

### **Actions Arising from Hearings – Week 2 (further update provided to Inspector on 31.10.2017)**

Please find detailed below the Council's further record of actions/proposed changes arising from discussions during hearing sessions in week 2 (in addition to the update provided on 19.10.17). Where proposed changes are set out below the Council has updated and will publish the Schedule of Proposed Minor Changes, continuing with a prefix EH to identify they have arisen from discussions during hearing sessions, and updated the track changes version of the Plan to incorporate these and will publish in due course.

The Council has considered, as requested by the Inspector, whether any of the proposed changes put forward by the Council during the Examination should be treated as 'main modifications' (i.e. changes that materially affect the policies). At this stage, the Council's view is that only the proposed change to LP 10 regarding Air Quality (Council's change reference EH/LP10/1), which alters the requirement to at least 'air quality neutral', should be regarded as a main modification.

### **Hearing 5. Character and Design. Green Infrastructure. Climate Change.**

LP 24 – Waste Management and the issue in relation to Arlington Works (and other existing waste sites): The Council has considered the inclusion of the existing waste management sites as set out in the West London Waste Plan (WLWP) within the Policies Map. However, as existing operations may cease and new waste sites may be permitted, it has been agreed with the other WLWP authorities to include updates to existing waste management sites within the Authority's Monitoring Report (AMR), which will identify on a regular basis if any site is no longer in operational use for waste management purposes. In addition, the AMR includes maps to clarify the current extent of each operational site where this is known. A new paragraph as set out in the table below is proposed for clarification, and has also been included in the Schedule of Proposed Minor Changes. The AMR on Waste Sites (enclosed) will be published on the Council's website: [https://www.richmond.gov.uk/authority\\_monitoring\\_report](https://www.richmond.gov.uk/authority_monitoring_report) and added to the EIP Library by the end of this week).

The Council has agreed the changes suggested below in relation to Policy LP 3 with Historic England.

The Council has prepared the "wish list" of forthcoming and intended SPDs and this is provided at Appendix 1.

The following changes are proposed by the Council:

Change Ref.	Policy Section or heading	Page /Paragraph	Proposed change	Reason for the change
<b>Character and Design</b>				
TBC	Designated Heritage Assets	LP 3	<p>Amend criterion agreed as part of Statement of Common Ground as follows and update previous change PE/LP3/3:</p> <p><b><u>9. Protect Scheduled <del>Ancient</del> Monuments, including their settings, by ensuring proposals do not have an adverse impact on their significance.</u></b></p>	<p>Further to discussions in Hearing Session 5, to correct reference to Scheduled Monuments and reflect that setting is part of significance, as agreed with Historic England.</p>
TBC	Designated Heritage Assets	LP 3 Paragraph 4.3.9	<p>Minor amendments to Part A as follows:</p> <p>3. Resist the change of use of Listed Buildings where <b><u>their significance would be harmed</u></b><del>this would materially harm their character and distinctiveness</del>, particularly where the current use contributes to the character of the surrounding area and to its sense of place.</p> <p>Amend the first sentence of paragraph 4.3.9 of the supporting text as follows:</p> <p>4.3.9 Listed buildings are best used for their original purpose and therefore the Council will resist the change of use of a Listed Building where this would <b>materially</b> harm its <b><u>significance in relation to heritage interest and</u></b> character <del>and distinctiveness</del>. ....</p>	<p>Further to discussions in Hearing Session 5, to clarify the relationship between use and heritage interest/significance, using NPPF and NPPG terminology; the amendment has been agreed with Historic England.</p> <p>Note for Inspector: Historic England consider it helpful to draw attention to the relationship between use and heritage interest/significance, for clarity and to demonstrate the breadth of considerations that apply. The relationship between pub architecture and use is one example, but other perhaps less obvious cases where this issue may be considered might be floor</p>

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				loadings implied by a change from residential to commercial use in a Georgian house.
TBC	Non-Designated Heritage Assets	LP 4	<p>Move the following policy text into the supporting text at a new paragraph after paragraph 4.4.3:</p> <p>4.4.4 Applicants will be required to:</p> <ol style="list-style-type: none"> <li>1) retain the character of Buildings of Townscape Merit, war memorials and any other non-designated heritage assets;</li> <li>2) submit a Heritage Statement to assess the potential harm to, or loss of, the significance of the non-designated heritage asset, including from both direct and indirect effects;</li> <li>3) describe the significance of the non-designated heritage asset affected, including any contribution made by their setting; the extent of the relevant setting will be proportionate to the significance of the asset. Appropriate expertise should be used to assess a non-designated heritage asset; and</li> <li>4) retain or restore the structures, features and materials of the asset, which contribute to its architectural integrity and historic interest.</li> </ol>	Further to discussions in Hearing Session 5, to take a consistent approach in LP3 and LP4.
TBC	Views and Vistas	LP 5	<p>Change to 4.5.3, penultimate sentence:          “The protection and enhancement of the strategic view from King Henry's Mound to St Paul's will be achieved by consultation between <del>boroughs</del> <u>the relevant planning authorities in London, including the Greater London Authority.</u>”</p>	Further to discussions in Hearing Session 5, to clarify that the requirement to protect the strategic view is done in co-operation by all decision-making authorities.
Climate Change and Sustainable Design				
TBC	Waste Management	LP 24	<p>Add new paragraph after paragraph 6.5.6 as follows:  <u>The existing waste management sites as set out in Appendix 2 of the West London Waste Plan were identified at a snapshot in time. This list can be revised with new waste sites, permissions and licences granted</u></p>	Further to discussions in Hearing Session 5, to clarify the approach to existing waste sites.

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			<p><u>by the Council or Environment Agency. The Council carries out regular monitoring of existing waste sites, the results of which, including maps of operational sites, are published as part of the Authority's Monitoring Report.</u></p>	<p>Note to Inspector: The Council has considered the inclusion of the existing waste management sites as set out in the West London Waste Plan (WLWP) within the Policies Map. However, as existing operations may cease and new waste sites may be permitted, it has been agreed with the other WLWP authorities to include updates to existing waste management sites within the Authority's Monitoring Report (AMR), which will identify on a regular basis if any site is no longer in operational use for waste management purposes. In addition, the AMR includes maps to clarify the current extent of each operational site where this is known. The AMR on Waste Sites will be published on the Council's website:  <a href="https://www.richmond.gov.uk/authority_monitoring_report">https://www.richmond.gov.uk/authority_monitoring_report</a></p>

### Hearing 6. Borough Centres. Economy and Employment.

The Council has included changes to update the tables at paragraphs 7.1 7 and 7.1.13 with the Village Plan visions in accordance with the recently adopted Village Planning Guidance SPDs for Hampton Hill, Hampton Wick and Teddington.

The following changes are proposed by the Council:

Change Ref.	Policy Section or heading	Page /Paragraph	Proposed change	Reason for the change
TBC	Employment and local economy	LP 40	Rewording of criterion 4 to read as follows: 4. <b>In exceptional circumstances</b> , <del>M</del> mixed use development proposals <b>which come forward for specific employment sites</b> should retain, and where possible enhance, the level of existing employment floorspace. The inclusion of residential use within mixed use schemes will not be appropriate where it would <del>be incompatible with or</del> <b>adversely</b> impact on the continued operation of other established employment uses within that site or on neighbouring sites.	Further to discussions in Hearing Session 6, the Council considers that criterion 4 should be retained, with further clarity to explain that this relates to specific employment sites where under exceptional circumstances mixed use development may be required for viability purposes.
TBC	Offices	LP 41	Amend 2b to read as follows: 2b) Mixed use including other employment generating or community uses <del>Such sites should</del> <b>and residential which</b> maximises the amount of affordable housing provided as part of the mix; ...	Further to discussions in Hearing Session 6, to clarify the implementation in relation to mixed use development.
TBC	Offices	LP 41	Amend criterion 5 of Part D to read as follows: 5. The Council will require the provision of affordable office space within all major developments with over 1000 sqm of office space; this will be secured through Planning Obligations <del>in line with the Planning Obligations SPD.</del>	Further to discussions in Hearing Session 6.
TBC	Offices	Paragraph 10.2.6	Add a first sentence and amend the supporting text at paragraph 10.2.6 to read as follows: <b>"The types of office buildings most at risk from conversion have</b>	Further to discussions in Hearing Session 6, to provide further clarity on low cost office

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			<p><b><u>relatively small floorplates.</u></b> In order to maximise the choice of <del>resources and maintain a stock of cheaper accommodation</del> <b><u>lower cost office stock to provide cheaper accommodation to the borough's high percentage of Small and Medium Enterprises (SMEs),</u></b> the Council seeks to discourage the unnecessary redevelopment of <b><u>these</u></b> premises. “</p>	space.
TBC	Offices	Paragraph 10.2.12	<p>Amend from penultimate sentence of paragraph 10.2.12 onwards to read as follows:  “... Affordable workspace is considered to have a rent and service charge of less than 80% of comparable <b><u>local</u></b> market rates. <b><u>It is acknowledged that market rates will vary according to a range of factors such as location within the borough, the quality and type of office stock.</u></b> Affordable office provision, <del>including appropriate rental values,</del> will be agreed and secured through Planning Obligations in line with the Council's Planning Obligations SPD. <b><u>A revised Planning Obligations SPD will contain guidance to assist in the implementation of policy requirements on affordable employment space, including guidance on design and financial arrangements.</u></b></p>	<p>Further to discussions in Hearing Session 6, to provide further clarity on affordable workspace.</p> <p>Note for Inspector: The Council is cautious with regard to the inclusion of values taken from marketing in the supporting text, because prices fluctuate and figures will soon become out of date. The Revised Planning Obligations SPD will include further clarification as to how market rates are established for a particular site.</p>
TBC	Marketing Requirements	Appendix 5 Paragraph 18.0.2	<p>Amend paragraph 18.0.2 in Appendix 5 to read:  This appendix sets out the details that should be provided to enable officers to assess the acceptability or otherwise of the marketing undertaken. <b><u>The Council's assessment will consider the overall length, type and quality of the marketing to come to a view, and if the applicant/agent puts forward any justification for any shortcomings in the marketing (e.g. the use of only one specialist website rather than a range of generic websites due to the nature of the existing</u></b></p>	<p>Reason: Further to discussions in Hearing Session 6, to clarify the expectations of the Council's marketing requirements.</p> <p>Note for Inspector: PBA, the Council's employment</p>

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			<u>employment use, or that a marketing board was not used because of advertisement controls) these will be considered, however the expectation is the below requirements should be fully addressed.</u>	consultants, who also advise a large number of private clients and developers, support that a reference is retained in policy requirements to the 2 year marketing period as this sets out clearly to applicants/developers/agents what is expected.
TBC	Industrial Land and Business Parks	LP 42	Amend part A criterion 2b to read: 2b) Mixed use including other employment generating or community uses, <u>and residential providing it does not adversely impact on the other uses and maximises the amount of affordable housing delivered as part of the mix.</u>	Further to discussions in Hearing Session 6, to clarify the implementation in relation to mixed use development.
TBC	Industrial Land and Business Parks	Paragraph 10.3.5	Add after paragraph 10.3.5 a new paragraph as follows: <u>In the borough context it is common for employment, particularly industrial sites to be within established mixed use or residential areas, because of historic development patterns. This does not provide justification for a change of use, as mitigation can address impacts and constraints such as narrow access, which have been managed by existing occupiers, and therefore do not prevent any future or continued employment use.</u>	Further to discussions in Hearing Session 6, to clarify that in light of the Council's robust evidence and the need to retain existing employment floorspace, constraints such as restricted access or the proximity to residential uses are not considered a reason for an exemption to policy requirements set out in LP 42.
TBC	Industrial Land and Business Parks	LP 42	Change wording in Part B criterion c to read: c. proposals for non-industrial uses will be resisted where the introduction of such uses would <b>have an adverse impact on the</b>	Further to discussions in Hearing Session 6, to clarify the implementation in relation to

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			<del>continued operation of the existing services</del> <b>adversely impact on industrial activities.</b>	mixed use development.
TBC	Industrial Land and Business Parks	LP 42	Amend Part C to read: <b>New Industrial space</b> C. Development of appropriate scale industrial uses, and improvement and expansion of such premises, is encouraged. New industrial space should be flexible and adaptable for different types of <del>uses</del> <b>activities</b> and suitable to meet future needs, especially to provide for the requirements of local businesses.	For clarity

#### **Hearing 7. Transport Infrastructure, Monitoring and Other Matters.**

With regard to SA 17, the representor's further documents were submitted regarding the OSNI designation (which will be added to the EIP Library) and the Council has notified the Inspector that it considers the Inspector has been provided with sufficient information and evidence, including additional evidence as requested from the Council's ecologist, which has been supported by an addendum from the expert consultant ecologist, to allow him to draw a conclusion on this matter.

#### **Other matters/updates:**

**SA 8 St Mary's University:** The Council has responded to the Inspector's note (ID-009) regarding a proposed change to SA 8, and the GLA on behalf of the Mayor of London have raised no objection to this change. This has been added to the Schedule of Proposed Minor Changes.

**LP 22 Sustainable Design and Construction:** The Council has noticed the need for clarification in respect of reducing carbon dioxide emissions on non-residential sites above 100sqm, to align with and reflect the requirements set out within the table of paragraph 6.3.24. This has been added to the Schedule of Proposed Minor Changes.



## Appendix 1. Future SPDs and Updates

Below is a more detailed list of forthcoming and intended SPDs as requested by the Inspector during the Richmond Local Plan Examination.

SPD	Status	Relevant Local Plan policy (for SPD to 'hang off')	Summary areas intended to cover/review	Anticipated timescales
<b>Twickenham Village Planning Guidance SPD (part of the last tranche of Village Plan SPDs)</b>	Nearing adoption; statutory consultation undertaken	Local Plan policies relating to Character and Design, including in particular LP 1	The draft SPD provides a vision for the Twickenham village area and identifies the 'local character' of the area and what features need to be retained. The SPD establishes key design principles for new development and will be taken into account by the Council when deciding on planning applications. The statutory consultation on the draft <a href="#">Twickenham Village Planning Guidance SPD</a> was undertaken from 16 June until 28 July 2017.	To be adopted by December 2017
<b>Strawberry Hill Village Planning Guidance SPD (part of the last tranche of Village Plan SPDs)</b>	Nearing adoption; statutory consultation undertaken	Local Plan policies relating to Character and Design, including in particular LP 1	The draft SPD provides a vision for the Strawberry Hill village area and identifies the 'local character' of the area and what features need to be retained. The SPD establishes key design principles for new development and will be taken into account by the Council when deciding on planning applications. The statutory consultation on the draft <a href="#">Strawberry Hill Village Planning Guidance SPD</a> was undertaken from 16 June until 28 July 2017.	To be adopted by December 2017
<b>Noise Generating and Noise Sensitive Development SPD</b>	Nearing adoption; statutory consultation undertaken	Local Plan policy LP 10 Local environmental impacts, pollution, air quality, and noise and construction management	This SPD will provide noise related policy and technical guidance for noise generating and noise sensitive development. The draft <a href="#">Noise Sensitive and Noise Generating Development SPD</a> was consulted on from 30 September until 11 November 2016.	To be adopted by December 2017

<b>Old Deer Park SPD</b>	Underway; statutory consultation to be undertaken in Nov/Dec 2017	To inform and provide further guidance for Local Plan Site Allocations SA 22 (Pools on the Park) and SA 23 (Richmond Association Athletic Ground)	This SPD will guide future developments and environmental improvements to help ensure that they are sensitive to the historic attributes of the Park whilst supporting the important recreational, sporting, and community activities within the Park. A first stage of consultation took place as part of the development of the Richmond and Richmond Hill Village Planning Guidance SPD in the summer 2015. The Council undertook a second informal consultation on some <a href="#">initial ideas for the development</a> from 7 October until 4 November: The final statutory consultation on the SPD is anticipated to take place in Nov/Dec 2017.	To be adopted by mid-2018
<b>Air Quality SPD</b>	Underway; drafting commenced; no consultations carried out to date	Local Plan policy LP 10 Local environmental impacts, pollution, air quality, and noise and construction management	Guidance set out within this SPD is intended to help protect the local occupiers of new or existing noise sensitive buildings from existing or introduced noise sources, and, where possible, improve amenity and living conditions. The SPD will assist applicants, decision makers, agents, occupiers and others to identify issues to be addressed in any planning application in which noise and/or vibration will be an important consideration.	Anticipated statutory consultation – early 2018; adoption by end of 2018
<b>Sustainable Transport Choices SPD</b>	Underway; drafting commenced; no consultations carried out to date	Local Plan policy LP 44 Sustainable Transport	This SPD will provide overall guidance on sustainable transport and provide further guidance on Transport Assessments (for all major developments) and Transport Statements (for minor developments) as well as Travel Plans, Delivery and Servicing Plans and Construction and Logistic Plans.	Anticipated statutory consultation – early/mid 2018; adoption end of 2018/early 2019
<b>Kneller Hall SPD</b>	Planned new SPD	To inform and provide guidance for Local Plan Site Allocation SA 14 (Kneller Hall)	The Council is committed to work in partnership with the Defence Infrastructure Organisation and Ministry of Defence to develop a Masterplan site development brief for Kneller Hall, in consultation with the community.	Anticipated to commence work on SPD early 2018, with adoption around mid 2019

<b>Views and Vistas SPD</b>	Planned new SPD	Local Plan policy LP 5 on Views and Vistas	To set out the locally designated and protected views and vistas	Anticipated to commence work on SPD later in 2018
<b>Subterranean developments and basement SPD</b>	Planned new SPD	Local Plan policy LP 11 on Subterranean developments and basements	To provide further guidance and to assist in the implementation of the new Local Plan policy LP 11.	Anticipated to commence work on SPD later in 2018
<b>Richmond Station SPG</b>	Adopted 2002; Planned update	To inform and provide further updated guidance for Local Plan Site Allocation SA 19 (Richmond Station)	The Council is committed to update the existing site development brief for <a href="#">Richmond Station</a> (2002). This is intended to provide further and updated clarification for landowners and take account of existing and updated needs.	Anticipated to commence work on SPD later in 2018
<b>Residential Development Standards SPD</b>	Adopted March 2010; Planned update of SPD	Local Plan policy LP 35 on Housing Mix and Standards	The existing <a href="#">Residential Development Standards SPD</a> (2010) will be updated to provide further guidance as the SPD predates the Nationally Described Space standard and the Council's external amenity space standards.	Anticipated to commence work on SPD later in 2018
<b>Planning Obligations SPD</b>	Adopted July 2014; Planned update of SPD	Various Local Plan policies; update to specifically focus on Local Employment Agreements (LP 29) as well as Affordable Employment Space (LP 40 and 41)	The existing <a href="#">Planning Obligations SPD</a> (2014) will be updated. The revised SPD is intended to provide further guidance to assist implementation of policy on Local Employment Agreements and amongst other things clarify the thresholds to aid implementation. In addition, the revised SPD will contain guidance to assist in the implementation of policy requirements on affordable employment space, including guidance on design and financial arrangements.	Anticipated to commence work on SPD later in 2018

Other adopted SPDs will be generally reviewed as to whether there are updates required to ensure they align with Local Plan requirements.