversity opportunity mapping. We advise that reference is made to the **Hampshire Ecological Network Mapping** dataset – this comprises the Local Ecological Network mapping for Hampshire, prepared by HBIC. The network comprises statutory designations, non-statutory designated sites, ancient woodlands, and other non-designated priority habitat, and other ecological features such as undesignated water bodies. Usefully, the Hampshire network mapping also identifies areas where there is the greatest potential to enhance the network, referred to as the network opportunities layer, based on habitat suitability indices. This can be useful where deciding where to create or enhance habitat.

Biodiversity data can also be obtained from developments that were subject to Environmental Impact Assessment (EIA) Monitoring, the discharge of conditions or monitoring information from legal agreements with a biodiversity element. This can help establish a baseline to understand what assets exist and how they may relate to wider objectives in the plan area. Cross boundary environmental opportunities can also be considered by working with neighbouring authorities, local nature partnership and/or the local enterprise partnership. The relationship between environmental assets and key strategic growth areas may help to highlight potential opportunities that development could bring for the natural environment. The following may also be useful when considering biodiversity priorities in your plan area:

- What biodiversity currently exists, what is vulnerable or declining?
- How are existing assets connected, are there opportunities to fill gaps and improve connectivity?
- How does the above relate to neighbouring authority areas, can you work collaboratively to improve links between assets or take strategic approaches to address issues or opportunities?

Applying the mitigation hierarchy

The plan's approach to biodiversity net gain should be compliant with the mitigation hierarchy, as outlined in paragraph 185 of the NPPF. The policy should ensure that biodiversity net gain is not applied to irreplaceable habitats and should also make clear that any mitigation and/or compensation requirements for European sites should be dealt with **separately** from biodiversity net gain provision.

Policies and decisions should first consider options to avoid adverse impacts on biodiversity from occurring. When avoidance is not possible impacts should be mitigated and finally, if there is no alternative, compensation provided for any remaining impacts. Biodiversity net gain should be additional to any habitat creation required to mitigate or compensate for impacts. It is also important to note that net gains can be delivered even if there are no losses through development.

The policy for net gain, or its supporting text, should highlight how losses and gains will be measured. The [statutory metric](#) can be used for this purpose as a fully tested metric that will ensure consistency across the plan-area, and we would encourage its use. Alternatively, your authority may choose to develop a bespoke metric, provided this is evidenced based.

The following may also be useful considerations in developing plan policies:

- Use of a map within the plan. Mapping biodiversity assets and opportunity areas ensures compliance with national planning policy and also helps to clearly demonstrate the relationship between development sites and opportunities for biodiversity net gain.
- ***NB: The Hampshire Ecological Network Mapping dataset would be ideally placed to provide this evidence base.***
- Use of a biodiversity net gain target. Any target should be achievable, and evidence based and may be best placed in lower tier documents or a Supplementary Planning Document, to allow for regular updates in line with policy and legislation.
- Consideration should be given to thresholds for different development types, locations or scales of development proposals and the justification for this. Setting out the scope and scale of expected biodiversity net gains within Infrastructure Delivery Plans can help net gain to be factored into viability appraisals and land values. Natural England considers that all development, even small-scale proposals, can make a contribution to biodiversity. Your authority may wish to refer to Technical Note 2 of the CIEEM guide which provide useful advice on how to incorporate biodiversity net gain into small scale developments.
- Policy should set out how biodiversity net gain will be delivered and managed and the priorities for habitat creation or enhancement in different parts of the plan area. The plan policy should set out the approach to onsite and offsite delivery. Natural England advises that on-site provision should be preferred as it helps to provide gains close to where a loss may have taken place. Off-site contributions may, however, be required due to limitations on-site or where this best meets wider biodiversity objectives set in the development plan. Further detail could be set out in a supplementary planning document.
- The policy could also usefully link to any complementary strategies or objectives in the plan, such as green infrastructure.

Monitoring

Your plan should include requirements to monitor biodiversity net gain. This should include indicators to demonstrate the amount and type of gain provided through development. The indicators should be as specific as possible to help build an evidence base to take forward for future reviews of the plan, for example the total number and type of biodiversity units created, the number of developments achieving biodiversity net gains and a record of on-site and off-site contributions.

LPAs should work with local partners, including the Local Environmental Record Centre and wildlife trusts, to share data and consider requirements for long term habitat monitoring. Monitoring requirements should be clear on what is expected from landowners who may be delivering biodiversity net gains on behalf of developers. This will be particularly important for strategic housing allocations and providing as much up-front information on monitoring will help to streamline the project stage.

Water Quality and Resources and Flood Risk Management

Natural England expects the Plan to consider the strategic impacts on water quality and resources as outlined in paragraph 180 of the NPPF. We would also expect the plan to address flood risk management in line with the paragraphs 166 and 167 of the NPPF.

The Plan should be based on an up-to-date evidence base on the water environment and as such the relevant River Basin Management Plans should inform the development proposed in the Plan. These Plans implement the EU Water Framework Directive and outline the main issues for the water environment and the actions needed to tackle them. Competent Authorities must in exercising their functions, have regard to these plans.

The Local Plan should contain policies which protect habitats from water related impacts and where appropriate seek enhancement. Priority for enhancements should be focussed on European sites, SSSIs and local sites which contribute to a wider ecological network.

Plans should positively contribute to reducing flood risk by working with natural processes and where possible use Green Infrastructure policies and the provision of SUDs to achieve this.

Tranquillity

The Local Plan should identify relevant areas of tranquillity and provide appropriate policy protection to such areas as identified in paragraph 106 and 191 of the NPPF.

Tranquillity is an important landscape attribute in certain areas e.g. within National Parks/ AONBs/National Landscapes, particularly where this is identified as a special quality. The CPRE have mapped areas of tranquillity which are available [here](#) and are a helpful source of evidence for the Local Plan and SEA/SA.

Agri-environment schemes

Minerals sites may be under existing Higher Level Stewardship agreements before minerals are extracted and may be returned to agricultural use following landfilling. We advise early contact by agreement holders with the Rural Payments Agency to discuss individual cases so that any payments can be amended accordingly.