



Local Plan Publication Consultation

From 9 June 2023 to 24 July 2023

RESPONSE FORM

The Council is inviting comments on the Publication version of the Local Plan.

The Local Plan sets out a 15-year strategic vision, objectives and the spatial strategy. The draft Plan includes place-based strategies covering the whole borough, along with accompanying site allocations, as well as the thematic planning policies that will guide future development in the borough. It will inform how growth will be accommodated across the borough. The draft Plan seeks to address future challenges including climate change, health, affordability and liveability.

This consultation is the final opportunity to comment on the Local Plan before it is submitted to the Secretary of State for independent 'examination in public'. At this stage in the plan-making process, in accordance with the national guidance, consultation responses should focus on whether the Local Plan has been developed in compliance with the relevant legal and procedural requirements, including the duty to cooperate, and with the 'soundness' of the Plan. Further detail on these concepts is provided in the accompanying guidance notes available on the website (via the link below).

How to respond

Please read the consultation documents and other background information made available on the Local Plan website: www.richmond.gov.uk/draft_local_plan_publication_version

You can respond by completing this form, either electronically using Word or as a print out, and sending it to the Council by:

- Email to LocalPlan@richmond.gov.uk
- Post a hard copy of the form to Spatial Planning and Design, LB Richmond upon Thames, Civic Centre, 44 York Street, Twickenham, TW1 3BZ.

Alternatively, you can make comments on the draft Local Plan **online via our Consultation Portal**, which is accessible at the website listed above.

All responses must be received by 11:59pm on Monday 24 July 2023. The consultation is open to everyone; however please note that responses will not be treated as confidential and those submitted anonymously will not be accepted.

This form has two parts:

- Part A – Personal details and about you
- Part B – Your detailed response(s).

| Part A: Personal Details | | |
|----------------------------------|-----------------------------------|------------------------------------|
| | 1. Personal Details * | 2. Agent's Details (if applicable) |
| Title | St George Plc and Marks & Spencer | |
| First name | | |
| Last name | | |
| Job title (where relevant) | | |
| Organisation (where relevant) | | Avison Young |
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*If an agent is appointed, please complete only the title, name and organisation boxes but complete the full contact details of the agent.

Data protection

The Council is committed to ensuring that personal data is processed in line with the General Data Protection Regulation (GDPR) data protection principles including keeping data secure.

The Council's Privacy Notice is published on the webpage www.richmond.gov.uk/data_protection

All responses will be held by the London Borough of Richmond upon Thames. Responses will not be treated as confidential and will be published on our website and in any subsequent statements; however, personal details like address, phone number or email address will be removed.

If you submit comments, the consultation responses and your personal data will be passed to the Planning Inspectorate and a Programme Officer. The Programme Officer manages the procedural and administrative aspects of the examination. The Programme Officer will contact you using the personal information you have provided if you have indicated in the response form your wish to engage in the Examination.

Part B: Your Response

3. To which part(s) of the draft Local Plan does your response relate to?

Please indicate the documents **and** the specific paragraph numbers, policy or site allocation numbers and names, maps or tables you are commenting on.

| Documents | | Sections | |
|---|-------------------------------------|---|---------------------|
| Publication Local Plan (including changes to the Policies Map designations) | <input checked="" type="checkbox"/> | Page number(s) | See attached report |
| | | Paragraph number(s) | See attached report |
| | | Policy no./name | See attached report |
| | | Place-based strategy | See attached report |
| | | Site Allocation(s) no./ name | See attached report |
| | | Maps | See attached report |
| | | Tables | See attached report |
| Sustainability Appraisal Report | <input type="checkbox"/> | Page number(s) | |
| | | Paragraph number(s) | |
| Other (for example an omission or alternative approach) | <input checked="" type="checkbox"/> | Urban Design Study (2023) Retail & Leisure Study Phase 2 (2023) Whole Plan Viability Study (2023) Climate Change - Local Plan Net Zero Carbon Evidence Base (2023) | |

4. Do you consider the Local Plan is:

| | | |
|--|------------------------------|--|
| 4.1 Legally compliant | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4.2 Sound | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4.3 Complies with the Duty to Co-operate | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

Further information on these terms is included within the accompanying guidance note, which can be found on the website at www.richmond.gov.uk/draft_local_plan_publication_version

If you have entered 'No' to 4.2, please continue with Q5. Otherwise, please go to Q6.

5. Do you consider the Local Plan is unsound because it is not:

| | |
|-------------------------|-------------------------------------|
| 5.1 Positively Prepared | <input checked="" type="checkbox"/> |
| 5.2 Justified | <input checked="" type="checkbox"/> |
| 5.3 Effective | <input checked="" type="checkbox"/> |

5.4 Consistent with national policy



6. Please give details of why you consider the Local Plan is or is not legally compliant, unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to provide comments in support of the legal compliance and/or soundness of the Local Plan, or its compliance with the duty to co-operate, please use this box to set out your comments.

Please note your response should provide succinctly all the information, evidence and supporting information necessary to support / justify the response. After this stage, further submission will only be at the request of the Inspector, based on the matters and issues they identify for examination.

See attached report

Please continue on a separate sheet / expand box if necessary.

7. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, when considering any legal compliance or soundness matter you have identified at 6 above.

Please note that non-compliance with the duty to co-operate is incapable of modification at examination.

You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please note your response should provide succinctly all the information, evidence and supporting information necessary to support / justify the suggested change. After this stage, further submission will only be at the request of the Inspector, based on the matters and issues they identify for examination.

See attached report

Please continue on a separate sheet / expand box if necessary.

8. Do you consider it necessary to participate in examination hearing session(s)? (Please tick box as appropriate)

No, I do not wish to participate
In hearing session(s)

Yes, I wish to participate
In hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

9. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

See attached report.

Further to our representations made on the Regulation 18 Representations in January 2022, the purpose of our Regulation 19 representations is to make further recommendations on how the site specific policy could be strengthened and to helpfully identify where we consider there is to be soundness issues with the current draft, with regards to the plan being positively prepared; justified; effective; and consistent with national policy (and in general conformity with the London Plan).

SG and M&S request to participate in the examination sessions with respect to relevant policies set out in these Regulation 19 representations (including the policies covered that have not been addressed as part of our Regulation 18 representations).

Please continue on a separate sheet / expand box if necessary.

10. If you are not on our consultation database and you respond to this consultation, your details will be added to the database. This allows us to contact you with updates on the progression of the Local Plan and other planning policy documents.

If you do not wish to be added to our database or you would like your details to be removed, then please tick this box.

Signature:
For electronic responses a typed signature is acceptable.

Avison Young

Date:

24/07/2023



Representations to the Richmond Local Plan Regulation 19 Consultation

Prepared on behalf of St George Plc and Marks & Spencer

July 2023

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Appendices

Appendix A St George and Marks & Spencer January 2022 Regulation 18 Representations

Appendix B St George and Marks and Spencer August 2022 Householder Survey Report (Extracts)

For and on behalf of Avison Young (UK) Limited

1. Introduction

- 1.1 These representations have been prepared by Avison Young (with input from Montagu Evans, and Energist) jointly on behalf of St George Plc (SG) and Marks and Spencer (M&S), who are the owners of the Kew Retail Park (KRP) site (referred to as the 'Landowners' from hereon).
- 1.2 SG and M&S made previous representations on the Pre-Publication Regulation 18 draft Local Plan in January 2022 and whilst the proposed allocation of KRP for development was supported, comments were provided on the Regulation 18 evidence base, in addition to the Place Based Strategy for Kew, Site Allocation 30 (Kew Retail Park) and a number of policies. A copy of our January 2022 Regulation 18 draft Local Plan representations can be found at **Appendix A**.
- 1.3 The Landowners continue to support the proposed allocation of the KRP site for redevelopment. The principle of redeveloping the site is firmly aligned with the objectives of national and London Plan policy (particularly Policies H1, E9 and SD7) and it represents a fantastic opportunity to bring forward something truly special for the borough.
- 1.4 We are keen to continue to work collaboratively with the Council, the local community, and other stakeholders to prepare a planning application for the redevelopment of the site over the course of 2023/2024 and to deliver that scheme as soon as possible.
- 1.5 Key to this is ensuring that the new local plan includes an appropriately supportive site-specific policy to act as the basis for the determination of the future planning application, and to ensure that the content of the plan as a whole is sound.
- 1.6 The purpose of our Regulation 19 representation is to make further recommendations on how the site-specific policy could be strengthened and to helpfully identify where we consider there to be soundness issues with the current draft, with regards to the plan being: positively prepared; justified; effective; and consistent with national policy (and in general conformity with the London Plan). In each instance we explain the issue and propose amendments or other solutions to resolve it to ensure that the plan is progressed on a sound basis.
- 1.7 Our representations focus primarily on the following Regulation 19 draft policies and associated supporting evidence base documents:
- Building Heights - Site Allocation 31(Kew Retail Park), Place Based Strategy for Kew and Policy 45 (**Section 2**)
 - Site Allocation 31 (Kew Retail Park) – Retail Matters (**Section 3**)
 - Affordable Housing & Whole Plan Viability – Policy 11 (**Section 4**)
 - Policies 4 (Minimising Greenhouse Gas emissions), 6 (Sustainable Construction Standards), 18 (Development in Centres), 29 (Designated Heritage Assets), 30 (Non-Designated Heritage Assets) and 31 (Views and Vistas) (**Section 5**)
- 1.8 Furthermore, we continue to have concerns regarding the soundness of Policies 10, 12, 13, 17, 18, 28, 38, and 45. These concerns are as set out in our representations made at the Regulation 18 stage (which have not been fully addressed in the Regulation 19 draft). We have therefore 're-submitted' these comments which should be treated as forming part of our representations to the Regulation 19 draft (enclosed at **Appendix A**).
- 1.9 SG and M&S request to participate in the examination hearing sessions with respect to relevant policies set out in these draft Local Plan representations (including the policies covered in Appendix A).

2. Building Heights – Site Allocation 31 (Kew Retail Park), Place Based Strategy for Kew and Policy 45

Context (Regulation 18 Representations)

- 2.1 In summary, our representations to the Regulation 18 consultation recommended that the following changes were made:
- The criteria for assessing the acceptability of a tall building should be undertaken on a site-by-site basis, and not solely constrained to within Tall Building Zones (i.e. commentary should include scope acknowledging that a tall building might be acceptable beyond the boundaries of Tall Building Zones, depending on their context and potential impacts on surrounding townscape character and the borough's historic environment).
 - Amend restrictive and prescriptive policies relating to specific height parameters.
 - Amend draft policies to comply with national planning policy, as well as strategic planning policies set out within the London Plan (2021).
- 2.2 Following this, representations were made on the Consultation Draft of the Local Views Supplementary Planning Document (SPD), which closed for consultation on 5 September 2022.

Regulation 19 Representations

- 2.3 We have reviewed the Regulation 19 draft and the below provides a critical assessment of the Urban Design Study 2023 evidence base document and emerging policies set out in the Regulation 19 Draft Local Plan, with specific regard to the Place Based Strategy for Kew (including Site Allocation 31: Kew Retail Park, Bessant Drive, Kew). Specifically, we consider that the building height parameters set out in Site Allocation 31: Kew Retail Park, the Place Based Strategy for Kew and Policy 45: Tall and Mid-Rise Building Zones (insofar as they relate to Kew Retail Park) are not justified by the evidence base which supports them, and as a consequence, are unnecessarily restrictive and not consistent with National Planning Policy requirements (including the requirement to be in general conformity with the London Plan).
- 2.4 Paragraph 31 of the NPPF (2021) states that *“the preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals.”*
- 2.5 Paragraph 35 of the NPPF (2021) concerns the examination of plans, stating, *“Local Plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are ‘sound’ if they are:*
- a. *Positively Prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.*
 - b. *Justified – an appropriate strategy, taking into account the reasonable alternative, and based on proportionate evidence.*

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- c. *Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground.*
- d. *Consistent with National Policy – enabling the delivery of sustainable development in accordance with policies in the Framework and other statements of national planning policy, where relevant.”*

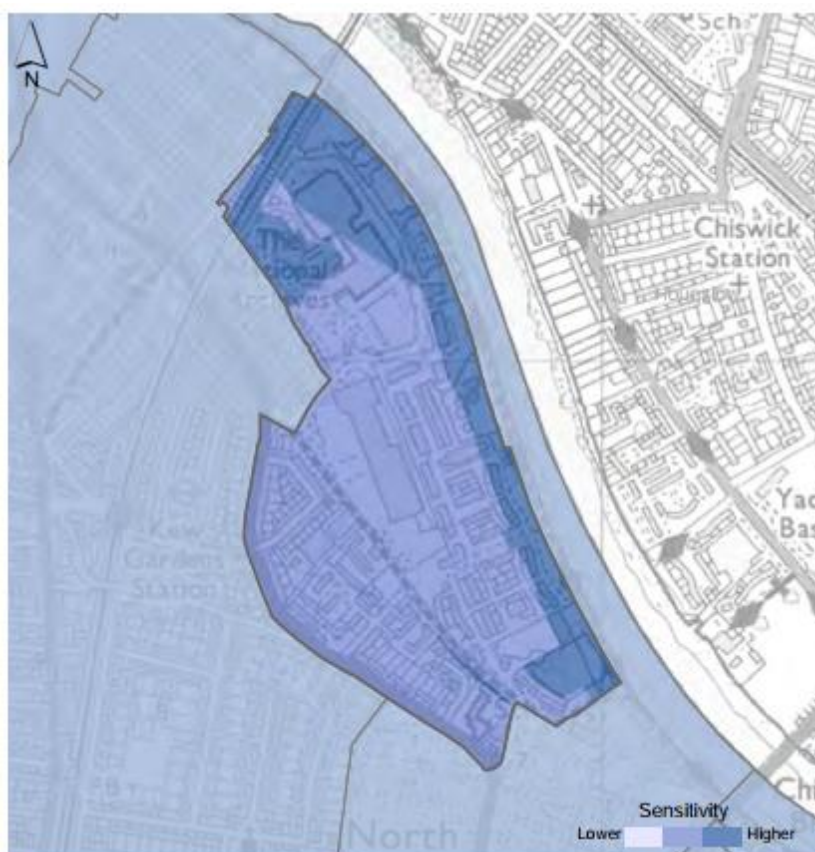
Urban Design Study 2023

- 2.6 Like the 2021 version prepared to support the Regulation 18 Pre-Publication Draft Local Plan, we continue to support the underlying principles of the Urban Design Study and the need to identify locations where tall development will be supported by the local planning authority (subject to detailed design rationale and justification). Such an approach is underpinned by regional strategic policy set out in Policy D9 (Part B) of the London Plan (2021).
- 2.7 Whilst we support the general philosophy and approach (including the adopted matrix for assessing the ‘Development Capacity’ for a site), we continue to disagree with Arup’s conclusions in relation to the ‘East Kew Mixed Use’ Character Area, particularly identifying the area as having a ‘Medium Sensitivity’.
- 2.8 At Page 231, the Character Area Strategy for Character Area G3: East Kew Mixed Use sets some overarching principles for the area. This includes aspirations to ‘Improve’ and ‘Transform’ the area, noting that the existing character is ‘disjointed’ and lacks a ‘cohesive identity’. It is also identified that there is a long-term opportunity to transform the character of the area, looking to improve the ‘sense of place, public access and townscape legibility’.
- 2.9 It is noted here that the list of ‘negative qualities’ for the East Kew Mixed Use area has been further developed from the 2021 Urban Design Study, which is welcomed. This now includes the acknowledgement that the Kew Retail Park site is home to commercial buildings of poor architectural quality.
- 2.10 The ‘valued features’ presented within the study include a list of five features related to the surrounding landscaped and river setting. It continues to be our view that these valued features can be summarised under one single entry, with five entries considered to be excessive and included to counterbalance the large number of ‘negative features’. We recommend that the ‘valued features’ entry is summarised as follows:
- “The area’s dense vegetation coverage, including areas designated as OSNI and SINC (borough grade II) at Kew railway bridge Kew Meadow Path, provides a perception of greenness and screening in relation to the River Thames, providing the perception of an extensive landscape setting which positively contributes to the River’s setting.”*
- 2.11 As noted in the Urban Design Study, the Kew Retail Park site lacks:
- A cohesive layout;
 - has poor legibility;
 - contains buildings of poor architectural quality; and
 - large areas of hardstanding which lack any streetscape or townscape qualities.
- 2.12 The Site differs greatly from its surrounding context, both in terms of use, scale and character. It is considered that the Kew Retail Park site makes no contribution to the character of the surrounding Victorian and Edwardian suburbs to the east of Kew Road, and detract from the high-quality residential

townscape across the neighbouring sub-character areas. These detracting elements are also at odds with the relatively high-quality modern residential development at Kew Riverside and associated landscaped areas close to the river, which the Site makes no contribution to

- 2.13 Within the Urban Design Study, 'Sensitivity' is measured in three shades of blue. Darker shades indicate areas of highest sensitivity, whilst lower shades are shown in paler colours. Character Area G3: East Kew Mixed Use includes two shades, at the medium and highest levels of sensitivity identified within the Urban Design Study (see **Figure 1**).

Figure 1: East Kew Mixed Use Sensitivity Plan (Figure 284, Page 235)



- 2.14 As noted above, the Site lacks architectural quality. It shares boundaries with low-scale residential development to the north and western edges, whilst bordering the Kew Riverside development to the east. It is acknowledged that such boundaries, particularly the Site's northern and western boundaries, carry a degree of sensitivity, given the potential for a greater appreciation for intensified development/ built form if the Kew Retail Park were to come forward for redevelopment, though given the lack of contribution the Site makes to the surrounding residential context, including the setting of the northern conservation area of Defoe Avenue, the sensitivity of the East Kew Mixed Use area requires a more granular assessment, with the centre of the Kew Retail Park site judged as having a Low sensitivity as a result.
- 2.15 Owing to the broad nature of assessment undertaken within the Urban Design Study, we recognise that a granular assessment of the Kew Retail Park might not be considered appropriate as forming part of the Local Plan process. However, if a granular assessment cannot be undertaken, then a consistent approach must be adopted throughout the study. It is noted here that in regard to the Mortlake Riverside Character Area (Area H1), it is acknowledged that there may be small areas of lower sensitivity where the townscape is less intact and does not reflect the positive character described in the 'Key

Characteristics'. This commentary should be included in regard to East Kew Mixed Use area, as we see the Kew Retail Park site as constituting an area of Low sensitivity.

- 2.16 In Arup's Methodology (see Page 399), it is noted that whilst a 'Low' sensitivity should not be interpreted as any development can occur, it does signify that features and characteristics may mean that the area can accommodate change more easily. Again, given the negative qualities of the Site and the identification of the area as having a strategic vision to 'Transform' and 'Improve', this suggests a lower sensitivity, particularly on the Kew Retail Park site.
- 2.17 Concerning findings of 'Probability of Change', we continue to question Arup's finding that the Kew Retail Park site has a medium probability, given that the site has been provisionally allocated for a '*Comprehensive residential-led redevelopment*' with a '*range of commercial uses, including retail, offices and leisure*'. Given the draft allocation, it is therefore accepted that the Council anticipate significant redevelopment of the Site within the next plan period. It is also widely known that our client is progressing with emerging design proposal for the Kew Retail Park site, which is at an early stage of design development and pre-application engagement with LBRuT. Reference is made to such pre-application engagement in the Urban Design Study (see page 378), so it is clear such development is anticipated to come for in the short-medium term.
- 2.18 In this regard, we further question the criteria set out on Page 401, Table 9 of the Urban Design Study, in that only existing site allocations and sites located within a Main Centre or Twickenham Action Plan can be identified as having a High Probability of Change. Future and emerging site allocations should be included, as well as areas with an existing and emerging masterplan, and at a well progressed stage of the planning process. Owing to the above, we note here that the Development Capacity of the Kew Retail Park site should be scored at a 6 or 7, rather than the current understated finding of 5. We also note here a discrepancy between the Development Capacity plan on Page 313 (Figure 370) and the Tall Building assessment for Kew Retail Park in Appendix A (Page 378), which appears to note the Site has a Capacity of 'Low to Medium'. We reiterate here that the Capacity of the Site should be **Medium to High**.

Tall Building Zone and Height on Kew Retail Park

- 2.19 The Urban Design Study includes the identification of 'Tall Building Zones' and 'Mid-rise Building Zones'. These are said to have been informed by the identified constraints and opportunities identified in the preceding sections of the Study, which we have previously raised concerns with in the preceding paragraphs and do not repeat here.
- 2.20 As part of our Regulation 18 representations (see **Appendix A**), we raised concern with the lack of testing of a masterplan of greater height at the Kew Retail Park site, as well as the prescriptive wording of the tall building zone 'Appropriate Height' finding of 7-storeys. This included the lack of supporting information and evidence base to illustrate the extent of visibility of an 8-storey development scenario on the site, with reference made only to a 9-storey masterplan/scenario.
- 2.21 The 2023 Urban Design Study continues to provide a high-level assessment for assessing the potential impacts arising from a developed masterplan that includes a variation of heights across the Kew Retail Park Site. On page 378, the Study notes that only a single 7-storey block in the centre of the Site was tested, so to understand visibility from the wider area.
- 2.22 We have significant concerns with this approach, as this only concerns visibility in longer distance views from the surrounding area, and does not include a more granular assessment from various viewpoints informed by a detailed analysis of the surrounding townscape and visual amenity, particularly from more local, intimate locations where a 7 or 8 storey building at the centre of the Site would most likely be screened by surrounding built form which accords with the principles set out in the Mid-Rise Building

Zones. In such scenarios, we question whether an 8-storey block would be materially more impactful than a 7-storey block.

2.23 Further to the above, concerning visibility, we cast doubt on the findings set out in the Urban Design Study, particularly concerning visibility of a 7-storey block at the centre of the Kew Retail Park site. We also question the scenario which tested a range of building heights across the Site, from 4-9 storeys, which identified adverse impacts from the taller buildings on the character of the surrounding smaller scale streets (2 storeys), including the conservation area to the north and houses to the west. It is also stated on page 380, that taller heights also adversely affected views from the opposite riverbank within LB Hounslow, 'skewing proportions and the relationship with the existing Kew Riverside development and trees fronting the River Thames.

2.24 Figures 2 and 3 below show Zones of Theoretical Visibility (ZTV) for a 7-storey block (21m) within the identified 'Tall Building Zone' at the centre of the Site (Figure 2), and an 8-storey (24m) option (Figure 3) in the same position. Both scenarios included a 50m (L) by 20m (W) block of built form, noting that the mass included no articulation, architectural detail and/or design refinement. Importantly, the ZTVs help illustrate that there is a limited increase in visibility caused by the 8-storey block, with any visibility from the Royal Botanical Gardens at Kew anticipated to be screened by dense vegetation on its eastern boundary (much of which is evergreen – noting here that ZTVs generated in VuCity does not take into account tree coverage/foliage).

Figure 2: Zone of Theoretical Visibility (7 Storeys)



Figure 3: Zone of Theoretical Visibility (8 Storeys)



2.25 For reference we include an axonometric image of both massing models used to inform the above ZTVs at Figures 4 and 5. This includes a 7-storey scenario (Figure 4) and an 8-storey scenario (Figure 5).

Figure 4: Axonometric View of 7 Storey Scenario



Figure 5: Axonometric View of 8 Storey Scenario



2.26 Further to questioning the findings concerning visibility and adverse impacts noted above, we continue to raise our concerns with Figure 439 presented on Page 378 of the Study, which continues to illustrate an unrealistic masterplan on the Kew Retail Park Site, with no articulation to roofscape and building forms, with the highest point located at the northern and southern ends of the site, in particularly sensitive locations.

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- 2.27 The evidence base supporting the prescriptive and restrictive 'Appropriate Height' of 7 storeys (21m) within the Tall Building Zone at Kew Retail Park casts doubt on the potential impacts arising from a development which varies in height up to and including 8-storeys.
- 2.28 If further testing over and above that presented within this representation is not undertaken, we continue to suggest that a broader approach is taken to heights across the Site, setting a ranged figure between 5-8 storeys, with the acceptability of any future proposal based on its own merits (both architecturally, aesthetically and functionally), with clear and convincing justification provided at a planning application stage.
- 2.29 Such an approach has been taken to other Tall Building Zones across the Borough, including Lower Richmond Road, North Sheen (7-8 storeys), Richmond Station Tall Building Zone (7-8 storeys) and Twickenham Station Tall Building Zone (7-9 storeys). It is unclear why such an approach has not been taken in regard to Kew Retail Park.
- 2.30 It is clear that there is an opportunity to significantly improve the quality of the Site and create a new destination for the borough, with the scale of development optimised, given the site's urban location.

Place-Based Strategy for Kew

- 2.31 We note that this policy, as currently worded, seeks to ensure future development at Kew Retail Park accords with the restrictive development parameters set within the Urban Design Study (2023). This includes requiring development to accord with the prescriptive height datum of 7 storeys within the identified 'Tall Building Zone'.
- 2.32 We anticipate the potential impacts arising from a development of 8-storeys within the Tall Building Zone (noting here that there would naturally be stepping down of height towards the edges of the Site and articulation in both roofscape and massing), would not be materially greater than that of a 7-storey scenario, with a limited increase in visibility from the surrounding locality. Differences in visibility between both scenarios is set out clearly at Figures 2 and 3 above.
- 2.33 We therefore suggest that the prescriptive wording of this Policy is revised, so to include a more ranged figure (between 7-8 storeys), with commentary requiring any future buildings of height on the site to be supported by sufficient justification, including a comprehensive Heritage, Townscape and Visual Impact Assessment.

Site Allocation 31: Kew Retail Park

- 2.34 We welcome the Council's inclusion of additional background analysis in the commentary supporting Site Allocation 31: Kew Retail Park, which now includes a comprehensive summary of the baseline considerations and sensitivities, including the identification of key heritage assets likely to be affected by its future redevelopment. We also welcome the continued inclusion of the Site within the Draft Local Plan, highlighting its strategic position in being able to contribute to housing targets and ensuring the best and most efficient use of land is realised.
- 2.35 We do continue, however, to raise concerns with reference to the prescriptive height parameters noted within the proposed allocation. Based on our findings (as noted above), we judge the allocation for Kew Retail Park unsound in its current form, as is not supported by a sufficient evidence base to support such specific (restrictive) height parameters.

Policy 45 – Tall and Mid-Rise Building Zones

- 2.36 In the preceding text, we have set out and demonstrated that the supporting evidence base that underpins Policy 45: Tall and Mid-Rise Building Zones is unsound, lacking the necessary assessments and analytical detail to support specific and prescriptive height parameters within identified Tall Building Zones. We have also cast doubt on the supporting baseline information available to the Council and Inspector, including the Zone of Theoretical Visibility and the additional adverse effects identified for 8-storey development at the Kew Retail Park Site (see Figures 2 and 3).
- 2.37 We find the drafting of Policy 45 equally unsound. We also urge the Council to adopt less restrictive wording within the policy, particularly Part A.10 which states that tall buildings should not exceed the appropriate height range identified for each of the Tall Buildings Zones. As we have demonstrated, in relation to Kew Retail Park, this is overly prescriptive and requires a ranged figure, as well as more nuanced commentary.
- 2.38 As part of our Regulation 18 representations, we provided suggested amendments to the wording of the Policy 45: Tall and Mid-Rise Building Zones, and provided justification which we considered necessary to make it sound. For completeness, we set below as tracked changes our recommendations on amendments to the Regulation 19 definition of Policy 45: Tall and Mid-Rise Building Zones, as necessary to make the Policy sound. This is based on our findings set out in the preceding paragraphs and summary text below.

Policy 45

Tall and Mid-Rise Building Zones

Definitions:

Buildings which are 7 storeys or over, or 21 metres or more from the ground level to the top of the building (whichever is lower) will be considered to be **tall buildings**.

Buildings which do not trigger the definition of a tall building set out above, but are 5 storeys or over, or 15 metres or more from the ground level to the top of the building (whichever is lower) will be considered to be **mid-rise buildings**

- A. Proposals for tall buildings will only be appropriate in Tall Building Zones identified on the Policies Map and in Appendix 3, where the development would not result in any adverse visual, functional, environmental or cumulative impacts, having regard to all criteria set out in London Plan Policy D9. To take account of the local context, proposals for tall buildings should address the following criteria:

Visual Impacts

1. Tall buildings should respect the views and vistas towards heritage assets across the borough and in neighbouring boroughs, including distinctive roof line features.
2. The location of tall buildings should avoid substantial visual interruptions in areas with otherwise very consistent building and/or roof lines.
3. Tall buildings should respond to the analysis of views and vistas (Policy 31 'Views and Vistas ') towards the site to ensure the form and detailing are sympathetic to the wider context.

4. Tall buildings should consider the design of the lower, middle and upper parts of the tall building and how they work together as well as with the surrounding area and mid-range and long-range views.
5. Development proposals should be supported with **visual impact analysis** ~~graphic 3D modelling~~ to assess the individual and cumulative impact of the proposal on both the existing and emerging skyline, and on day-time and night-time views, in line with Policy 44 'Design Process'
6. Development proposals affecting the setting and approaches of the Kew World Heritage Site, must address all criteria set out in Policy 32 'Royal Botanic Gardens, Kew World Heritage Site '

Spatial Hierarchy

7. The massing of tall buildings should **respond to** ~~respect~~ the proportions of their local environment, including the consideration of the width of adjacent streets as well as public open spaces, parks and watercourses, and should be designed so as not to overwhelm the street and adjacent context.
8. In cases of tall buildings located close to the street edge, proposals should incorporate measures to soften their edges and provide positive public spaces at their base ~~through the use of generous walkways and mature planting.~~
9. Proposals for Tall Buildings will not be permitted outside the identified Tall Building Zones (see Appendix 3).
- ~~10. Proposals for tall buildings should not exceed the appropriate height range identified for each of the Tall Building Zones in Appendix 3. The height of tall buildings will be required to step down towards the edges of the zone as indicated on the gradient map unless it can be demonstrated that this would not be appropriate in the local context~~

Fire Safety

11. Developments should achieve the highest standards of fire safety in accordance with London Plan Policy D12. All residential development over 30m in height must be designed to provide two staircases.

Tall and Mid-Rise Building Near the River Thames Frontage

- B. Proposals for tall and mid-rise buildings should address the following criteria:
 1. The design of tall buildings and mid-rise buildings fronting the River Thames must respond to views towards them as well as from them.
 2. In areas of larger-scale riverfront buildings, landward facing orientation should be considered and **respond** ~~stepping down~~ **appropriately to the surrounding context, so** to provide a transition towards the existing character and scale.
 3. The design of tall buildings and mid-rise buildings should maintain the river frontage as a public resource. Developments should **respond to** ~~be set back to~~ physically and visually ensure the Thames Path acts and feels like a welcoming public route without heavy overlooking from adjacent riverside residences. Ground floor uses should seek to activate the space as far as possible.

Mid-Rise Buildings

- C. Proposals for new mid-rise buildings or extensions to existing buildings which increase their height to 5 storeys or over, will usually only be appropriate in Mid-Rise and Tall Building Zones identified on the Policies Map and in Appendix 3. Proposals will be required to meet the requirements of Policy 44 'Design Process' and Policy 28 'Local Character and Design Quality (Strategic Policy)', and should:
1. be carefully located and designed to **respond** ~~step down~~ to surrounding existing and proposed buildings;
 2. respond positively to and **conserve** ~~protect~~ the setting of existing buildings in the surrounding area, including heritage assets and their setting;
 3. respect the local character, including the scale, width and proportion of adjacent streets and watercourses, and potential effects on key characteristics, valued features and sensitivities as outlined in the character area profiles in Section 3 of the Urban Design Study;
 4. deliver a varied and interesting roofline in response to surrounding architectural styles, avoiding long monotonous blocks of development and/or excessive height.
 5. ~~where proposals are located within identified Mid-Rise and Tall Building Zones, buildings should not exceed the appropriate height identified in Appendix 3;~~
 6. in cases of mid-rise buildings located close to the street edge, proposals should incorporate measures to soften their edges and provide positive public spaces at their base ~~through the use of generous walkways and mature planting.~~
- D. Proposals for mid-rise buildings may be permitted outside the identified Mid-Rise and Tall Building Zones where they are:
1. located in a town centre (Whitton, Teddington, Twickenham, Richmond and East Sheen); the Character Area Design Guidance in the Urban Design Study should be considered, where relevant, to demonstrate appropriateness to local context; and/or
 2. within transitional areas to Tall Building Zones; and/or
 3. within or adjacent to areas which include buildings taller than the prevailing height or are subject to substantial redevelopment; and/or
 4. a result of land assembly which enables the creation of a comprehensive scheme; and/or
 5. close to strategic roads and good public transport accessibility; and
 6. able to meet Part C of this policy.

Summary

- 2.39 Further representations are made in relation to Policies 29 (Designated Heritage Assets), 30 (Non-Designated Heritage Assets) and 31 (Views and Vistas) in Section 5 below.
- 2.40 Based on these representations, we make the following recommendations to the London Borough of Richmond upon Thames and the Planning Inspectorate concerning the Publication Draft Local Plan (Regulation 19), and its supporting evidence base:

Supporting Evidence Base: Urban design Study (2023)

- Further consideration to be taken to the emerging context within identified Character Areas, particularly in relation to the emerging masterplan at Kew Retail Park, which is at an early stage of design development and pre-application engagement with LBRuT. It is judged that the identified Probability of Change of Medium does not reflect this, nor the draft site allocation which is now at an advanced stage of adoption.
- A highly conservative approach has been taken to the identification of the Kew Retail Park as having a Medium sensitivity, which does not reflect the low-quality environment seen across the Site and its negative contribution to the surrounding context.
- Based on the 'broad-brush' approach taken throughout the Urban Design Study, specific height recommendations for Tall Building Zones should be amended to a ranged figure, similar to the approach taken to other Tall Building Zones within the Urban Design Study.
- Further analysis is still required for Kew Retail Park, including the testing of an 8-storey development scenario. Visibility of such a scenario has been presented within this representation. Further testing is required, including a more varied masterplan, with variations/ articulation in relation to orientation, scale, height and massing. Concerns are also raised with the masterplan tested at Figure 439 (Page 378) of the Urban Design Study.
- As stated within the Study, a 'broad brush' approach has been taken to the assessment, which has been undertaken on a borough-wide scale and is 'not intended to be exhaustive or detailed' (Page 321). It is also acknowledged on Page 319 of the Study that every new development will need to consider the specific context of the plot/ Site, and that all development proposals will need to show further detailed analysis at a specific site scale and should have sensitive consideration of the building's massing, form, style and materials (Page 321). In relation to Kew Retail Park, therefore, the Study should acknowledge its limitations and clarify that tall buildings (above the prescribed 7 storeys, or proposed ranged figures as noted above) could be acceptable with appropriate and contextual detailed design and supported by necessary justification. It is noted here that in relation to the Stag Brewery site, Officers noted within the published Committee Report (22/0900/OUT that *'Whilst the site is within a tall building zone, the heights exceed the parameters of the Brief and Urban Design Study 2023, and do not meet elements of Policy D9 of the London Plan. Notwithstanding such, on balance, this is acceptable, with additional height mainly centrally located, scaling down to the perimeters, achieving a suitable relationship with the adjacent townscape...'*. We consider, therefore, that being overly restrictive in policy terms and within the supporting evidence base could prevent the optimum planning outcomes being achieved.

LBRuT Publication Draft Local Plan (Regulation 19)

- Criteria for assessing the acceptability of a tall building should be undertaken on a site-by-site basis and not solely constrained to within Tall Building Zones.
- Amend restrictive policies relating to specific height parameters, noting the concerns raised with the evidence base underpinning such policies.
- Amend draft policies so to comply with national planning policy as well as strategic policies set out in the London Plan (2021). In relation to Site Allocation 31: Kew Retail Park, this includes removing overly restrictive references to prescriptive height parameters, especially when such parameters are supported by 'broad-brush' findings and an unsound evidence base (as noted above). We continue to propose amendments to Site Allocation 31 so to require development to be of a high architectural quality, informed by a thorough, site specific assessment, including an assessment of the prevailing townscape character of the area. We also recommend that the text is amended so to require a future applicant to demonstrate how the proposed development corresponds with and

to the surrounding character areas, including Kew Residential and Kew Gardens, whilst also requiring the submission of a full and detailed Heritage, Townscape and Visual Impact Assessment, justifying any height proposed across the site

3. Retail Matters – Site Allocation 31

Context (Regulation 18 Representations)

- 3.1 The Regulation 18 draft of the Local Plan included a site allocation (30) for Kew Retail Park, which stated the following: *'any new convenience retail provision should not exceed the floorspace of the existing units, to protect the existing main centre in Kew'*.
- 3.2 AY submitted representations setting out reasons why such a restriction would not be sound. In summary, the reasoning for this is as follows (please refer to our full representation at **Appendix A**):
- There is a qualitative need to improve convenience retail provision in Kew suitable for a main food shop (as opposed to just top-up shopping) in order to ensure access to food shopping as necessary to achieve the living locally/20-minute neighbourhood principles of Policy 1. This is in the context that existing/future residents in much of Kew do not live within 20-minutes' walk of a supermarket that is capable of meeting a 'main food' shop need;
 - The provision of an improved convenience retail offer (minimum 25,000sqft GIA) as part of a replacement M&S is required to make the Site available for development;
 - It would not be in general conformity with the London Plan SD7 (which is in place to encourage the redevelopment of out-of-centre retail parks for housing intensification), which does not impose any policy restrictions over what type of goods replacement retail floorspace can be used for (it defers to national policy (impact and sequential tests) to manage this in line with normal practice);
 - The Council's Retail Study Part 1 does not provide justification for a restriction on the amount of convenience retail floorspace at the Site; and
 - Policies should be positively worded.
- 3.3 The points raised in our Regulation 18 representations (as summarised above) still stand, and form part of our representations to the Regulation 19 consultation. To avoid repetition we do not repeat them in full here – please refer to Section 5 of **Appendix A** of this submission (specifically paragraphs 5.2-5.13 and 5.17-5.36).

Regulation 19 Representations

- 3.4 We have reviewed the Regulation 19 draft and are concerned that the restriction on convenience retail provision has been maintained. Site allocation 31 (Kew Retail Park) states: *'any new convenience retail provision should not exceed the floorspace of the existing units, to protect the existing main centre in Kew'*.
- 3.5 This is a negatively worded policy and therefore is **not positively prepared**. It is **not consistent with national policy**, in particular with the sequential and impact policy tests which are the well-established policy mechanisms in place to control out-of-centre retail development proposals. It is **not justified** by the Council's Retail Assessment (Part 1 nor Part 2). Finally, it is **not effective** as it will render the KRP site allocation undeliverable owing to the commercial tests that M&S need to achieve if they are to make the site available for development.
- 3.6 We have identified two ways in which the policy can be amended to make it sound, which we set out as tracked changes below:

Option 1 – As per Regulation 18 Representations

Whilst the site is not located within a main or local centre, ~~it is an established retail destination~~ it has for many years proved to be a popular retail destination. ~~location for the residents of Kew.~~ It is expected that ~~a substantial element of retail development commercial uses~~ will be retained/replaced on site. ~~Opportunities to improve convenience goods retail provision (in order to be suitable to meet ‘main food shop’ needs) will be supported in order to contribute towards achieving the 20-minute neighbourhood objectives of Policy 1. The overall mix of uses, which could include other minor/small scale complementary town centre uses, such as retail, cafes and offices, should be curated so that they add to the vibrancy and vitality of the new community. The proposed office provision should provide affordable workspace for small and medium-sized companies.~~ ~~While the Sequential and Impact Test requirements of Policy 18 will need to be satisfied at the planning application stage, the requirements to satisfy both tests will be limited in scale and complexity bearing in mind the in-principle acceptability of providing substantial replacement retail floorspace on the site. Proposals that satisfy the Sequential Test and do not have a significant adverse impact on the borough’s town centres will be supported. Any new convenience retail provision should not exceed the floorspace of the existing units, to protect the existing local centre in Kew.~~

Option 2 – Defer to National Policy/Policy 18

Whilst the site is not located within a main or local centre, ~~it is an established retail destination~~ it has for many years proved to be a popular ~~retail destination~~ shopping location for the residents of Kew. It is expected that commercial uses will be retained in site. The mix of uses, such as retail, cafes and offices, should be curated so that they add to the vibrancy and vitality of the new community. The proposed office provision should provide affordable workspace for small and medium-sized companies. ~~Any new convenience retail provision should not exceed the floorspace of the existing units, to protect the existing local centre in Kew.~~ ~~In accordance with national policy, any new retail provision should satisfy the Sequential Test and will require an Impact Assessment where it exceeds the scale thresholds set out in Policy 18(g).~~

3.7 We explain and justify our position below.

Site Availability

3.8 The availability of the KRP site for redevelopment is dependent on the provision of substantial replacement retail floorspace (a replacement M&S store).

Consistency

3.9 We note that the convenience goods floorspace restriction included in the KRP site allocation is not proposed on any other out-of-centre allocation sites. There is no clear justification for this inconsistency.

Need

3.10 At the heart of planning system is the presumption in favour of sustainable development, which requires local plans to include policies that provide for **objectively assessed needs** unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole. Accordingly the matter of **need** is leading consideration in reaching a view on the soundness of the plan.

- 3.11 Paragraph 4.35 of the Richmond-upon-Thames Retail and Leisure Study Phase 2 (2023) (referred to as the '2023 Study' from hereon), states that residents across the LBRuT have good access to a range and choice of food stores and there are no obvious areas of deficiency in food store provision. **We do not agree with this.**
- 3.12 As per our Regulation 18 representations, **we consider there to be a need to improve convenience goods retail provision in Kew in order that this is suitable to meet main food shop needs (as opposed to just top-up shopping) in order to meet objectively assessed needs and to achieve the living locally/20-minute neighbourhood principles of Policy 1, which is at the heart of the local plan.**

Existing Stores

- 3.13 Policy 1 states that the 'living locally' concept will be achieved by giving people the ability to meet most of their daily needs, through a mixed pattern of land uses **including food and necessities**, within a **20-minute walk** from home, with safe cycling and local public transport options. It is our understanding that the 20-minute measurement is round-trip (so 10-minutes each way).
- 3.14 As demonstrated in Map 4.1 of the Regulation 19 draft Local Plan, most of the borough is within 800 metres (as the crow flies) (generally regarded as 10-minutes' walk) of a centre or shopping parade, including much of Kew. However, on closer investigation it is clear that **existing (and future) residents in much of Kew (including the KRP site) do not live within 800 metres of a supermarket that is capable of meeting a 'main' food shop need.**
- 3.15 Details of the closest supermarkets to the KRP site are set out in Table 3.1 below (refer to walk-distance maps at Appendix A of our Regulation 18 Representations enclosed at **Appendix A**):

Table 3.1 Existing Local Supermarkets

| Store | Address | Town Centre | Suitable for a Main-Food Shop? | Distance from KRP Site | Walk-Time from KRP Site |
|-------------------------|---|---------------|--------------------------------|------------------------|-------------------------|
| M&S | Kew Retail Park | Out-of-Centre | No Top-up Only | - | - |
| Tesco Express | 2-8 Station Parade, Kew, TW9 3PZ | Town Centre | No Top-up only | 0.5 miles 0.8 km | 11 minutes |
| Sainsbury's North Sheen | Lower Richmond Road, TW9 4LT | Out-of-Centre | Yes | 1.2 miles 2 km | 23 minutes |
| Waitrose | Upper Richmond Road, East Sheen, SW14 7JG | Town Centre | Yes | 1.3 miles 2.1 km | 28 minutes |

Current Shopping Patterns

Richmond-upon-Thames Retail and Leisure Study Phase 2 (2023)

- 3.16 We have reviewed the Richmond-upon-Thames Retail and Leisure Study Phase 2 (2023) (referred to as the '2023 Study' from hereon), which uses the results of a household survey to model the shopping patterns of the borough's residents. For this purpose, the borough was broken down into 7 zones based on ward boundaries. Zone 6 comprises the wards of Kew and North Richmond (which includes the KRP site).

3.17 The 2023 Study indicates that the residents of Zone 6 generate £79.9m of convenience goods expenditure per annum (2022), of which:

- Only 23% is spent within Zone 6 itself. The 2023 Study does not include details of which destinations are included within Zone 6. The main food/grocery shopping destinations identified by AY are Tesco Express (Kew Gardens Local Centre), the out-of-centre Sainsbury's in North Sheen, and the out-of-centre M&S at Kew Retail Park.
- The remaining 77% is spent outside of the Zone:
 - o 56% is spent in Zone 1 (South Richmond and Ham, Petersham and Richmond Riverside wards). The main food/grocery shopping destinations within Zone 1 are Waitrose in Richmond Major Centre;
 - o 9% is spent in Zone 7 (Mortlake and Barnes Common, Barnes, and East Sheen wards). The main food/grocery shopping destination within Zone 7 is Waitrose within East Sheen District Centre;
 - o 4.6% is spent elsewhere in the borough; and
 - o 6.7% leaks out of the borough.

3.18 The above figures are for total convenience retail expenditure. The 2023 Study does not provide a breakdown between main and top-up expenditure.

3.19 We query the accuracy of the above, specifically in terms of the proportion of Zone 6 expenditure that is retained in Zone 6, noting that the Sainsbury's located on Lower Richmond Road, is located within Zone 6 (based on wards) which we would expect to attract a much greater market share. Conversely attributing 56% of Zone 6 convenience goods expenditure to destinations in Zone 1 appears high, noting that the only significant main food/grocery shopping destination in Zone 1 is Waitrose in Richmond Town Centre. Having regard to this, we query whether the Lower Richmond Road Sainsbury's may have been incorrectly included within Zone 1 rather than Zone 6.

3.20 Regardless of the above query, what is clear from the 2023 Study is that **residents of North Kew are currently travelling to locations that are well in excess of 800m from their homes to undertake the majority of their food/grocery shopping**. It is reasonable to assume that this is because their shopping needs cannot be met by existing food/grocery destinations that are closer to home.

Avison Young Assessment (2022)

3.21 Avison Young commissioned NEMS to undertake its own household survey in 2022 in order to gain an understanding of shopping patterns in the borough to inform its own retail assessment (referred to as the AY Assessment from hereon). For the purposes of consistency it followed a similar methodology, and used similar base data and assumptions as the NEMS survey commissioned by the Council to inform the 2023 Study (including the extent of survey zones). The survey sample size of the AY Assessment was 1,002 people which we consider to be robust.

3.22 Extracts from the survey report is enclosed at **Appendix B**. Table 3.2, below, sets out the results of questions asked to residents of Zone 6 (Kew/North Richmond wards) of where they buy food:

Table 3.2 Convenience Goods Shopping Patterns (Zone 6 Residents)

| Question | Response (Zone 6 Residents) |
|---|--|
| Q.1 Where do you do most of your household's main food shopping? | 60% - Sainsbury's, Lower Richmond Road (Out-of-Centre) 9% - Waitrose, East Sheen (District Centre) 8% - Waitrose Richmond (Major Centre) 6% - Squires Food and Wine, Sandycombe Road (Local Centre) 5% - M&S Kew Retail Park (Out-of-Centre) 2% - Tesco Extra Twickenham (Out-of-Centre) 1% - Tesco Express, Kew Gardens (Local Centre) 9% - Other [67% out-of-centre/24% town centre] |
| Q.2 Apart from the store/centre mentioned at (1), where else do you regularly do a main food shop | 16% - Waitrose Richmond (Major Centre) 16% - M&S, Kew Retail Park (Out-of-Centre) 13% - Tesco Express, Kew Gardens (Local Centre) 12% - Tesco Extra, Mogden Lane (Out-of-centre) 12% - Tesco Extra Twickenham (Out-of-Centre) 11% - Sainsbury's, Lower Richmond Road (Out-of-Centre) 9% - Richmond Town Centre (Major Centre) 8% - Waitrose, East Sheen (District Centre) 3% - Tesco Express, George Street, Richmond (Major Centre) [51% out-of-centre/49% town centre] |
| Q.5 Where do you do most of your household's small scale 'top-up' food shopping | 21% - Tesco Express, Kew Gardens (Local Centre) 15% - Sainsbury's Superstore, Lower Richmond Road (Out-of-Centre) 13% - M&S Foodhall, Kew Retail Park (Out-of-Centre) 9% - Waitrose Richmond (Major Centre) 8% - Waitrose, Upper Richmond Road West, East Sheen (District Centre) 6% - Lidl, New Road, Feltham (Out-of-Centre) 5% - Tesco Express, Kew Road (Local Centre) 5% - Squires Food and Wine, Sandycombe Road (Local Centre) 4% - Kew Green (Local Centre) 3% - Kew Gardens (Local Centre) 2% - Lidl, South Road, Fulwell (Out-of-Centre) 2% - M&S Simply Food, Chiswick High Road, Chiswick (District Centre) [36% out-of-centre/57% town centre] |
| Q.6 Where else do you do most of your household's small scale top-up food shopping | 36% - M&S, Kew Retail Park (Out-of-centre) 13% - Tesco Express, Kew Gardens (Local Centre) 12% - Lidl, Richmond Road, East Twickenham (Local Centre) 7% - Sainsbury's, Lower Richmond Road (Out-of-centre) 6% - Sainsbury's Local, Ealing Road, Brentford (Out-of-Centre) 5% - Waitrose Richmond (Major Centre) 3% - Kew Village Centre (retailers not specified) (Local Centre) 3% - M&S George Street, Richmond (Major Centre) 3% - Aldi High Street, Feltham (Town Centre) 2% - Tesco, George Street, Richmond (Major Centre) 2% - Tesco Express, Kew Road (Local Centre) 1% - Waitrose, East Sheen (District Centre) 1% - Squires Food and Wine, Sandycombe Road (Local Centre) 1% - Kew Green (retailers not specified) (Local Centre) [43% out-of-centre/52% town centre] |

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- 3.23 As a starting point, the AY Assessment validates the findings of the 2023 Study that residents of Kew are currently travelling to town centres or out-of-centre supermarkets that are well in excess of 800m from their homes to undertake the majority of their food/grocery shopping.
- 3.24 However, the AY Assessment goes into a more granular level of detail. When main, alternative-main, and top-up expenditure of Zone 6 residents is combined, the AY Assessment estimates that the residents of Zone 6 generate £79.3m of convenience goods expenditure per annum (2022). This is based on an estimate population of 23,738 (source: Experian Location Analyst, Nov 2022) and per capita convenience expenditure of £3,341 (excluding non-store retail trade deduction) (source: Experian Retail Planner Briefing Note 19, January 2022). We note that this is not materially different to the 2023 Study's estimate. The AY Assessment assumes that 75% of expenditure comprises main shop, and 25% is top-up, this is then split between the first and second choices for each answer which provides a detailed assessment. The 2023 Study assumes a 70% / 30% split between main and top-up shopping and does not ask about any additional trips / locations.
- 3.25 The AY household survey results indicate that of total convenience goods expenditure generated by residents of Kew/North Richmond wards (Zone 6):
- 58.5% is spent within Zone 6 itself, of which:
 - o 9.1% is spent in town centres (numerous Local Centres, including Kew Gardens); and
 - o 49.4% is spent in out-of-centre locations (principally Sainsbury's on Lower Richmond Road)
 - The remaining 41.5% is spent outside of the Zone:
 - o 12.6% is spent in Zone 1 (South Richmond and Ham, Petersham and Richmond Riverside wards), of which:
 - 12.6% is spent in town centres (the main food/grocery shopping destination within Zone 1 is Waitrose in Richmond Major Centre); and
 - 0% is spent in out-of-centre locations
 - o 8.5% is spent in Zone 7 (Mortlake and Barnes Common, Barnes, and East Sheen wards), of which:
 - 8.5% is spent in town centres (the main food/grocery shopping destination within Zone 7 is Waitrose in East Sheen District Centre); and
 - 0% is spent in out-of-centre locations
 - o 5.5% is spent elsewhere in the borough, of which:
 - 1.9% is spent in town centres; and
 - 3.6% is spent in out-of-centre locations.
 - o 14.9% leaks out of the borough.
- 3.26 **What is clear from this is that not only are residents of Kew currently travelling well in excess of 800m from their homes to do the majority of their food shopping, but the majority of this shopping is being done at out-of-centre locations (particularly for main food shopping). Kew Gardens Local Centre and the M&S at KRP are both popular destinations for top-up convenience shopping but attract limited main food shop market share.**

Sustainable Travel

- 3.27 With reference to the shopping patterns of residents of Zone 6 discussed above, we note that there are regular bus or rail services that connect Kew with the main food/grocery shopping destinations in Zone 6 and 1. The main food/grocery destination in Zone 7 is less accessible from Kew, requiring a change in bus/train. Nonetheless, paragraph 4.23 of the 2023 Study advises that the results of the household survey indicate that **most residents tend to undertake their main food shopping trips by car**. This indicates that in practice the existing distribution of main food shop destinations represents an

unsustainable pattern of development, which contributes to road congestion and associated air quality issues.

Overtrading

- 3.28 The 2023 Study concludes that at a borough-wide level there is no quantitative need for additional convenience goods retail floorspace over the plan period, however recognises that a small scale need does arise within Zones 6 and 7 by 2034 (refer to Table 4.5).
- 3.29 This conclusion is based on modelling of household survey data to establish shopping patterns of the borough's residents. The results are presented on a zone-by-zone basis and do not include any granular detail with regard to specific retailers, centres, or locations. As a consequence, the assessment assumes that all food/grocery shops are trading at equilibrium at the base year. It does not take into account the fact that some retailers may be over trading relative to company average turnover levels which would indicate that there is capacity for additional floorspace. Not taking into account existing trading patterns is unrealistic as a matter of principle.
- 3.30 Helpfully, the household survey commissioned to inform the AY Assessment has gone into more granular detail by gathering data on the specific retailer, centre, or location (as opposed to just the zone). The findings of the modelling of this data firmly indicate that **the food component of the M&S at Kew Retail Park is trading at significantly over company benchmark turnover levels**. It is unable to provide an acceptable shopping experience as a consequence through overcrowding and congestion within the store and the inability to ensure a consistent level of stock on the shelves to meet customer expectations.
- 3.31 The findings of the household survey are consistent with observational evidence of overcrowding, queues, and challenges in keeping shelves well stocked on numerous visits to the store (by Avison Young), which has been validated by feedback from the local community at public consultation events in 2022 and M&S itself.

Town Centre Health

- 3.32 The 2023 Study is accompanied by an Assessment of all Centres within the Borough which comprise an analysis of all centres to provide an indication of their overall health (in town centre vitality and viability terms).
- 3.33 The following details regarding Kew Gardens Local Centre are provided:
- It has 45 units, of which just 2 are vacant (4%); and
 - Existing businesses provide 11 out of 16 types of shops, services and community uses that residents could expect to find some or most of within easy walking distance of their homes. On the basis of this index, Kew Gardens is ranked 7th best performing out of 35 local centres in the borough.
- 3.34 The assessment notes that *"the completion of the Kew Riverside scheme increased the amount of housing in the area considerably. Further significant housing development was completed at the Inland Revenue site in 2018 and permission has been granted for 88 additional units at the Kew Biothane site nearby in 2020."* The assessment makes it clear that Kew Gardens Local Centre is increasingly catering for a growing residential population in addition to tourists, including those visiting Kew Gardens (which we note are likely to be a significant driver of trade), and is healthy (in town centre vitality and viability terms). This has been verified by Avison Young on numerous visits.

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- 3.35 As a healthy centre it is reasonable to conclude that it would have a greater degree of resilience to potential impacts of new retail development at a competing destination, than would be the case for a less healthy centre.
- 3.36 There is nothing contained within the health check to indicate that the addition of further convenience goods retail floorspace at KRP (or elsewhere in Kew) suitable for a main food shop would divert sufficient trade to have a significant adverse impact on the vitality and viability of Kew Gardens Local Centre. As discussed earlier, the centre's existing convenience goods retailers are mainly satisfying top-up convenience shopping needs, and therefore would not be direct competition with a new main-food shop destination should this be brought forward in the local area.
- 3.37 The findings of the 2023 Study demonstrates that **Kew Gardens Local centre is demonstrably healthy and therefore resilient to potential impacts of competing development elsewhere. There is no evidence to suggest that it requires greater protection over and above that already provided by established national sequential and impact policy tests (as covered by Policy 18).**

Summary

- 3.38 The availability of the KRP site for redevelopment is dependent on the provision of substantial replacement retail floorspace (a replacement M&S store), to include an enhanced foodhall offer.
- 3.39 The evidence that we have set out above firmly indicates that there is a need to improve convenience goods retail provision in Kew to ensure that this is suitable to meet main food shop needs (as opposed to just top-up shopping). This is necessary to meet objectively assessed needs and to achieve the living locally/20-minute neighbourhood principles of Policy 1, which is at the heart of the local plan. In summary, the principal reasons for this are:
- Existing (and future) residents in much of Kew (including the KRP site) do not live within 800 metres of a supermarket that is capable of meeting a 'main' food shop need.
 - Accordingly, residents of Kew are currently travelling to locations that are well in excess of 800m from their homes to undertake the majority of their food/grocery shopping (an unnecessary need to travel).
 - The majority of food shopping undertaken by residents of Kew is being done at out-of-centre locations.
 - Most residents of the borough tend to undertake their main food shopping trips by car, which contributes to congestion and air quality issues.
 - Kew Gardens is a popular destination for top-up convenience shopping but attracts less than 4% of the main food market share.
 - The food component of the M&S at Kew Retail Park is trading at significantly over company benchmark turnover levels.
- 3.40 Finally, Kew Local Centre is demonstrably healthy (and therefore resilient to potential impacts of competing development elsewhere) . There is no evidence to suggest that it requires greater protection over and above that already provided by established national sequential and impact policy tests (as covered by Policy 18).

4. Affordable Housing & Whole Plan Viability – Policy 11

Context – Regulation 18 Representations

- 4.1 The Regulation 18 draft of the Local Plan set a minimum 50% affordable housing to be provided. Further to this, the Regulation 18 draft of the Local Plan stated that if the minimum level of affordable housing is not provided, the application will be refused and that site specific viability information will only be accepted in exceptional circumstances.
- 4.2 AY submitted representations setting out reasons why draft policy 11 was unsound (not positively prepared, not justified, not effective and not consistent with national policy).
- 4.3 The points raised in our Regulation 18 representations still stand, and form part of our representations to the Regulation 19 consultation. To avoid repetition we do not repeat them in full here – please refer to Section 9 of **Appendix A** of this submission (specifically paragraphs 9.1-9.14 and 9.18-9.31).

Regulation 19

- 4.4 The supporting text to Policy 11 provides a definition of Affordable Housing. This is qualified by the requirement to be in compliance with an entirely separate document (that does not form part of the development plan). This is **not in general conformity with the London Plan** and raises procedural issues.
- 4.5 Policy 11 requires that all new housing development should provide at least 50 per cent of the total number of habitable rooms as affordable housing on-site (except small sites); if this minimum level of affordable housing is not provided the application will be refused; and site specific viability evidence will only be accepted in exceptional circumstances.
- 4.6 The adopted local plan has a similar 50% policy in place. This has failed to deliver the borough's objectively assessed needs for affordable housing, and there is no evidence to suggest that continuing with a similar policy will change this going forwards.
- 4.7 Accordingly, the policy is **not positively prepared nor likely to be effective**. It is, furthermore, **not justified** by the evidence (the Local Plan Viability Assessment). As a consequence it is incapable of delivering sustainable development and is therefore **not consistent with national policy**.
- 4.8 We set out below as tracked changes our recommendations on amendments to the Regulation 19 definition of affordable housing and Policy 11 as necessary to make them sound.

Definitions for Affordable Housing

Genuinely Affordable Housing- The Council considers the following to be genuinely affordable housing products:

- Social Rent.
- London Affordable Rent.
- London Living Rent (~~only when delivered in compliance with the Council's Intermediate Housing Policy Statement 2019 or any further update~~).
- **London** Shared Ownership (~~only when delivered in compliance with the Council's Intermediate Housing Policy Statement 2019 or any further update~~).

Policy 11

Affordable Housing (Strategic Policy)

- A. All new housing developments in the borough should provide **affordable housing in accordance with London Plan Policies H4 to H6. The threshold level of affordable housing (for the purposes of following the Fast Track Route) is set at 35%, with the exception of former employment sites and public sector sites where 50% will apply.** ~~at least 50 per cent of the total number of habitable rooms as affordable housing on site. The affordable housing being provided should be genuinely affordable for the majority of residents in the borough.~~
- B. A contribution towards affordable housing will be expected on all housing sites.
- ~~1. On all former employment sites at least 50% on-site provision. Where possible, a greater proportion than 50% affordable housing on individual sites should be achieved.~~
 - ~~2. On all other sites capable of ten or more units gross 50% on-site provision. Where possible, a greater proportion than 50% affordable housing on individual sites should be achieved.~~
- On sites below the threshold of 'capable of ten or more units gross', a financial contribution to the Affordable Housing Fund commensurate with the scale of development, in line with the sliding scales set out below ~~and in the Affordable Housing SPD.~~
- C. Where on site provision is required, an application should be accompanied by evidence of meaningful discussions with Registered Providers which have informed the proposed tenure, size of units and design to address local priorities and explored funding opportunities, and informed the capital value of the affordable housing.
- D. Where ~~on-site~~ affordable housing is provided on site, the Council will require an affordable housing tenure split of 70% **low cost rented homes** ~~affordable rented housing~~ and 30% intermediate housing (**as per London Plan definitions**) by habitable room. ~~The intermediate housing will be delivered in line with the Council's Intermediate Housing Policy Statement.~~
- E. ~~If the minimum level of affordable housing is not provided in line with Part B (1) and B(2) the application for development will be refused.~~
- F. ~~Site specific viability information will only be accepted in exceptional cases, determined by the Council. Any proposals where site specific viability evidence is accepted must provide the maximum amount of affordable housing, informed by detailed viability evidence. The cost of any independent review must be covered by the applicant.~~
- G. ~~If a site proposes a non-compliant level of affordable housing and is granted permission it will be subject to detailed review mechanisms (early, mid and late stage) throughout the period up to full completion of the development, including an advanced stage review mechanism. Sites that meet the 50% target for affordable housing will not be subject to a late stage review, only an early stage review to incentivise implementation.~~
- H. In exceptional circumstances, where affordable housing cannot practically be provided on site, or off-site provision would create a better contribution (in terms of quantity and/or quality), the Council may accept provision of affordable housing off-site in the same area.

- I. Developments involving the provision of affordable housing will be expected to achieve the same high quality standards as the private housing element of the scheme in terms of accessibility, internal space requirements, external appearance and design quality and provision of private outdoor space.
- J. The Council will not accept the loss of any existing affordable housing, as set out in Policy 14. Loss of Housing, and will expect any estate regeneration to provide the equivalent amount and tenure of affordable housing by habitable room, and where possible, achieve an uplift in provision.

Historic Affordable Housing Delivery

4.9 The current Local Plan, adopted in 2018, sets an average annual total new housing target of 315 homes per annum (Policy LP36), which was subsequently updated by the new London Plan (2021) to 411 homes per annum for the period 2019 onwards. Average annual new home completions in the borough over the current plan period have exceeded these annual targets, as has been the case over the past 10 years, as detailed in Table 4.1 below:

Table 4.1 Total New Homes Completed in LB Richmond-upon Thames 2012-2022

| Year | New Build | Conversions | Change of Use | Demolitions | Other | Total Net Supply |
|--------------|--------------|-------------|---------------|-------------|-----------|------------------|
| 2012/13 | 481 | 13 | 26 | -35 | 0 | 485 |
| 2013/14 | 365 | -21 | 36 | -16 | 0 | 364 |
| 2014/15 | 65 | -19 | 207 | -12 | 0 | 241 |
| 2015/16 | 191 | -10 | 357 | -25 | 0 | 513 |
| 2016/17 | 286 | -3 | 199 | -17 | 0 | 465 |
| 2017/18 | 277 | -8 | 129 | -16 | 0 | 382 |
| 2018/19 | 234 | 9 | 205 | -25 | 0 | 423 |
| 2019/20 | 250 | -4 | 78 | -11 | 0 | 313 |
| 2020/21 | 931 | 80 | 431 | -77 | -3 | 1,362 |
| 2021/22 | 127 | 27 | 14 | -9 | 14 | 173 |
| Total | 3,207 | 64 | 1,682 | -243 | 11 | 4,721 |

Source: Department for Levelling Up, Housing & Communities (2023), Affordable Housing Supply Statistic (AHS) 2021-22 accessed 29/06/22, <https://commonslibrary.parliament.uk/local-authority-data-housing-supply/>

- 4.10 The adopted Local Plan includes a similar policy requirement for 50% affordable housing (Policy LP36), as that proposed by Policy 11 of the Regulation 19 draft Local Plan. LP36 seeks to meet an identified need for 964 additional affordable homes per annum (2014-2033) identified in the borough's 2016 Strategic Housing Market Assessment (SHMA). We note that the affordable housing need identified in the SHMA is more than double the current annual housing requirement.
- 4.11 Affordable housing completions over the current plan period have fallen well short of the 50% target, as has been the case over the past 10 years where on average just 47 new affordable homes have been completed per annum (10% of total housing completions), as demonstrated in Table 4.2 below.

Table 4.2 Total New Affordable Homes Completed in LB Richmond-upon Thames 2012-2022

| Year | Affordable Home Ownership | Affordable Rent | Other Rent | Social Rent | Total |
|--------------|---------------------------|-----------------|------------|-------------|------------|
| 2012/13 | 0 | 19 | 0 | 14 | 33 |
| 2013/14 | 10 | 38 | 0 | 0 | 48 |
| 2014/15 | 3 | 73 | 0 | 2 | 78 |
| 2015/16 | 0 | 88 | 0 | 0 | 88 |
| 2016/17 | 20 | 35 | 0 | 0 | 55 |
| 2017/18 | 0 | 32 | 0 | 0 | 32 |
| 2018/19 | 29 | 16 | 0 | 0 | 45 |
| 2019/20 | 5 | 30 | 1 | 0 | 36 |
| 2020/21 | 0 | 24 | 18 | 0 | 42 |
| 2021/22 | 0 | 3 | 7 | 0 | 10 |
| Total | 67 | 358 | 26 | 16 | 467 |

Source: Department for Levelling Up, Housing & Communities (2023), Affordable Housing Supply Statistic (AHS) 2021-22 accessed 29/06/22, <https://commonslibrary.parliament.uk/local-authority-data-housing-supply/>

- 4.12 Indications are that this trend is set to continue. The planning applications for the redevelopment of the Stag Brewery Site (ref.22/0900/OUT and 22/0902/FUL) were approved by the borough's Planning Committee on 19th July 2023. These applications propose 1,068 new homes, with just 7.6% affordable housing.
- 4.13 Clearly, the adopted Local Plan's affordable housing policy (LP36) has proven to be ineffective and has failed to meet the borough's objectively assessed needs for affordable housing.
- 4.14 We recognise that much of the borough's housing supply comes from small sites, within which it is challenging to accommodate affordable housing onsite. Nonetheless, we note that the adopted Local Plan affordable housing policy includes a provision to capture affordable housing contributions from small sites, therefore the dominance of small sites should not in principle preclude affordable housing delivery within the borough.
- 4.15 LBRuT's 2021 Local Housing Needs Assessment estimates that there is an annual need for 1,123 rented affordable homes in Richmond. Unsurprisingly this has increased since the previous SHMA was undertaken in light of the historic under delivery in the borough. The Regulation 19 draft Local Plan proposes to continue with the same policy requirement as the adopted local plan. In the absence of any evidence to suggest anything to the contrary, it would be reasonable to assume that this would simply involve continuing with an ineffective policy that will fail to meet the borough's current and future affordable housing needs.
- 4.16 Accordingly, our view is that the policy is unlikely to be effective.

Alternative Policy Approach

- 4.17 The Threshold Approach (set at 35%) was introduced in supplementary planning guidance by the Mayor in 2017 as a solution to address the failings of past policy approaches which have failed to deliver adequate levels of affordable housing to meet the needs of Londoners. The guidance was subsequently established as policy in the adopted London Plan (2021). As set out in detail below, evidence indicates that the shift to the Threshold Approach (set at 35%) has been effective, with the average proportion of

affordable housing secured under new planning permissions granted increasing significantly since the approach was introduced.

4.18 As set out in the GLA's Affordable Housing in Planning Applications Referred to the Mayor of London report (May 2023), the Mayor considered 157 applications at Stage 2 of the referral process in 2022. Of these, 136 applications were referred to the Mayor at Stage 2 with LPA resolution to grant consent subject to the completion of a Section 106 agreement.

4.19 As set out in table 4.3 below, 82 of the approved schemes included residential development providing a total of 46,875 residential units (Use Class C3), of which 18,043 were affordable. This is an overall affordable percentage of 38% by unit and 43% by habitable room, which is the highest number of affordable homes secured in a year since data was first collected in 2011.

Table 4.3 - Number and proportion of affordable homes in 2022 residential applications referred to the Mayor

| No. of Affordable Units Approved | Total No. of Units Approved | Per cent of Total Units that are Affordable | Per cent of Total Habitable Rooms that are Affordable | Average Affordable per cent per Scheme (by unit) | Average Affordable per cent per Scheme (by habitable rooms) |
|----------------------------------|-----------------------------|---|---|--|---|
| 18,043 | 46,875 | 38% | 43% | 41% | 45% |

Source: GLA's Affordable Housing in Planning Applications Referred to the Mayor of London (May 2023)

4.20 84 per cent of referable schemes in 2022 included 35 per cent or more affordable housing (by habitable room). As set out in table 4.4 below, for each of the last four years, 35 per cent or more affordable housing has been secured in more than ¾ of referable applications.

Table 4.4 - Schemes Providing 35 per cent or More Affordable Housing and that Follow the Fast Track Route

| Year | Total No. of Approved Residential applications | No of Schemes with 35% Affordable Housing or More (by Habitable Room) | Percentage of Schemes with 35% Affordable Housing or More (by Habitable Room) | No. of Schemes Eligible for Fast Track Route | No. of Fast Track Route Schemes | Percentage of Eligible Schemes Following the Fast Track Route |
|------|--|---|---|--|---------------------------------|---|
| 2018 | 99 | 50 | 53% | 83 | 22 | 27% |
| 2019 | 63 | 50 | 79% | 55 | 21 | 38% |
| 2020 | 95 | 73 | 77% | 83 | 43 | 52% |
| 2021 | 88 | 72 | 82% | 79 | 48 | 61% |
| 2022 | 82 | 69 | 84% | 68 | 45 | 66% |

Source: GLA's Affordable Housing in Planning Applications Referred to the Mayor of London (May 2023)

4.21 As set out above, it is evident that the Threshold Approach (set at 35% to follow the Fast Track Route) has had a positive impact on the proportion of affordable homes being secured in London as a whole. In the context that LBRuT's current 50% policy requirement has been proven to be ineffective, it is our view that a shift to a Threshold Approach (set at 35%) in line with London Plan Policy H5 would represent a more effective alternative.

Viability

- 4.22 The Local Plan is supported by a Local Plan Viability Assessment ('the Viability Assessment') prepared by BNP Paribas on behalf of the Council. This does not, however, provide an adequate evidence base to justify Policy 11 particularly the requirement for 50% affordable housing
- 4.23 The Viability Assessment was produced in April 2023 to test the ability of developments in the borough to accommodate emerging policies in the draft Local Plan. Although the report is dated April 2023, the values and build costs appear to be based on information up to June 2022, therefore we have assumed the Viability Assessment and any assumptions within it are based on this point in time. We provide a summary of the methodology set out within the Viability Assessment and provide commentary on the contents, focusing on the appropriateness of the supporting evidence and assumptions, and any omissions within the document.

Methodology

- 4.24 The Viability Assessment utilises the residual method to calculate the residual land value (RLV) of each development. The methodology considers the Residual Land Value (RLV) of 30 development typologies, reflecting different uses, including residential, offices and industrial, at varying densities. The appraisals have been tested at 0-50% affordable housing, with the following affordable housing mixes:
- 70% London Affordable Rent (LAR) & 30% Shared Ownership (SO);
 - 70% LAR & 30% London Living Rent (LLR);
 - 70% Social Rent (SR) & 30% SO; and
 - 70% SR & 30% LLR.
- 4.25 The Viability Assessment has established benchmark land values (BLV) for various uses, including residential, secondary offices, secondary industrial and garden/amenity/open land/vacant garage sites, to reflect the value of the existing land prior to development.
- 4.26 The appraisals compare the RLV's generated by the various development typologies with a BLV to establish whether the scheme is viable. Where the RLV of a typology exceeds the BLV, the scheme is viable. Where the RLV is no more than 10% lower than the BLV, the scheme is considered to be on the margins of being viable. Where the RLV is either negative or more than 10% lower than the BLV, the scheme is unviable.

Benchmark Land Value

- 4.27 The Viability Assessment tests four benchmark land values including:
- Existing residential;
 - Secondary offices;
 - Secondary industrial sites; and
 - Garden/amenity/open land/vacant garage sites.
- 4.28 **The Viability Assessment has not undertaken any benchmark land value assessments for existing retail uses, including high street, shopping centre or retail parks, therefore the Viability Assessment cannot be used to substantiate suitable levels of affordable housing on any existing retail sites (such as Site Allocation 31 (KRP), Site Allocation 18 (Twickenham Riverside and Water Lane / King Street), Site Allocation 25 (Former House of Fraser), Site Allocation 28 (Homebase), and Site Allocation 29 (Sainsbury's)).**
- 4.29 We have summarised in the table below BNP Paribas BLV assumptions, approach and evidence alongside our comments on each benchmark land value.

Table 4.5 BNP Paribas BLV assumptions

| Existing Use | BLV | Approach & Evidence | Avison Young Comments |
|---|------------------------------|--|---|
| Existing residential | £11.41 - £15.81m per hectare | <p>Assumed a site coverage of 10% with an existing 2 storey building.</p> <p>Applied the prevailing residential sales value in each area, discounted by 20% below new build values to reflect obsolescence and outdated fittings.</p> <p>No premium applied, as the resulting capital values are based on market values of properties which have been sold, which already include the necessary premium to incentivise a sale.</p> | <p>Site coverage appears low which may understate the existing use value of residential sites.</p> <p>BNP Paribas appear to have used residential unit sales to establish the existing use value, which are unlikely to include a premium to incentivise a sale. A premium should be included to incentivise a sale for development, which is not typically included in residential unit sales.</p> <p>The MHCLG's16 '<i>Land Value Estimates for Policy Appraisal</i>' indicates a value of £24.6m per hectare in Richmond upon Thames which is far higher than BNP Paribas' assumption.</p> |
| Secondary offices | £12.39m per hectare | <p>Considered MHCLG's16 '<i>Land Value Estimates for Policy Appraisal</i>' published in 2020, which indicates a value of £6.27m per gross hectare in outer-London boroughs.</p> <p>Also considered lower quartile rents for secondary office lettings in Richmond, which will be higher than other parts of outer-London. Capitalised lower quartile rents to get to a capital value of £10.32m plus a 20% premium.</p> | <p>Rental & yield evidence and the adopted assumptions are not provided.</p> <p>Query whether evidence is borough wide or solely based on Richmond.</p> |
| Secondary industrial sites | £5.28m per hectare | <p>Considered MHCLG's16 '<i>Land Value Estimates for Policy Appraisal</i>' published in 2020, which indicates a value of £4m per gross hectare in Richmond.</p> <p>Also considered lower quartile rents for industrial lettings in Richmond, assuming a 30% plot ratio, which comes to a capital value of £4.4m plus a 20% premium.</p> | <p>Rental & yield evidence and the adopted assumptions are not provided.</p> <p>Query whether evidence is borough wide or solely based on Richmond.</p> |
| Garden /amenity/ open land/ vacant garage sites | £0.5m per hectare | <p>BNP Paribas assume there is little existing use value, as the use only provides amenity to the users.</p> <p>Assumed that the value includes adequate incentive to owners.</p> | <p>No evidence provided to justify the value.</p> <p>No premium included to incentivise a sale for development. It is difficult to consider whether this is an appropriate assumption without having sight of the evidence.</p> |

Development Typologies

4.30 The Viability Assessment sets out 30 development typologies on pages 23-24 within table 4.1.1, which include the following uses at varying densities:

- Seven housing typologies ranging from 1 unit to 10 units
- Seventeen flat typologies ranging from 2 – 600 units
- One combined housing and flat typology including 20 units
- One combined residential and industrial/employment scheme including 70 residential units
- Two industrial typologies including a new build scheme and an industrial intensification scheme
- Two office typologies including a small scale office and a medium scale office

4.31 The Viability Assessment tests a range of development typologies rather than providing any site specific testing for the draft allocation sites. Kew Retail Park is one of the largest draft allocation sites for new homes therefore we would expect the viability testing to consider this in more detail.

-
- 4.32 The development typologies exclude any high street, shopping centre or out of town retail uses, with the exception of some ancillary retail floorspace within the flat and office typologies.
- 4.33 There are only two office typologies including the 'Small Scale Office' typology totalling 27,500 m2 of office space over 5 storeys, plus ancillary retail space (500m2) and a supermarket (250 m2), and the 'Medium Scale Office' typology totalling 35,000 m2 of office space over 5 storeys, plus a supermarket (250 m2). Both of these office typologies assume a large amount of office space. Based on information available on CoStar for Richmond upon Thames, we understand that the largest existing office building in the area is c. 12,500 m2, and the average office building is c. 700m2, which is well below the tested typologies. The draft site allocations don't appear to provide any areas for the proposed development and are therefore not realistic assumptions to base the assumptions on..

Residential Values

- 4.34 The Viability Assessment has tested a range of values based on analysis of 1,576 Land Registry transactions between January 2021 and March 2022 but brought up to date using HPI.
- 4.35 Values range from £7,130 psm (£662 psf) to £9,880 psm (£917 psf) including 9 values sets with a 4-5% uplift between each, which have been applied to the development typologies. The highest sales values are achieved in the northeast of the Borough, and in Richmond and Twickenham. Developments in the western and south-western parts of the borough are lowest. BNP Paribas have provided a map illustrating the sales values by area. These do not appear to directly correspond with the value sets however they indicate approximate values of £9,145 in North Sheen, £9,185 in Barnes and £9,650 towards the northeast of the borough. We note that the Viability Assessment does not include details of the residential comparable evidence within the report or appendices.
- 4.36 For each value set BNP Paribas appear to have applied a single rate per m2 to the residential units, regardless of whether the development typology in question includes flats, houses or a combination of the two. **We would expect different rates to be applied for the flat and housing typologies.**
- 4.37 BNP Paribas have based their value sets for each location on a variety of transactions within the borough, which will include a mix of unit types such as 1 bed flats, 2 bed terraced houses etc. This approach doesn't appear to consider the adopted unit mix, or calculate a blended rate based on the unit mix in each typology. Generally, we would expect the price per sq ft for flats to be higher than houses due to quantum size adjustments.

Commercial Rents & Yields

- 4.38 The rent and yield assumptions for the retail, office and industrial floorspace are informed by 219 lettings of similar floorspace in Richmond upon Thames recorded by CoStar between January 2020 and May 2022.
- 4.39 For each use BNP Paribas has applied the upper quartile rent to reflect the higher rents achieved for newly build space. They have also assumed a 12 month rent free for all types of commercial floorspace. On review the rental assumptions for the commercial uses appear high and the yields appear low, in some cases the rent free also appears conservative.
- 4.40 We have noted below a number of concerns with this approach:
- BNP Paribas have included varying rent assumptions across different areas of the borough such as Barnes/Mortlake, Richmond and Teddington, however it is unclear how these assumptions have been applied to the appraisals.
 - Rents can be very sensitive and not simply applies to Richmond as a whole. As an example, high street locations will command a premium over a side road in the same location
 - Yield evidence has not been provided.

Build costs

- 4.41 The Viability Assessment has sourced build costs from the RICS Building Cost Information Service (BCIS) based on June 2022 data which has been rebased to Richmond Upon Thames. The Viability Assessment utilised the 'median' build costs as a base cost and has added 10% for external works. External works and associated costs will vary for flats, houses, retail, offices and industrial uses, therefore we would expect the external allowance to be differentiated for each use.
- 4.42 BCIS provides cost and price data for the UK construction industry covering a range of property types based on average tender prices. For planning purposes, where site specific cost plans for a project are unavailable, BCIS provides a reasonable source of cost information.
- 4.43 We understand that the Viability Assessment has been undertaken at a point in time and that values and build costs will be re-assessed at the next stage of the Local Plan. We have considered the following indices to illustrate the movements in values and builds over the last 12 months and to understand how these assumptions may change.

Table 4.6 Q2 2022 - Q2 2023 Indices

| Index | Q2 2022 – Q2 2023 (% change) |
|---|--|
| House Price Index All Property (Richmond Upon Thames) | 1.9% (To April, latest data available) |
| House Price Index Flats (Richmond Upon Thames) | 1.3% (To April, latest data available) |
| BCIS All in TPI | 4.9% |
| BCIS General Building Cost Index | 3.6% |
| BCIS Private Housing Construction Index | 6.8% |

- 4.44 In Richmond upon Thames residential values appear to have increased at a slower rate than build costs across the UK based on the indices noted above.

Development assumptions

- 4.45 We have summarised the remaining Viability Assessment assumptions in the table below with our comments against each.

Table 4.7 BNP Paribas Viability Assessment Assumptions

| | Viability Assessment Assumptions | Avison Young Comments |
|-----------------------------|----------------------------------|--|
| Site clearance & demolition | No allowance | <p>There is no allowance for any site clearance or demolition costs.</p> <p>The Viability Assessment considers the redevelopment of existing residential, office, industrial and open land which will incur site clearance/demolition costs to varying extents, therefore we would expect an allowance to be made.</p> <p>In our experience Local Plan Viability Assessments in London boroughs typically include an allowance for demolition, given a large proportion of allocated sites in London are brownfield. We note the following demolition & site preparation assumptions adopted in other Local Plan Viability Assessments:</p> <ul style="list-style-type: none"> - Wandsworth (Porter) – £100 per sq m demolition costs for 1/3rd of the tested typologies proposed floorspace. - Croydon (Gerald Eve) – 2.5% site preparation costs. |

| | | |
|--------------------------------------|---|---|
| | | - Camden (BNP Paribas) - £150 per sq ft demolition costs. |
| Abnormals | No allowance | <p>There is no allowance for any abnormal costs such as environmental, archaeological & remediation. A majority of the site allocations are on brownfield land therefore it would be appropriate to include an allowance for abnormal costs.</p> <p>We note the following site abnormal costs adopted in other Local Plan Viability Assessments:</p> <ul style="list-style-type: none"> - Croydon (Gerald Eve) - 2% environmental costs. - Wandsworth (Porter) - £750,000 per hectare remediation costs. |
| Professional fees | 10% | Within a reasonable range however there appears to be no differential between the residential and commercial uses. |
| Contingency | 5% | The example appraisal at appendix 12 appears to include a contingency of 5% however this isn't explicitly referred to in the body of the report. |
| Mayoral CIL | £80 per sq m before indexation | <p>The Viability Assessment applies the indexed rate to all new development for applicable uses. Typically you would deduct existing floorspace that has been in lawful use for 6 months within the 36 months prior to the time at which planning permission first permits development. However we recognise this is difficult to quantify based on the methodology used.</p> <p>It is not explicitly stated, however we have assumed a deduction has been made for the affordable residential, to which CIL does not apply. This appears to be the case in the example appraisal provided.</p> |
| Richmond upon Thames CIL | Residential - £190-£250 Offices (Richmond town centre) - £25 Retail - £150 Hotels - £25 Care Homes - £25 All other uses - £0 | <p>The Viability Assessment applies the indexed rates to all new development for applicable uses. Typically you would deduct existing floorspace that has been in lawful use for 6 months within the 36 months prior to the time at which planning permission first permits development. However we recognise this is difficult to quantify at this scale.</p> <p>It is not explicitly stated, however we have assumed a deduction has been made for the affordable residential, to which CIL does not apply. This appears to be the case in the example appraisal provided.</p> <p>The indexed CIL rates used in the Viability Assessment are for 2022. The CIL rates are linked to the BCIS all in TPI index and have increased over the last year.</p> |
| S106 costs | Up to £2,750 per unit Up to £25 per m2 non-residential | <p>Based on previous agreed S106 costs and discussions with the Council.</p> <p>This seems light based on previously agreed S106 costs in the borough. We understand £6,750 per unit has been agreed at Site Allocation 34 (Stag Brewery) and £3,400 per unit at Site Allocation 28 (Homebase).</p> <p>These figures are "up to" however we have not been provided with a range and details of when each rate is used.</p> |
| S278 | £1,000 per residential unit £15 per m2 commercial | The S278 costs can vary significantly per site depending on the conditions of the surrounding area and the road network, and whether significant improvements are required. Generally, costs per unit exceed this assumption. We understand the costs at Site Allocation 34 (Stag Brewery) total £13.6m or £12,500 per unit. |
| Marketing costs | 2.5% | Appears reasonable. |
| Legal fees | 0.5% | Appears reasonable. |
| Letting agent and letting legal fees | - | Not included for the commercial uses. |
| Purchasers' costs | - | Not included for the commercial uses. |

| | | |
|---------|---|---|
| Finance | 6% | Given the recent rises in interest rates this assumption appears low. The finance rate is typically based on the LIBOR rate, which currently sits at 5.19%, plus an allowance for risk. However we note that the Viability Assessment assumptions appear to be based on data up to June 2022 when interest rates were lower. |
| Profit | Private - 17.5% on GDV Affordable - 6% on GDV Commercial - 15% on GDV | Appears reasonable. |

4.46 For other policy requirements (such as provision of employment space, affordable workspace, biodiversity net gain & accessibility), BNP Paribas has used selected data from the base results to test the impact of emerging policies, including the following sustainability and accessibility assumptions.

Table 4.8 BNP Paribas Emerging Policy Assumptions

| | Emerging Policy Assumptions |
|------------------------------------|--|
| Cost uplift for operational carbon | 5% of build costs for domestic and non-domestic |
| Cost uplift for embodied carbon | 15% of build costs for domestic and non-domestic |
| Accessibility - Flats | M4(2) 1.15% (all dwellings) M4 (3b) 9.47% (10% of dwellings) |
| Accessibility - Houses | M4(2) 0.54% (all dwellings) M4 (3b) 23.80% (10% of dwellings) |
| Urban greening factor | £112.80 per m2 |
| Biodiversity net gain | 0.2% of build costs |

4.47 The emerging policy assumptions noted above will evidently have a further negative impact on the viability. BNP Paribas has also tested scenarios with growth and inflation, however as noted above, build costs have been rising at a greater rate than house prices, therefore we expect these scenarios to create a more negative position. We note that at this stage, our review focuses on the base assumptions and results and does not consider these alternative scenarios in detail.

Results

4.48 The Viability Assessment makes the following conclusions in relation to the level of affordable housing:

"There are significant variations in the percentages of affordable housing that can be provided, depending on private sales values, affordable housing tenure, scheme composition and benchmark land value...The results do not point to any particular level of affordable housing that most schemes can viably deliver and we therefore recommend that the 50% target be retained, and applied on a 'maximum reasonable proportion' basis taking site-specific circumstances into account."

- 4.49 On review of the viability appraisal results, **we note that a majority of the development typologies are unviable at 35% and above, let alone 50% affordable housing**, particularly where the existing use is residential or offices. There are exceptions to this in the case of the secondary industrial and undeveloped land/gardens, back land existing uses, which have lower existing use values and typically involve lower costs to redevelop. Realistically, the undeveloped land/gardens are very unlikely to produce land for most of the scenarios tested and therefore these are not realistic scenarios.
- 4.50 As noted above, 30 development typologies are tested at 9 residential value sets, with affordable housing ranging from 0-50%, which are compared against four benchmark land values. Given the Council are targeting 50% affordable housing we have commented in more detail on the results at this level below:
- All of the typologies are unviable with a **residential existing use**, with the exception of the 'small scale office' and 'medium scale office' development typologies, which only become viable in the top two tiers of residential value, which we understand have only been achieved in the northeast of the Borough, and in Richmond and Twickenham.
 - All of the typologies are unviable with a **secondary office existing use**, with the exception of the 'small scale office' and 'medium scale office' development typologies, which only become viable in the top three tiers of residential values.
 - A number of the typologies are unviable with a **secondary industrial existing use**, with the exception of 6 housing typologies which are viable at the lowest value set. This position changes as the residential values increase, with 26 viable typologies at the highest value set.
 - A majority of the typologies are viable where the benchmark land value is **undeveloped land** given the lower costs associated with this existing use. There are a few exceptions, including 4 typologies at the lowest value set which are unviable, including the two office typologies and the four hundred flat typology and 600 flat typology, which all become viable by the 5th value set.
 - Of note, the commercial typologies are based on rents and yields for c. 5 locations within the borough, however there is no indication of how these commercial value sets have been applied to the 9 residential value sets which are illustrated in the results tables.

Assumptions Conclusion

- 4.51 On review of the development assumptions there is potential for a number of these to change which may further negatively impact the viability of a new development, including the following:
- Value and cost data is based on evidence up to March / May 2022 therefore changes in the market over the last year are likely to affect these assumptions.
 - No retail benchmark land value assumed.
 - Allowances for demolition and abnormal costs are excluded.
 - The finance rate is low when you consider current interest rates.
 - The contingency assumption is not referred to in the body of the report. If this has been omitted, inclusion of this will further impact the viability negatively.
 - The S106 and S278 costs are low when you consider previously agreed costs in the borough.
 - Commercial letting fees and purchasers' costs are excluded

Relationship to Draft Site Allocations

- 4.52 As set out in table 4.9 below, we have undertaken an analysis of housing site allocations. Table 4.9 lists all of the allocations, identifying if there is a corresponding site typology that aligns with the site allocation that has been assessed in the BNP Paribas viability assessment. If no, then there is no evidence to justify 50% affordable housing. [It should be noted that Site Allocations which do not support housing have been excluded from the below table as they are not relevant in this circumstance].

Table 4.9 Analysis of Housing Site Allocations and Appraisal Typology

| Site Allocation Ref | Name | Existing Use | Site Allocation Supports Housing | Viability Appraisal Site Typology |
|---------------------|--|---|----------------------------------|-----------------------------------|
| 1 | Hampton Sq | Mixed: community, retail, residential, commercial | Yes | No |
| 2 | Platts Eyot | Mixed business and employment | Yes | No |
| 4 | Car Park for Sainsburys, Uxbridge Road | Out of town retail | Yes | No |
| 5 | Hampton Telephone Exchange | Telephone exchange | Yes | No |
| 6 | Teddington Telephone Exchange | Telephone exchange | Yes | No |
| 7 | Teddington Delivery Office | Royal Mail Sorting Office | Yes | No |
| 8 | Strathmore Centre | Social infrastructure (child care services/youth offending centre) | Yes | No |
| 9 | Teddington Police Station | Police station | Yes | No |
| 12 | The Stoop | Sports stadium | Yes | No |
| 14 | Mereway Day Centre | Community use | Yes | No |
| 15 | Station Yard, Twickenham | Station car park | Yes | No |
| 16 | Twickenham Telephone Exchange | Telephone exchange | Yes | No |
| 17 | Twickenham Riverside | Mixed use | Yes | No |
| 18 | Homebase, Hanworth | Out of town retail | Yes | No |
| 19 | Fulwell Bus Garage | Bus depot and community uses | Yes | No |
| 20 | Ashdale Close Telephone Exchange | Telephone exchange | Yes | No |
| 21 | Kneller Hall | Former Royal Military School of Music – Temporary use for film making | Yes | No |
| 22 | Whitton Community Centre | Community centre and pharmacy | Yes | No |
| 23 | Ham Close | Mixed use | Yes | No |
| 24 | Cassel Hospital | Hospital | Yes | No |
| 25 | Richmond Station | Railway station | Yes | No |
| 27 | Richmond Telephone Exchange | Telephone exchange | Yes | No |
| 29 | Manor Road Homebase | Retail | Yes | No |
| 30 | Lower Richmond Road Sainsburys | Out of town retail | Yes | No |
| 32 | Kew Retail Park | Out of town retail | Yes | No |
| 32 | Kew Biothane Plant | Former biothane Plant – Extant care home consent | Yes | No |
| 35 | Stag Brewery | Former Brewery – Temporary consent for film production | Yes | No |
| 36 | Mortlake and Barnes Delivery Office | Royal Mail delivery office | No | No |
| 37 | Upper Richmond Road Telephone Exchange | Telephone exchange | Yes | No |

4.53 As is evident from the table, there are no corresponding site typologies within the Whole Plan Viability Assessment that corresponds to the Site Allocation, therefore inadequate viability evidence has been provided to justify setting a borough wide absolute 50% affordable housing target.

Summary

4.54 Evidence of historic (lack of) affordable housing delivery in the borough confirms that a 50% affordable housing policy requirement has failed to deliver adequate amounts of affordable housing in the borough. Further to this, there is no evidence within the Council's evidence base documents to suggest that this will change if a 50% requirement is continued.

4.55 Evidence from elsewhere in London indicates that adopting the Mayor's Threshold Approach at 35% delivers an increase in affordable housing compared to adopting a 50% policy.

4.56 In any event, there is inadequate viability evidence to justify setting the borough wide affordable housing policy at 50%:

- All of the proposed site allocations do not correspond with any of the scenarios tested in the Viability Assessment (so there is an evidence void);
- The majority of the scenarios tested in the Viability Assessment are unviable with 50% affordable housing;
- The hypothetical scenario of the redevelopment of a retail park is not viable with 50% affordable, however is marginally viable with 35% affordable housing.

4.57 There is furthermore, no justification provided for restricting access to the viability tested route to exceptional circumstances.

4.58 On this basis, we consider the overall approach to the policy to be unsound on the grounds of non-conformity with the London Plan (and therefore not in accordance with national policy), it has not been positively prepared, not justified, not effective. It can be made sound by amending the policy to fully conform with London Plan Policy H5.

5. Other Relevant Policies

Policy 4 – Minimising Greenhouse Gas Emissions and Promoting Energy Efficiency

- 5.1 Policy 4, as currently drafted, is not in accordance with national policy, not in general conformity with the London Plan, nor justified. We recommend that it is amended to fully conform with the London Plan which would make it sound, as explained below:

Explanation

- 5.2 Changes to Regulation 19 to incorporate Approved Document Part O 2021 (AD O) are welcomed, but please note the wording in the Draft Local Plan is incorrect. AD O relates to residential buildings only, and TM52 and TM59 are represented the wrong way around in print, as these relate to non-domestic and domestic respectively.
- 5.3 The introduction of Energy Use intensity reporting is in-line with London Plan requirements, and CIBSE TM31 logbook requirements are in-line with Approved Document Part L 2021.
- 5.4 An evidence base has now been provided in an attempt to justify setting £300/t rate (Climate Change – Local Plan Net Zero Carbon evidence base, April 2023). It is apparent from the revision table and Section 2.1 that this study has been completed retrospectively after the issue of the Regulation 18 Draft Local Plan as justification for setting the carbon offset payment rate, which brings into question how sound the evidence is in validating the Regulation 18 policy. The evidence base does not contain any discussion on the suitability of the £300/t rate, and the ‘best practice’ specification used in the sample study assumes an exemplary level of building fabric performance aligning with PassivHaus standards, not best practice. The result of this can be seen in lower than usual offset payments, which are not representative of current industry practices and therefore places an unreasonable burden on developments and would jeopardise the viability of future schemes.
- 5.5 The Greater London Authority guidance for London’s Local Planning Authorities on establishing carbon offset funds (October 2018) requires that “LPAs should develop and publish a price for offsetting carbon based on either: a nationally recognised carbon pricing mechanism; or the cost of offsetting carbon emissions across the LPA. **The price set should not put an unreasonable burden on development and must enable schemes to remain viable.**” The London Plan carbon offset price of £95 per tonne has been tested as part of the GLA viability assessment. This is intended to be the price LPAs adopt. Where following a ‘cost of offsetting’ route, the LPA should include an assessment of the carbon offsetting measures that are possible in the LPA, and dividing the average cost per tonne per year of these measures by the expected shortfall in emissions from the anticipated development coming forward over the next 30 years. In review of the LBRuT Climate Change – Local Plan Net Zero Carbon evidence base (April 2023) it is clear that a justified evidence base for the £300/t figure has still not been provided.

Recommendation

- 5.6 In lieu of an appropriate evidence base for the £300/t offset figure, it is recommended that the GLA viability tested £95/t figure be kept, in accordance with the London Plan (2021).

Policy 6 - Sustainable Construction Standards

- 5.7 Policy 6, as currently drafted, is not in accordance with national policy, not in general conformity with the London Plan, nor justified. We recommend that it is amended to fully conform with the London Plan which would make it sound, as explained below:

Explanation

- 5.8 Regulation 19 policy wording now includes a ban on gas boilers after 2024. This is not considered to be a sound policy as it is not consistent with national policy on banning this technology. The London Plan (2021) and the GLA Energy Assessment Guidance (2022) allows low NOx gas boilers to be permitted on developments as part of a viable energy strategy in certain circumstances, noting that they are suitable when it has *"been clearly demonstrated that all of the above [stages of the energy hierarchy] have been fully investigated and ruled out with sufficient evidence provided"*. Furthermore, the ban on gas boilers by 2024 contradicts Regulation 19 Policy 3 B1 which references the London Plan energy hierarchy, of which gas boilers are a part of. This allows developments to achieve carbon reduction targets with a flexible design approach, which is most suitable and viable to each scheme. Furthermore, compliance is still achievable with Approved Document Part L (2021) via a gas boiler strategy, which in some circumstances may result in lower operational and energy bills compared to alternative heating solutions, such as a communal heat network.

Recommendation

- 5.9 Recommended that gas boiler ban from 2024 is removed from policy wording, to allow national policy to set the pace as the national grid continues to decarbonise. This will allow flexibility for development in accordance with the London Plan Energy Assessment Guidance (2022) and the Energy Hierarchy.

Policy 18 (Development in Centres)

- 5.10 In addition to our Regulation 18 representations enclosed at **Appendix A**, we note that Part C of Policy 18 is potentially inconsistent with Part G.

- 5.11 In order to resolve this, we recommend the following amendments to Part C:

Major development and/or development which generate high levels of trips should be located within a town centre boundary, unless justified by Part G.

Policy 29 – Designated Heritage Assets

- 5.12 As part of our Regulation 18 representations, we provided detailed commentary and proposed revised wording for Policy 29 – Designated Heritage Assets. For ease, we append such representations to this report at **Appendix A**, and do not repeat our previous commentary here, so to save on repetition.

- 5.13 We note here that Policy 29 has been revised since the Pre-Publication (Regulation 18) version of the Draft Local Plan, with the Council removing overly restrictive policies. We do, however, reiterate our concerns regarding Policy 29, in that it does not follow the national planning policy requirement that notes that where a proposal causes harm to a designated heritage asset, such harm should require clear and convincing justification and be outweighed by public benefits (Paragraphs 201 & 202 – NPPF 2021). As currently drafted, Policy 29 is not compliant with national planning policy.

Policy 30 – Non-Designated Heritage Assets

- 5.14 We continue to consider Draft Policy 30: Non-Designated Heritage Assets unsound, as it remains inconsistent with national planning policy set out in the NPPF (2021), which requires the effect of an application on the significance of a non-designated heritage asset to be taken into account in determining applications. There is no requirement in national legislation or policy to preserve or enhance the significance of non-designated heritage assets.

Policy 31 – Views and Vistas

- 5.15 We continue to find Policy 31 unsound and too prescribed. Elements of the draft policy do not conform with the London Plan (2021), which states that development should not harm, and should seek to make a positive contribution to, the characteristics and compositions of Strategic Views and their landmark elements. We recommend the policy is redrafted in order to be brought in line with strategic planning policies of the London Plan (2021).
- 5.16 We also note here that reference is now made to the Local Views SPD, which identifies views/ vistas designated as part of the adoption of the Local Plan. We raise concerns here that the Local Views SPD fails to provide references to design policies and guidance set out in national policy and guidance, as well as the framework for the identification of views across the capital. It also does not provide development management guidance, which will help ensure their visual interest (including any contribution made by heritage assets to that visual interest). We continue to urge the Council to include this level of detail within the supporting evidence base.

Appendix A St George and Marks & Spencer January 2022 Regulation 18 Representations



Draft Local Plan Pre-Publication Consultation

From 10 December 2021 to 31 January 2022

RESPONSE FORM

The Council is inviting comments on the first draft of the Local Plan.

The draft Local Plan sets out a 15-year strategic vision, objectives, place-based strategies and the overall spatial strategy for the borough as well as the planning policies that will guide future development in the borough. It looks ahead to 2039 and identifies where the main developments will take place, and how places within the borough will change, or be protected from change, over that period. In addition, the draft Local Plan sets out the site allocations that are considered to assist with the delivery of the vision and strategy of the Plan. This is of particular importance for ensuring there is sufficient land for employment, retail, housing and social infrastructure.

We would like to hear the views from our local communities, businesses and other key organisations on the draft Plan.

How to respond

Please read the consultation documents and other background information made available on the Local Plan website. To view the draft Local Plan and take part in the consultation, visit https://www.richmond.gov.uk/draft_local_plan_pre_publication_version

You can respond on the consultation documents in the following ways:

- Online response form through our **consultation portal** <https://richmond-consult.objective.co.uk/kse>
- Email to **LocalPlan@richmond.gov.uk** this response form (a PDF and Word version of the form can be found on the Council's website at https://www.richmond.gov.uk/draft_local_plan_pre_publication_version). In the form in 'Word' format you can type in your response and return it as an email attachment
- Post a hard copy of the form to Spatial Planning and Design, LB Richmond upon Thames, Civic Centre, 44 York Street, Twickenham, TW1 3BZ.

All responses must be received by Monday **31 January 2022**.

This form has three parts:

- Part A – Personal details and about you
- Part B – Your general views
- Part B – Your detailed response

| Part A: Personal Details | | |
|----------------------------------|-----------------------------------|------------------------------------|
| | 1. Personal Details * | 2. Agent's Details (if applicable) |
| Title | St George Plc and Marks & Spencer | |
| First name | | |
| Last name | | |
| Job title (where relevant) | | |
| Organisation (where relevant) | | Avison Young |
| Address | | 65 Gresham Street London |
| Postcode | | EC2V 7NQ |
| Telephone | | 020 7911 2056 |
| E-mail address | | nick.alston@avisonyoung.com |

*If an agent is appointed, please complete only the title, name and organisation boxes but complete the full contact details of the agent.

| Part A: About You... | | |
|---|---|--|
| 3. Please tell us about yourself or who you are responding on behalf of...(tick all which apply) | | |
| Do you live in the borough? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Do you work in the borough? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Do you run a business in the borough? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| Are you a student in the borough? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Are you a visitor to the borough? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

Data protection

The Council is committed to ensuring that personal data is processed in line with the General Data Protection Regulation (GDPR) data protection principles including keeping data secure.

The Council's Privacy Notice is published on the webpage www.richmond.gov.uk/data_protection

All responses will be held by the London Borough of Richmond upon Thames. Responses will not be treated as confidential and will be published on our website and in any subsequent statements; however, personal details like address, phone number or email address will be removed.

Part B: Your General Views

4. Do you agree or disagree with the Strategic Vision? (section 3)

Strongly Agree Agree Neither Agree/Disagree Disagree Strongly Disagree

Any comments: No comments

5. Do you agree or disagree with the Strategic Objectives? (section 3)

Strongly Agree Agree Neither Agree/Disagree Disagree Strongly Disagree

Any comments: No comments

6. Do you agree or disagree with Policy 1. Living Locally and the 20-minute neighbourhood? (section 4)

Strongly Agree Agree Neither Agree/Disagree Disagree Strongly Disagree

Any comments: No comments

7. Do you agree or disagree with Policy 2. Spatial Strategy: Managing change in the borough? (section 4)

Strongly Agree Agree Neither Agree/Disagree Disagree Strongly Disagree

Any comments: No comments

8. Do you agree or disagree with the place-based strategies? (sections 6 to 14)

Strongly Agree Agree Neither Agree/Disagree Disagree Strongly Disagree

Any comments:

We have comments regarding the place based strategy for Kew. Please refer to attached report.

Part C: Your Detailed Response

9. To which parts of the draft Local Plan does your response relate to?

Please indicate the documents **and** the specific paragraph numbers, policy or site allocation numbers and names, maps or tables you are commenting on.

| Documents | | Sections | |
|--|-------------------------------------|---|---------------------|
| Draft Local Plan | <input checked="" type="checkbox"/> | Page number(s) | See attached report |
| | | Paragraph number(s) | See attached report |
| | | Policy no./name | See attached report |
| | | Place-based strategy | See attached report |
| | | Site Allocation(s) no./ name | See attached report |
| | | Maps | See attached report |
| | | Tables | See attached report |
| Sustainability Appraisal Report | <input type="checkbox"/> | Page number(s) | |
| | | Paragraph number(s) | |
| Other (for example an omission or alternative approach, or in relation to another supporting document/evidence base) | <input checked="" type="checkbox"/> | Urban Design Study (2021) Retail and Leisure Needs Study (Part 1) (2021) Please see attached report | |

10. Please give details below to set out your representation.

Please make it very clear to which document your comments relate to by indicating policy/place-based strategy/site reference, name and number, and/or paragraph number.

These representations have been prepared by Avison Young (with input from JTP, Montagu Evans, and Energist) jointly on behalf of St George Plc (SG) and Marks and Spencer (M&S), who are the owners of the Kew Retail Park site (referred to as the 'Landowners' from hereon).

The Landowners welcome the general direction of the Regulation 18 draft Local Plan and strongly support the proposed allocation of the Kew Retail Park site for redevelopment. The principle of redeveloping the site is firmly aligned with the objectives of national and London Plan policy and it represents a fantastic opportunity to bring forward something truly special for the borough.

We are keen to work collaboratively with the Council, the local community, and other stakeholders to prepare a planning application for the redevelopment of the site over the course of 2022 and to deliver that scheme as soon as possible.

Key to this is ensuring that the new local plan includes an appropriately supportive site-specific policy to act as the basis for the determination of the future planning application, and to ensure that the content of the plan as a whole is sound.

The purpose of our representation is to make recommendations on how the site-specific policy could be strengthened and to helpfully identify where we consider there to be soundness issues with the current draft, with regards to the plan being: positively prepared; justified; effective; and consistent with national policy (and in general conformity with the London Plan). In each instance we go on to explain the issue

and propose amendments or other solutions to resolve it to ensure that the plan is progressed on a sound basis.

We first set out our comments regarding the evidence base (the Urban Design Study (2021) and the Retail and Leisure Needs Study (Part 1) (2021)). We then have comments on the Place Based Strategy for Kew, Site Allocation 30 (Kew Retail Park), and Policies 4, 6, 10, 11, 12, 13, 17, 18, 28, 29, 30, 31, 37, 38, and 45 (including Appendix 3).

The Landowners welcome an ongoing engagement and dialogue with the Council on Local Plan as it moves forward.

Please continue on a separate sheet / expand box if necessary.

11. Please set out what change(s) you consider necessary, why these changes should be made and what your supporting evidence is.

| | | | |
|---|---------------------|--------------|--------------------------|
| <p>Please see attached report</p> | | | |
| <p>Please continue on a separate sheet / expand box if necessary.</p> | | | |
| <p>Please note your detailed response should cover succinctly all the information, evidence and supporting information necessary to support / justify the response and the suggested change.</p> <p>Following the consultation on the draft Local Plan, we will consider and take account of all responses received. There will be a further opportunity to view and comment on the final draft version of the Local Plan later in 2022, before it will be submitted in 2023 to the Secretary of State for examination in public by an independent planning inspector.</p> | | | |
| <p>12. If you are not on our consultation database and you respond to this consultation, your details will be added to the database. This allows us to contact you with updates on the progression of the Local Plan and other planning policy documents.</p> | | | |
| <p>If you do not wish to be added to our database or you would like your details to be removed, then please tick this box, complete Part A: Personal Details of this form and return it to us as appropriate.</p> | | | <input type="checkbox"/> |
| <p>Signature: <small>For electronic responses a typed signature is acceptable.</small></p> | <p>Avison Young</p> | <p>Date:</p> | <p>31/01/22</p> |

**AVISON
YOUNG**

 **MONTAGU
EVANS**

 **jtp**

energist

Representations to the Richmond Local Plan Pre-Publication Regulation 18 Consultation

Prepared on behalf of St George Plc and Marks & Spencer

January 2022

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Appendices

Appendix A Walk-time to Supermarkets

Appendix B Site Ownership Plan

Prepared by: Nicholas Alston

For and on behalf of Avison Young (UK) Limited

1. Introduction

- 1.1 These representations have been prepared by Avison Young (with input from JTP, Montagu Evans, and Energist) jointly on behalf of St George Plc (SG) and Marks and Spencer (M&S), who are the owners of the Kew Retail Park site (referred to as the 'Landowners' from hereon).
- 1.2 The Landowners welcome the general direction of the Regulation 18 draft Local Plan and strongly support the proposed allocation of the Kew Retail Park site for redevelopment. The principle of redeveloping the site is firmly aligned with the objectives of national and London Plan policy and it represents a fantastic opportunity to bring forward something truly special for the borough.
- 1.3 We are keen to work collaboratively with the Council, the local community, and other stakeholders to prepare a planning application for the redevelopment of the site over the course of 2022 and to deliver that scheme as soon as possible.
- 1.4 Key to this is ensuring that the new local plan includes an appropriately supportive site-specific policy to act as the basis for the determination of the future planning application, and to ensure that the content of the plan as a whole is sound.
- 1.5 The purpose of our representation is to make recommendations on how the site-specific policy could be strengthened and to helpfully identify where we consider there to be soundness issues with the current draft, with regards to the plan being: positively prepared; justified; effective; and consistent with national policy (and in general conformity with the London Plan). In each instance we go on to explain the issue and propose amendments or other solutions to resolve it to ensure that the plan is progressed on a sound basis.
- 1.6 We first set out our comments regarding the evidence base (the Urban Design Study (2021) and the Retail and Leisure Needs Study (Part 1) (2021)). We then have comments on the Place Based Strategy for Kew, Site Allocation 30 (Kew Retail Park), and Policies 4, 6, 10, 11, 12, 13, 17, 18, 28, 29, 30, 31, 37, 38, and 45 (including Appendix 3).
- 1.7 The Landowners welcome an ongoing engagement and dialogue with the Council on Local Plan as it moves forward.

2. Evidence Base – Urban Design Study (2021)

- 2.1 The Urban Design Study (the “Study”) has been prepared by Arup, on behalf of the London Borough of Richmond upon Thames (“LBRuT”). It was published on 9th December 2021.
- 2.2 Arup also drafted the Urban Design Study for the London Borough of Wandsworth (“LBW”), prepared and published in December 2020 to support the borough’s Local Plan. The LBW Local Plan is in the final stages of the adoption process, having published a Regulation 19 Draft of their Local Plan, with consultation due to end in February 2022. As the LBW local plan is further advanced than the LBRuT, having responded and incorporated changes to their Regulation 18 draft, it provides a useful comparison when assessing the evidence base used in relation to the LBRuT Urban Design Study (2021) and the consequent drafting of planning policies set out in the borough’s Regulation 18 Draft Local Plan.
- 2.3 Studies and Supplementary Planning Documents (adopted and in draft) prepared by other London planning authorities, specifically concerning the development of tall buildings also provide further opportunities to compare the detail of supporting evidence base used across London and setting parameters for future tall building development.
- 2.4 This section is structured in the following way:
1. We describe the structure of the Urban Design Study (2021);
 2. We provide a commentary on the Study’s content, focussing on the soundness of the supporting evidence data; and
 3. Analysis of the Kew Retail Park.
- 2.5 We provide a summary of the methodology and logic flow of the Study because it sets out the basis for drawing conclusions about where tall buildings are likely to be acceptable in the future. That methodology is crucial in understanding the soundness of the evidence base.

(1) Structure of the Technical and Baseline Study

- 2.6 Sections 1 to 3 of the Urban Design Study (2021) provide an introduction to the LBRuT, as well as provide an overview of the methodology which underpins the evidence base. It includes a summary of the borough’s built and ecological environment, as well as townscape character assessments for identified areas, separated into sub-character areas within wider areas known as “Places”. Character assessments for each “area” include a brief overview of key local characteristics, the identification of valued and negative features, building typologies, concluding with a sensitivity value, outlining the appropriateness for change/development within the area.
- 2.7 Section 4 identifies capacity for growth within each identified sub-character area, providing a high-level evaluation of the potential for growth across the borough. The capacity for growth of an area is specifically concerned with the potential for tall buildings within the borough, utilising the assessment set out within the character assessments in Section 3.0 of the Study as a supporting evidence base. To inform an area’s capacity for change, Sensitivity to Change and Probability of Change are calibrated using a matrix (Figure 2.3 of this note) in order to determine the ‘Development Capacity’ for an area. Such conclusions and quantitative figures are then used for the identification of ‘Tall Building Zones’, also identified and set out in Section 4 of the Study.
- 2.8 Section 5 of the Study provides general design guidance for the borough, including guidance for design of tall buildings, small sites and riverside areas. Here, the Study provides specific design guidance concerning each sub-character area, setting out a ‘Character Strategy’ for each area,

identified on a sliding scale identifying a broad strategy for forward planning and future management.

- 2.9 Appendix A provides the supporting evidence and justification for the identified heights for each 'tall building zone'. Appendix B sets out a detailed description of the methodology underpinning the Study. A review of relevant Planning Policies and an overview of the design quality of ten recent developments within the borough is located in Appendix C, whilst Appendix D contains an overview of predominant building typologies within the borough.
- 2.10 Proformas informing character assessments are laid out in Appendix E, whilst a summary of public consultation undertaken is laid out in Appendix F. This completes the Study.

(2) Detailed Commentary

- 2.11 We find the general underlying principles of the Study sound and well justified. We support the need to identify specific locations for tall building development within the borough, in line with Policy D9 (Part B) of the London Plan 2021, and we agree with the general findings that Richmond and its surrounding environs needs a positive framework for development in consideration of the significant housing pressures facing the Borough. Carefully planning for growth and ensuring development responds to local context underpins good plan-making. The general philosophy of the Study supports this approach and is welcomed.
- 2.12 We agree with the approach and adopted methodology set out in detail in Section 4, supported by a relatively comprehensive evidence base in Appendix B. This approach is the same methodology set out in the Urban Design Study prepared by Arup to support the LDW Draft Local Plan (now at Regulation 19 stage) and is based on the accepted and well adopted framework for assessment of townscape and visual effects, set out in the Guidelines for Landscape and Visual Impact Assessment (Third Addition) 2013. The methodology underpinning the Study is therefore considered to be sound. It must be noted that the LBW Draft Local Plan is yet to be found sound, though at Regulation 19 stage, it has benefitted from Regulation 18 consultation.
- 2.13 Whilst we agree within the underpinning methodology applied to inform the findings of the Study, we disagree with Arup's conclusions in relation to 'Sensitivity to Change', 'Probability of Change', which link directly to the 'Development Capacity' of an area - as set out in the matrix at Table 1 on Page 234 of the Study (see Figure 2.3). This is relevant in relation to the Kew Retail Park site and wider East Kew Mixed Use Character Area (Area G3).
- 2.14 Further to the implementation and application of the supporting methodology, we are concerned with the lack of detail set out in the supporting evidence data, particularly that used to underpin policies defining where tall and mid-rise buildings are considered appropriate. We have further concerns with the identification of 'Tall Building Zones' which identify specific scales of development, which, when coupled with a cursory analysis of the surrounding townscape character of the area, is not justified and considered unsound. We cover each point in detail below, with specific reference to Sub-Character Area G3: East Kew Mixed Use Area, as well as Kew Retail Park.

Evidence Data

- 2.15 Page 178 of the Study comprises an overview of the townscape character of the East Kew Mixed Use Area (identified at Figure 2.1). The Study states that the East Kew Mixed Use area (Area G3) has a 'mix of features, but lacks a cohesive layout', and that the area 'lacks identity, with little obvious relationship with its geographic context, including the adjacent River Thames'. Whilst we generally agree with the findings of the townscape character assessment of the area, we have concerns with the level of detail provided and question its ability to support the parameters set out in draft policies

within the LBRuT Draft Local Plan. We question its ability to support references to specific scales of development, along with set limitations on height and massing, as set out within the current draft Site Allocations and the wider Place-based Strategies.

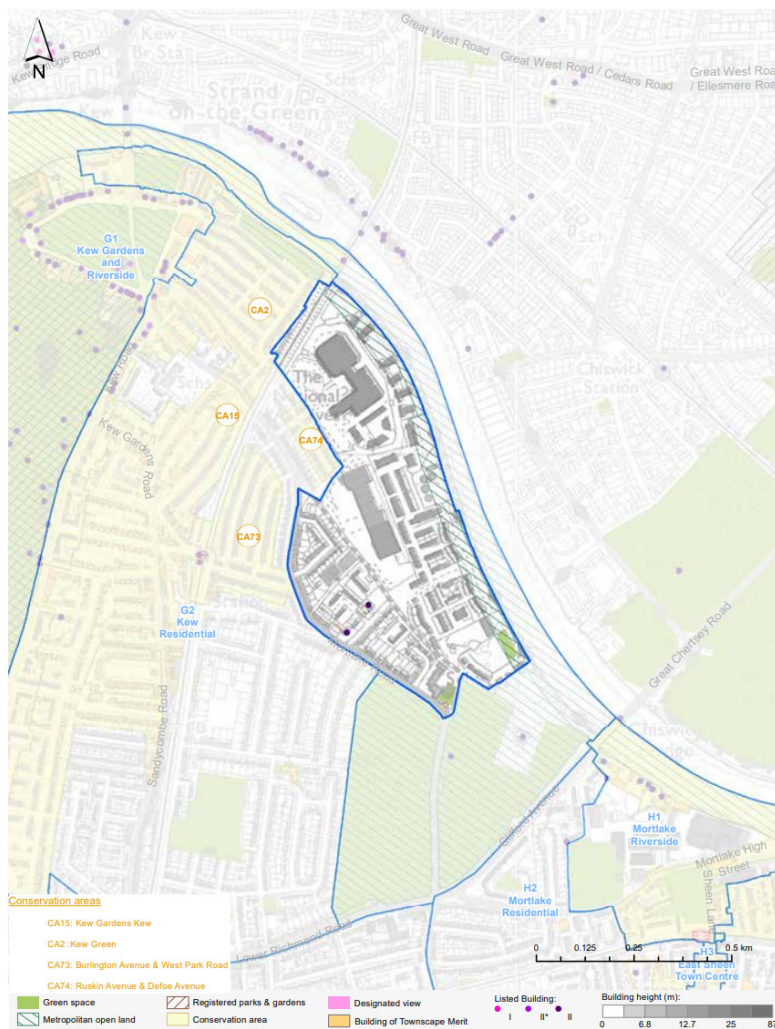
2.16 The notion that the Study is not supported by a sufficient and well-informed assessment is endorsed by introductory text at Page 17, which states:

‘The Study is intended to be an overview, rather than a detailed analysis’

2.17 Additionally, in relation to the sensitivity assessment, the Study states:

‘It should be noted that the sensitivity assessment has been undertaken at a borough-wide scale and is therefore necessarily broad-brush in its application. Within each of the areas identified there may be specific sites with a high or lower sensitivity than illustrated.’

Figure 2.1: East Kew Mixed Use Character Area Plan. Figure 278 of Arup’s Urban Design Study (2021)



2.18 In relation to the East Kew Mixed Use character area (Area G3), the identified area includes West Park Avenue. Given that this area is more similar in character to Kew Residential (Area G2), we would suggest that the boundary is amended to better reflect the distinction between these character areas. A revised boundary could run along the Kew Meadow Path which naturally separates the Kew Retail Park site and West Park Avenue with mature trees of significant height. Everything to the south of West Park Avenue should remain in the East Kew Mixed Use area (Area G3).

-
- 2.19 The assessment of the East Kew Mixed Use area (Area G3) sets out a high-level summary of the townscape characteristics of the area. This is essentially an overview, highlighting overarching features of the area's townscape character, including a short list of positive and negative townscape features. Negative features for the character area are identified within the Study at Page 180. These are identified as the following:
1. Lacks coherence in layout, which gives the townscape poor legibility;
 2. Lack of character and sense of identity;
 3. Impermeable boundaries and blurred divisions between public and private space makes the area feel unwelcoming in places;
 4. Poor relationship with and connectivity to the Thames corridor, from which it seems disconnected;
 5. Mortlake Road (A205) forms a busy, southern boundary with little sense of place.
- 2.20 From undertaking our own assessment of the East Kew Mixed Use Area (Area G3), whilst we agree with the negative townscape features identified by Arup and set out above, we would go further in our assessment of the area, adding that the area:
6. Is divorced from the high quality, residential townscape area of Kew Residential (Area G2);
 7. Has a coarse Urban Grain that starkly contrasts with the local context which is largely suburban speculative terrace housing together with large format buildings such as the National Archives;
 8. Poor architectural treatment of large commercial buildings within Kew Retail Park;
 9. Large areas of hardstanding associated with the Kew Retail Park; and
 10. High levels of vehicular traffic associated with the Retail Park.
- 2.21 As outlined in points 6-10 above, we consider the East Kew Mixed Use area is divorced from its surroundings' locality, particularly the superior townscape quality of the Kew Residential Area (Area G2) and the River Thames to its north-east.
- 2.22 Within their study, Arup identify five Valued features of the area (Page 180). These are as follows:
1. Ecological and biodiversity value of areas of woodland and scrub, including areas designated as OSNI and SINC (borough grade II) at Kew railway bridge and Kew Meadow Path next to the public right of way;
 2. Proximity to the River Thames and Access to the Thames Path;
 3. The role the area plays as a setting to the River Thames and Thames Path, including the dense trees and vegetation which create a perception of greenness with few views of development from the Thames Path, river, the opposite bank in LB Hounslow and in views west from Chiswick Bridge;
 4. Allotment next to the Thames Path;
 5. The extensive landscape setting around Kew Riverside residential development which integrates buildings well into their surroundings.
- 2.23 In our judgement points 2, 3 and 5 of these 'Valued Features' constitute repetitions, and can be summarised as follows:
- 'The area's dense vegetation coverage provides a perception of greenness and screening in relation to the River Thames, evoking an extensive landscape setting which positively contributes to the River's setting.'***
- 2.24 In relation to the design guidance for the East Kew Mixed Use area (Area G3), the Study states that tall buildings are to be set in landscape (Page 302). We do not consider this an appropriate approach to the urban design for the area, given its urban context. The guidance goes on to state that development within the area should *'Improve connectivity within the area, and to the riverside'*. As

referenced by Arup within the Study (Page 302), the area comprises numerous private plots of land, making improved connectivity, especially along the eastern boundary of the Kew Retail Park site, difficult to achieve. This demonstrates the need for a detailed townscape character assessment and site analysis to fully understand the constraints and complexities of the Kew Retail Park site and to better inform the proposed. design guidance.

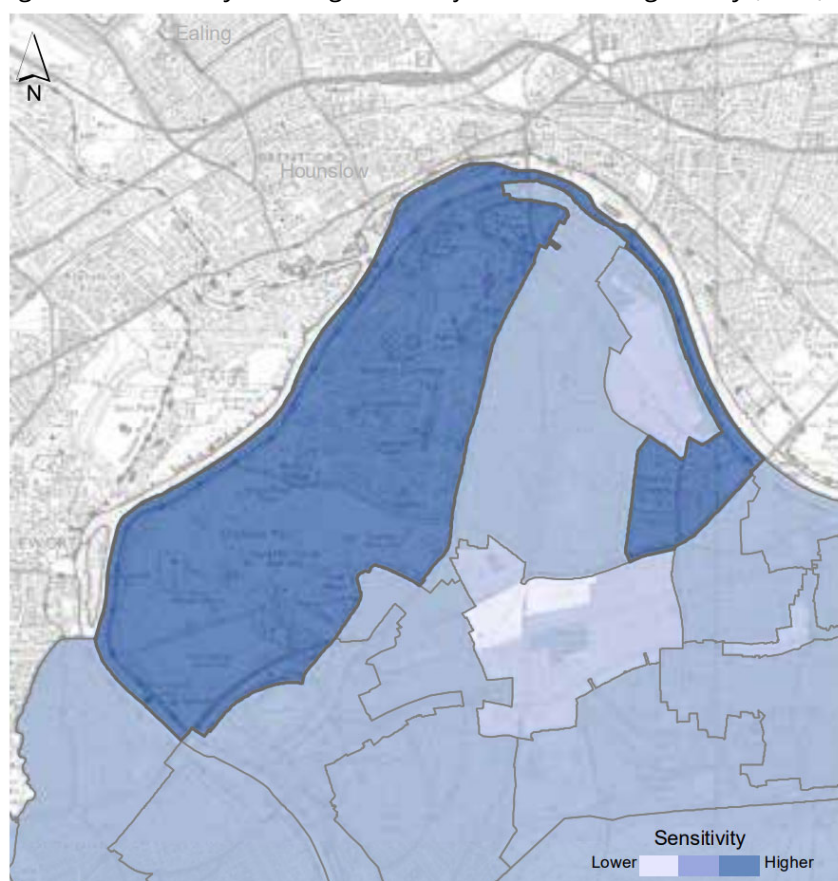
- 2.25 Given the weight attributed to townscape character within planning decisions, the need for future development to contribute positively to the borough's rich townscape, as well as the weight its attributed in setting our specific scales and levels of development throughout the borough, we are concerned with the lack of assessment undertaken throughout the Study, particularly in relation to townscape analysis of specific character areas.
- 2.26 The Study fails to identify existing tall building development within the borough. Whilst we agree with the statement made at Page 43 that *'modern tall buildings and tower blocks are relatively rare'* across the borough, tall buildings do exist, away from the areas of Twickenham town centre and East Twickenham local centre. This includes relatively modern residential development at Vineyard Heights to the east of Chiswick Bridge, as well as the former Stag Brewery fronting the River Thames and the National Archives at Kew. This highlights disparities within the evidence base and the lack of a thorough, granular assessment.
- 2.27 A granular analysis of townscape characteristics is required to provide a sound understanding of the existing and emerging context to inform specific development parameters for sites within the borough. The Study identifies specific parameters for tall building development, identified as 'Tall Building Zones' within Appendix A. These 'Zones' are specific and constrained and are not considered to be supported by sufficient supporting evidence to justify the identification of exact/precise parameters of development.
- 2.28 Section 4.6 (Page 240) provides a definition of tall buildings in LBRuT, based on an analysis of existing tall buildings, consented schemes and masterplans, as well as scenarios prepared specifically for the study.
- 2.29 Firstly, there is a presumption here that tall buildings are only acceptable within town centres, or where existing development has a negative impact/contribution on the character of an area.
- 2.30 In our considerable experience of working on tall building projects, tall building development is capable of being acceptable in areas of lower height. What matters is the quality of their design and the way in which they respond and relate to the existing and emerging context, and the way the transition between scales is manifested. There are many examples of where this approach is acceptable in townscape terms and in sensitive heritage locations.
- 2.31 Indeed, London Plan (2021) Tall Building Policy D9 allows for such an approach to be taken. We highlight the recent Hillingdon judgement [Case Ref: CO/1683/2021] which makes clear that tall buildings can be found to be acceptable in areas that are not identified as being acceptable by local planning authorities, where they meet the terms of Part C of D9. Thus, the analysis of acceptability should allow for some flexibility when forming a broad definition of where tall buildings are permissible (we refer to draft Policy 45 which we highlight in Section 21 of this report, and where we make a similar comment).
- 2.32 Page 237 of the Study states that the evidence base does not show, nor considers where newly consented tall buildings are expected to be built across the borough in the coming years.

- 2.33 Emerging context is a weighty material consideration when understanding how a place/area is to evolve over time, and where intensification of development has been established and is likely to be accepted in the future.
- 2.34 In relation to East Kew Mixed Use Area (Area G3), this includes the omission and lack of reference to the Kew Biothane Plant redevelopment, comprising the introduction of a six-storey, specialist residential development fronting the River Thames (ref: 18/3310/FUL). Whilst reference is made to the Kew Biothane site later in the Study (Page 302 & 375), these references are not carried through to the wider assessment of 'Probability of Change' and 'Development Capacity' conclusions. Furthermore, such emerging context/development is a key consideration when setting development/height parameters for tall building zones within an area. We consider this point again when discussing the Kew Retail Park site (Section 2.3).

Applying the Methodology

- 2.35 In relation to the East Kew Mixed Use area (Area G3), if the supporting evidence data was underpinned by a proper and thorough assessment, which would have identified the significant imbalance between positive and negative townscape features within the area (as reference in Paras. 2.19 – 2.23), the resulting sensitivity would be identified as Low, rather than the currently identified Medium, as illustrated at Figure 2.2.

Figure 2.2 Sensitivity Plan. Figure 268 of the Urban Design Study (2021)



- 2.36 It is stated at Page 238 of the Study that Kew Retail Park is identified as being known to benefit from an emerging masterplan or subject to on-going /emerging redevelopment opportunities. Within the Draft LBRuT Local Plan, the Retail Park has been provisionally allocated for a 'Comprehensive residential-led redevelopment of the site with a range of commercial uses, including retail, offices and

leisure'. It is therefore widely known, and more importantly, LBRuT anticipate significant redevelopment of the site over the next plan period (circa. <5 years).

- 2.37 We question, therefore, the area's identification as having only a Medium 'Probability to Change'. Whilst we acknowledge the East Kew Mixed Use Area comprises land beyond the Retail Park boundaries, the Retail Park and associated large surface car park covers approximately 35-40% of the sub-character area's total land area. Significant intensification and redevelopment should therefore be expected and anticipated to come forward within the area. This, coupled with the draft site allocation at the Kew Biothane site, and the identification of the long-term opportunity to transform the character of the area (Page 302 of the Study), means the Probability of Change for the East Kew Mixed Use area should be elevated to High.
- 2.38 Putting a 'Sensitivity to Change' of Low and a 'Probability of Change' of High through the Study's Matrix (see Figure 2.3), we conclude that the 'Development Capacity' of the East Kew Mixed Use area (Area G3) should be scored at 7, the highest rating.

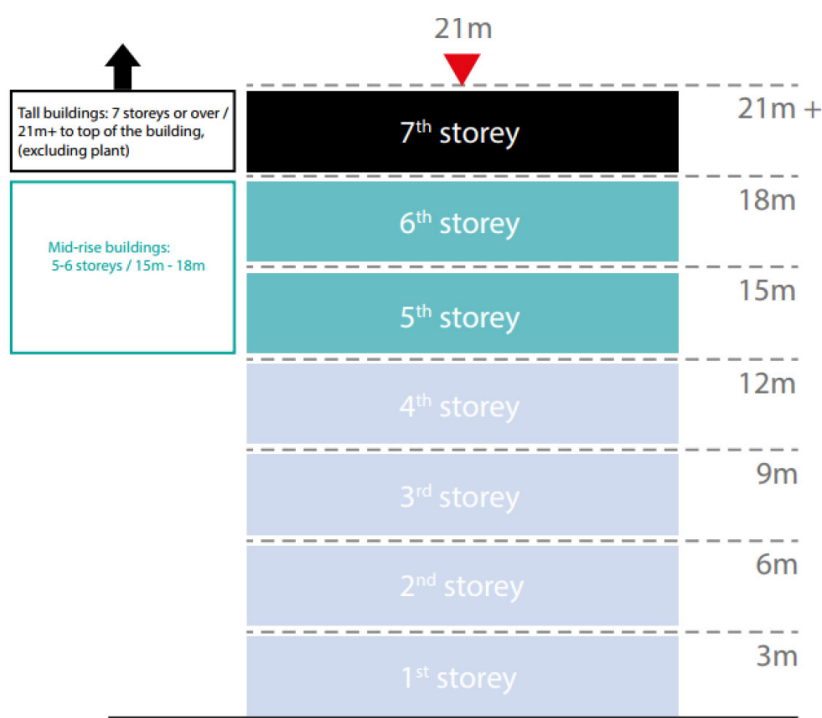
Figure 2.3: Development Capacity Matrix (Table 1 of the Urban Design Study, 2021)

| | | Probability | | | |
|-------------|--------|-------------|--------|-----|----------|
| | | High | Medium | Low | Very low |
| Sensitivity | High | 5 | 3 | 2 | 1 |
| | Medium | 6 | 4 | 3 | 1 |
| | Low | 7 | 5 | 3 | 2 |

Definition of Tall Buildings

- 2.39 As stated in Para. 2.24, Section 4.6 (Page 240) of the Study provides a definition of what is considered a tall building within LBRuT. A tall building is defined within the Study as: 'Buildings which are 7 storeys or over, or 21m or more from street level to the top of the building, whichever is lower'.
- 2.40 There is a lack of consistency with the implementation of LBRuT's definition of a 'tall building'. We have identified references within the Study where Arup have identified buildings which are mid-rise (by LBRuT's definition), incorrectly as 'tall buildings'. Page 237 of the Study identifies the extant permission at Kew Biothane Plant within the East Kew Mixed Use area (Area G3) as a 'Consented Tall Building'. As set out at Page 375 of the Study, critical praise is given to the design rationale behind the redevelopment proposals presented at Kew Biothane. As stated, the maximum height of the extant permission on the site is six-storeys, therefore constituting a 'Mid-Rise Building' as illustrated in Figure 2.4 below. This illustrates one example that reflects a broader lack of consistency.

Figure 2.4: Definition of tall and mid-rise buildings for Richmond (Figure 374 of the Urban Design Study, 2021)



Tall Building Zones

- 2.41 Section 4.6.4 of the Study uses the constraints and opportunities identified in the preceding sections to identify 'Tall Building Zones'. The Study states: *'The following pages provide the appropriate height and a description of the tall building zones and mid-rise building zones within each Place'*.
- 2.42 Appendix A provides the supporting evidence and justification for the extents and appropriate heights of each of the identified tall building zones. The Study states at Page 316 that: *'The broad areas identified in the tall buildings strategy have been analysed to understand whether there are individual zones within them that have the potential to accommodate tall buildings'*.
- 2.43 The analysis identifying if an area is appropriate for tall buildings includes a high-level assessment of the potential impacts a tall building may have on:
- Townscape character, including relationship to existing landmarks and the River Thames;
 - Views and visual amenity, including long range views (particularly local or strategic views); and
 - Heritage assets, including the setting of Kew Gardens World Heritage Site, Registered Parks and Gardens, Scheduled Ancient Monuments, conservation areas and listed buildings.
- 2.44 Zones are then tested using analysis of:
- Scenarios developed specifically for the Urban Design Study;
 - Consented tall buildings and/or masterplans; and
 - Existing tall buildings and how they contribute (positively, negatively or neutrally) to the existing character of an area.
- 2.45 The Study states that the scenarios developed in order to test the appropriateness of Tall Building Zones have been prepared solely for the purpose of testing additional height and density at a site and are not intended to be viable site-specific masterplan proposals (Page 316). This approach ignores the importance of viability in order to ensure development can, and ultimately will be delivered on a site and is therefore not sound.

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- 2.46 The Study further states at Page 241 that, *Tall buildings shall: incorporate an appropriate range of building heights and open spaces*. Whilst this statement is generally supported, its implementation in practice will be difficult to achieve if there is not a ranged figure for tall building zones. This is particularly relevant in relation to the Kew Retail Park site, where the current drafting of LBRuT's policy restricts development to 7-storeys. This is discussed further at Paras. 2.52 – 2.60.

Spatial Hierarchy

- 2.47 In Section 5 of the Study (Page 264), it is stated that, *Tall buildings require more space around them to ensure they integrate well into the overall townscape*. This is not necessarily the case, and the Study presents little evidence to support this statement. The example given is, *In many estates this is managed through extensive parkland settings with mature trees*, which suggests a typical mid-late-20th century tower block set in surrounding landscape. It is unlikely that this example of urban design would be appropriate and suggesting such development would limit the ability to create a fine grain masterplan that integrates with the surrounding urban fabric, resulting in an inefficient use of land.
- 2.48 The Study goes on to suggest (Page 264) that tall buildings can soften their impact at ground level through *generous walkways and mature planting*. As stated later in this representation in Section 21, this appears to conflict with the policy set out in London Plan Policy D9, which states, *The function of the base should be to frame the public realm and streetscape, articulate entrances, and help create an attractive and lively public realm which provides a safe, inclusive, interesting, and comfortable pedestrian experience*.

(3) Analysis of Kew Retail Park Site

- 2.49 Kew Retail Park is located to the west/south-west of the River Thames, accessed through a residential, suburban neighbourhood, situated off Bessant Drive. The site comprises a large retail unit of a large footplate, surrounded to its south and west by large and associated car-parking facilities. To the east, modern, mid-rise, residential development sits between the site and the western towpath of the river, whilst to the north-east, the large format building of the National Archive is located circa. 120m from the site's northern/north-eastern boundary.
- 2.50 The Retail Park contrasts greatly with the suburban and residential townscape character which prevails throughout the surrounding local context. Whilst landscape buffering and sapling trees within its carpark help soften its appearance to a degree, its commercial townscape character greatly detracts from the high-quality, residential townscape seen to the south and west. Furthermore, blank elevations with little articulation provide little to no permeability through the site, acting as a solid barrier to the River Thames to its east.

Figure 2.5 Satellite Image of Kew Retail Park Site (Outlined in Red)



- 2.51 It is noted within the Study that the site lacks a cohesive layout, has a poor legibility or identity and does not positively contribute to the character of the wider area. As stated above, in our judgement, the analysis of the existing situation at Kew Retail Park should also conclude that the Site detracts from the high-quality residential townscape seen across neighbouring sub-character areas, as well as detracting from the relatively high-quality modern residential development and associated landscaped areas closer to the River to the north-east. Whilst we agree with the Character Strategy set out at Page 302 of the Study, in that there is a long-term opportunity to transform the area's character, the Study can and should go further to identify significant opportunities to introduce high-quality intensification on the Retail Park site, introducing development that will make best use of the land and contribute positively to the surrounding area.
- 2.52 The scenario presented for Kew Retail Park tests two possible building heights: seven and nine-storeys. In reference to nine-storeys (Figure 2.6), the Study states that a Zone of Theoretical Visibility (ZTV) was produced to identify visual receptors. The Study does not present/illustrate the ZTV concerning the nine-storey scenario. This should be made available for review and comment.
- 2.53 The ZTV presented at Page 336 of the Study (Figure 2.6) illustrates the ZTV of seven-storeys located at the centre of the Site. Firstly, we welcome Richmond's identification of Kew Retail Park as being able to accommodate tall buildings. Whilst welcomed, it is demonstrated in the presented ZTV that visibility of such a scale (seven-storeys) is limited to the local area, with partial visibility from the surrounding conservation areas and neighbouring sub-character areas. The Study notes that there is no visibility from within Kew Gardens at seven-storeys. We question why the Study does not take into account/test an eight-storey scenario on the Site.

2.54 Visibility of such a scenario (eight-storeys) would continue to be limited to the local area, whilst continuing to sit comfortably within the viewpoints identified at Page 337 of the Study (Figures 2.9 & 2.10). Eight storeys at the site would not change the conclusions reached in relation to seven storeys, in that the scale of the development sits comfortably with the scale of existing development along Defoe Avenue, and massing does not extend above the vegetated skyline of the River Thames corridor.

Figure 2.6: Kew Retail Park Zoner of Theoretical Visual Influence (seven storeys) (Figure 440 of the Urban Design Study, 2021)

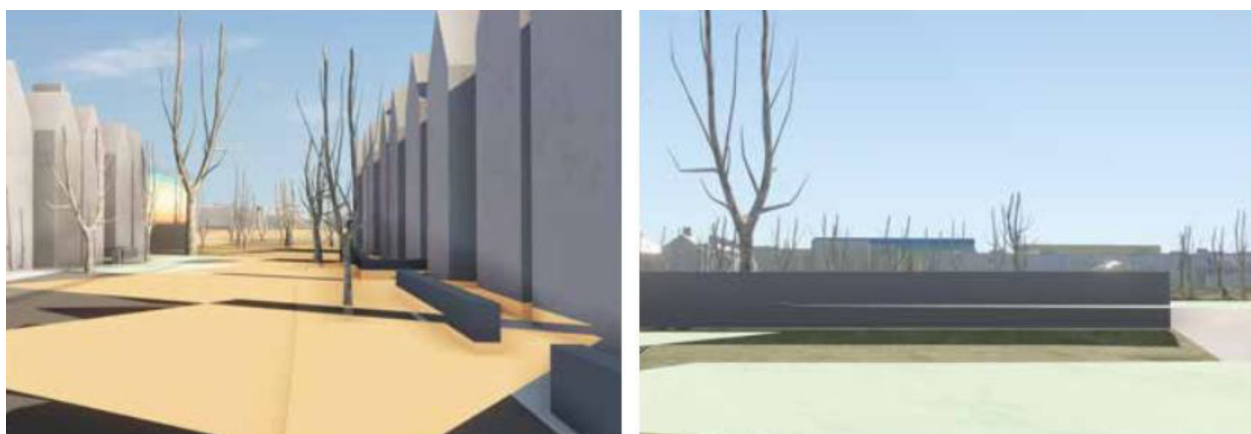


Figure 2.7: Kew Retail Park Massing Model Illustrating Nine-storeys on the Parameters of the Site (Figure 439 of the Urban Design Study, 2021)



- 2.55 Whilst it is understood that the scenario presented at Kew Retail Park is a conceptual model, a future redevelopment proposal at the Retail Park would comprises high-quality articulation, orientation, profiling and be of varied heights across the Site.
- 2.56 Presenting a block model of nine-storeys across the site (Figure 2.7) does not represent a viable and rational form of development that would come forward, or one that would be considered acceptable.
- 2.57 With the limited analysis of the townscape character of the area, the lack of detailed assessment and testing of numerous viewpoints and differing scenarios, the precise height parameters of seven-storeys is unjustified. The appropriate location and heights of buildings should be subject to detailed testing and the Landowners would welcome involvement in this process. If further testing is not to be undertaken, a broader approach to potential height on the site should be implemented, setting a ranged figure between five to nine-storeys, with the acceptability of any future proposals based on the merits of an application/design rationale, even if development exceeds these figures.
- 2.58 The justification for the building zones set out on Page 335 of the Study require further detailed investigation. The Study notes that the mid-rise building zone provides an area of transition to the more modest buildings in the surrounding area. This is true along the western boundary of the site, where it neighbours properties along West Park Avenue, however, it can be argued that this zone should extend to the southern boundary, as the neighbouring properties are also of a similar scale (circa. 4-5 storeys) to what is proposed as being the mid-rise building zone.

Figures 2.9 (left) and 2.10 (right): Left –VuCity view along Defoe Avenue representing seven-storeys. Right – View from the opposite river bank in LB Hounslow. Figures 441 & 442 of the Urban Design Study, 2021.



- 2.59 In summary, the scale of any redevelopment of the site should not be constrained by overly restrictive policy requirements that will adversely impact on viability and may prejudice redevelopment proposals. Instead, the scale of development should be optimised, with the focus being on design quality and placemaking, based on sound detailed analysis.
- 2.60 Whilst we agree with the findings of the Urban Design Study that Kew Retail Park is capable of accommodating tall buildings, we find the height parameters presented to be overly conservative and restrictive.
- 2.61 Overall, given the flaws in the Study, we consider that the evidence base is unsound.

3. Evidence Base – Retail and Leisure Needs Study (Part 1) (2021)

- 3.1 The Phase 1 Retail Study, whilst published in 2021 and containing data gathered by the Council and its consultant recently, relies upon historic information, most notably a survey of shopping patterns dating from 2014. Therefore, whilst the Council has indicated that a further (Phase 2) study is to be published in early 2022, the current evidence base is out of date and cannot be relied upon to support the new Local Plan.
- 3.2 Therefore, whilst the preparation of a new retail and town centres study (including a new household survey) is to be welcomed, it must be noted that the Phase 2 study has not yet been published. Given the importance of the new study in its supporting role to retail and town centre planning policies, including specific site allocations, to the soundness of the new Local Plan, interested parties must be given a fair opportunity to comment on the content of the new study and how its recommendations translate to the content of the new Plan.
- 3.3 With regards to the content of the Phase 1 Study, and how this may be taken forward in the next stage of the study, we recommend that the following matters are addressed:
- A restriction on the amount of convenience goods floorspace at Kew Retail Park (KRP) would not be supported by any recommendations in the Phase 1 retail study. A restrictive approach at KRP would require a clear and reasonable justification which is not provided in either the Phase 1 retail study and / or the draft Plan itself. In particular, it is briefly suggested that a restrictive approach would protect the health of town centres but no evidence is provided in order to demonstrate that the provision of replacement / net additional convenience goods floorspace at Kew Retail Park will lead to any harm to nearby defined 'town centres'.
 - The methodology for assessing quantitative retail floorspace capacity. The Phase 1 Study does not appear, as is best practice, to assess current/future quantitative retail needs with reference to the existing performance of stores/centres (i.e. actual turnover v benchmark/average turnover). It ignores current actual trading performance and the specific issues associated with retail provision across the Borough.
 - Consideration of qualitative needs. It is best practice to consider qualitative indicators of need alongside quantitative indicators. This does not appear to be included in the Phase 1 Study. This is considered particularly important in relation to the distribution of retail floorspace in the Borough and the Council's strategy of providing local facilities for the resident population.

4. Place Based Strategy for Kew

- 4.1 We support the principle of having a place-based strategy for Kew. We have set out below as tracked changes the amends that we consider necessary to make the strategy sound. We then go on to explain/justify this.

Recommended Amendments (tracked changes to Reg.18 draft text)

Future development in this place is expected to:

- Conserve the high-quality, traditional, frontages along the parade area by Kew Gardens Station, with opportunities for retaining and enhancing the “spill-out” of venues, including restaurants, cafés, and pubs, to maintain a sense of activity and vibrancy.
- Improve wayfinding at the Station and across the town centre to places of interest such as Sandycombe Road, National Archives and the Royal Botanical Gardens.
- Preserve the openness of the parklands and the riverside, by resisting development which would affect this perception, and restoring historic elements where appropriate.
- In areas deficient in access to Public Open Space, consider opportunities to improve access to existing spaces, either through design and public realm improvements, or where opportunities arise, provide new publicly accessible open space. Open spaces that are currently not publicly accessible, will be encouraged to make them available for public access and use.
- Support greening through conserving and enhancing street trees and planted front gardens with shrubs, small trees and hedges with a focus on biodiversity improvements.
- Contribute to conserving and enhancing the Royal Botanic Gardens, Kew World Heritage Site and surrounds in accordance with Policy 32 Royal Botanic Gardens, Kew World Heritage Site.
- Contribute to conserving and enhancing the significance of the Old Deer Park historic landscape and its features, as set out in the Old Deer Park SPD, including strengthening the southern boundary to reduce the impact and potential encroachment of sports developments, adjacent townscape, and Twickenham Road, on the registered park and garden and conservation area. Support the continued sporting and complementary uses at Pools on the Park and surroundings and Richmond Athletic Association Ground, Old Deer Park.
- Improve and transform parts of East Kew by improving the sense of place, public access and legibility, along with establishing more green infrastructure, particularly street trees.
- Enhance the connectedness of the Thames Path route within the wider Kew townscape and to the adjacent open spaces.
- Contribute to promoting active travel and reducing the dominance of vehicle traffic, including along Mortlake Road (A205) and Kew Road (A307) to reduce their severing impact.

There are opportunities in parts of East Kew for new development to positively contribute to improving the character and addressing negative qualities, creating a sense of activity with an inviting public realm as part of a coherent strategy to improve permeability and active travel links. At Kew Retail Park (Site Allocation 30) there is the opportunity for comprehensive residential-led redevelopment to include an element of replacement retail, a range of and small scale complementary commercial uses, improve the public realm, active travel and links to the River Thames (where feasible). Development in and around Kew Retail Park should be of high architectural quality, informed by a detailed and thorough assessment of the surrounding townscape character, building on the findings of the Urban Design Study (2021) and supported by a comprehensive viewpoint study. There is a tall building zone opportunity (circa 7-87 storeys), surrounded by a mid-rise buffer to provide for a transition to the more modest surrounding area, in accordance with Policy 45 Tall and Mid-Rise Building Zones. Proposals for buildings of height at Kew Retail Park should be supported by sufficient justification, including a comprehensive Heritage, Townscape, and Visual Assessment. Redevelopment at Kew Biothane (Site Allocation 31) is expected to deliver a residential use with associated open space provision.

Explanation/Justification

- 4.2 The amendments set out above are required in order to ensure consistency with Site Allocation 30, accounting for the recommended amendments set out in the following section.

5. Site Allocation 30 (Kew Retail Park)

Recommended Amendments (tracked changes to Reg.18 draft text)

Site Proposal

Comprehensive residential-led redevelopment of the site with the opportunity for an element of replacement retail and a range of small scale complementary commercial uses, including retail, offices (with the provision of affordable workspaces), and leisure. The redevelopment should look to improve the public realm, active transport through the site and links to the River Thames where feasible.

Context:

Kew Retail Park is a well-used shopping destination made up of seven large floorplate stores and extensive surface car parking.

There is a need for housing in the borough and this site is considered to be suitable for a substantial provision of new housing units. The Council expects that a policy compliant level of affordable housing is provided.

Due to the site's proximity to the River Thames it is located within Flood Zone 3a (an area at high risk of flooding) and is in a Flood Alert and Warning Area as designated by the Environment Agency. Any redevelopment proposal needs to take this into account.

The existing site is car-orientated, and any proposals should look to increase active travel through the site and towards Kew Station and the surrounding area.

There is an expectation that any redevelopment provides new on-site Public Open Space in accordance with Policy 37 in addition to any external amenity space requirements, delivering multi-functional benefits including for nature conservation and biodiversity value as well as for health and wellbeing of future occupants and users, including surrounding communities.

There should be an improvement to the public realm through high quality landscaping, which can enhance and improve the biodiversity of the site. Tree lined avenues are typical of the area.

Currently the site has boundary treatments which cut it off from the surrounding area, creating almost an island effect. Proposals should be designed to improve the permeability of the site creating connections with the Kew Riverside and the River Thames where feasible.

Whilst the site is not located within a main or local centre, it has for many years proved to be a popular retail destination. It is expected that a substantial element of retail development commercial uses will be retained/replaced on site. Opportunities to improve convenience goods retail provision (in order to be suitable to meet 'main food shop' needs) will be supported in order to contribute towards achieving the 20-minute Neighbourhood objectives of Policy 1. The overall mix of uses, which could include other minor/small scale complementary town centre uses, such as retail, cafes, and offices, should be curated so that they add to the vibrancy and vitality of the new community. The proposed office provision should provide affordable workspace for small and medium sized companies.

While the Sequential and Impact Test requirements of Policy 18 will need to be satisfied at the planning application stage, the requirements to satisfy both tests will be limited in scale and complexity bearing in mind the in-principle acceptability of providing substantial replacement retail floorspace on the site. Proposals that satisfy the Sequential Test and do not have a significant adverse impact on the Borough's town centres will be supported.

Any new convenience retail provision should not exceed the floor space of the existing units, to protect the existing main centre in Kew.

Continued on following page

Cont.

Development should be of high architectural quality, informed by a thorough assessment of the prevailing townscape character of the area (informed by the Urban Design Study (2021)). The applicant will be required to demonstrate that the proposed development corresponds/relates with the surrounding character areas, including Kew Residential and nearby Kew Gardens, in line with Policy 28.

The Royal Botanical Gardens World Heritage Site is within 500m which will need to be taken into consideration when designing the scheme.

The applicant will be required to submit a full transport assessment completed in accordance with local and London-wide guidance. This will include a detailed assessment of its impact on the local and strategic road network. 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 Urban Design Study 2021 identifies part of Kew Retail Park as being able to accommodate tall and mid-rise buildings (at least 7-storeys) as a tall building zone (7 storeys) surrounded by a mid-rise buffer zones (5-6 storeys) to provide providing for an area of transition with the more modest surrounding buildings, in accordance with Policy 45 Tall and Mid-Rise Building Zones.

The applicant will be required to submit a full Heritage, Townscape and Visual Impact Assessment, which will include a detailed assessment of the proposed development's potential impact on surrounding heritage and townscape receptors, in line with Policy 45.

Design objectives and general guidance relating to local character of the area, which any redevelopment proposal should have regard to, is also set out in the Urban Design Study 2021, G3 East Kew Mixed Use and in the Kew Village Planning Guidance.

Explanation/Justification

1. The Principle of the Allocation

- 5.1 The principle of allocating the site for comprehensive residential-led redevelopment is firmly encouraged by London Plan Policies SD7, E9, and H1, which require boroughs to realise the full potential of existing out-of-centre retail parks for housing intensification and other uses.

2. Site Availability

- 5.2 The **effectiveness** of the allocation is dependant on whether the land will be made available for development over the plan period, as this determines whether the allocation is deliverable. We set out the key considerations below:

Planning Context

- 5.3 The site is developed and in active use. It accommodates a series of warehouse buildings extending to 139,204sqft (12,932sqm) in retail use with extensive associated surface car parking (558 spaces). The buildings accommodate the following occupiers (approximate floorspace (GIA) in brackets):
- Sport Direct (15,904sqft)
 - TK Maxx (14,054sqft)
 - Gap (10,000sqft)
 - Next (includes Costa Coffee) (10,034sqft)
 - Boots (12,000sqft)
 - M&S (include food, non-food, and café) (77,176sqft)

-
- 5.4 The development was implemented pursuant to outline planning permission ref. 92/1676 which was approved in 1993. Applications for the approval of reserved matters were then subsequently approved. Headline details are as follows:
- The total number of units must be between 3 and 8;
 - Minimum size of a single unit limited to 500sqm (sales area). Total floorspace (GIA) to not exceed 13,935sqm;
 - Opening hour restrictions; and
 - Units shall only be used for the sale of non-food items (except restaurant).
- 5.5 Conditions attached to the operating consent have subsequently been varied, including as follows:
- 95/2073. Use of up to 1.5% of the gross floor area (21sqm) of a unit (no details available) for the sale of baby foods. Personal consent for the benefit of Children's World Ltd. Approved.
 - 97/2469. S.73 application to allow up to 1.5% of the gross floor area (16.89sqm) of unit D (Boots) to be used for the sale of baby and dietary foods. Approved.
 - 99/290. S.73 application to allow 743sqm of the M&S Unit to be used for the sale of food. Approved. Personal consent for the benefit of M&S only (controlled by s.106 agreement).
 - 02/3091. S.73 application to amend opening times of M&S unit. Approved.

Site Ownership and Conditions for Making the Site Available

- 5.6 The entirety of the proposed allocation site is under the ownership of SG and M&S:
- M&S own the unit currently occupied by the M&S store;
 - SG own the other retail units; and
 - SG and M&S have joint ownership rights over the car park, servicing areas, and access.
- 5.7 Refer to land ownership plan at Appendix B.
- 5.8 The overlapping ownership rights mean that the ability to bring forward the comprehensive redevelopment of the site is dependent on both landowners being willing to make their land available for development. Their willingness will be dependent on operational and viability based commercial considerations being satisfied, which are different for each landowner. This is in the context that the site is currently in an active, highly valuable use, that is expected to remain viable in the long term. We set out the conditions/requirements for each landowner below:

St George

- 5.9 St George acquired its part of the site in 2021. While it provides a viable long term income stream, SG's objective is to work with M&S to bring forward the comprehensive redevelopment of the whole site to include a substantial amount of new housing at the earliest opportunity. Clearly this will be significantly influenced by the policies in the new Local Plan.

M&S

- 5.10 M&S operates two stores within the borough (KRP and Richmond Town Centre) plus food-only stores at Richmond Station (franchise) and Barnes. The KRP and Richmond Town Centre stores complement one another with KRP serving a more regional catchment and the town centre a more local catchment. Both stores trade well. M&S has no intention of closing either store. Both have been identified as priority stores for upgrade/investment as part of M&S's 'Renewal' strategy.
- 5.11 M&S is keen to invest in improving the KRP store as soon as possible. Its options are either to retain and refurbish the existing store or to provide a new replacement store as part of the comprehensive redevelopment of the site (which it would progress with SG). Its willingness to progress the

redevelopment option will be dependent on feasibility, which will be subject to the following commercial tests being met:

- The replacement store must include replacement comparison goods floorspace plus a minimum 25,000sqft of convenience goods floorspace (net sales area) plus car parking; and
- The KRP store must continue to trade throughout redevelopment which will require the new replacement store to be completed prior to the demolition of the existing store.

Timescales

- 5.12 Each of the retail units under SG's ownership are in active use. However the terms of leases allow flexibility in obtaining vacant possession of these units which will be obtained once a planning permission is in place. The existing M&S unit can be vacated following the completion of the replacement store, which in practice will be a key driver in development phasing. It is anticipated that the car park could be vacated and made available for development in phases.

Soundness Issues with Current Draft

- 5.13 As explained above, the principal site availability issue is that the willingness of the landowners to bring the site forward for comprehensive redevelopment is dependent on the ability of M&S to provide a replacement store of a minimum specification. In order for the allocation to be **effective** and **positively prepared**, it is critical that it includes express, positive support for substantial replacement retail development (including an increase in convenience retail floorspace) on the site alongside the substantial residential development that the current draft already supports.

3. Land Uses (Residential)

- 5.14 As explained above, part of the site is owned by SG. SG is part of the Berkeley Group which builds homes and neighbourhoods across London, Birmingham and the South of England. Berkeley specialises in brownfield regeneration, reviving underused land to create unique, sustainable and nature-rich places where communities thrive and people of all ages and backgrounds can enjoy a great quality of life. The group as a whole is one of the largest residential developers in London, Berkeley built 3,254 homes in 2020/21 and a total of 18,481 over the last five years (including joint ventures). 2,825 homes were delivered in London, some 10% of London's new private and affordable homes
- 5.15 SG acquired its part of the site in 2021 with the intention of working with M&S to deliver comprehensive redevelopment, including substantial new housing. It has the demonstrable intent and capability to deliver the draft policy requirement of substantial residential development which we strongly support. We note that this is firmly aligned with London Plan Policies E9 C(6), SD6, SD7 and H1 which encourage the redevelopment of out-of-centre retail parks to deliver housing intensification alongside other uses.
- 5.16 We consider the content of the site allocation as relevant to residential development to be sound. However, we note that there is no need to repeat content that is adequately covered in other policies (such as affordable housing).

4. Land Uses (Retail)

The Principle of Substantial Retail Use

- 5.17 As explained above, the site currently accommodates 12,932sqm of retail floorspace. Accordingly, the acceptability of substantial retail floorspace on the site is already established in planning terms.

- 5.18 The principle of replacing this existing floorspace is supported by London Plan Policy SD7 (A3) (and Policies E9 C(6), SD6, and H1) which encourage the comprehensive redevelopment of out-of-centre sites such as KRP and confirm the acceptability of including replacement retail floorspace of up to the same existing overall quantum. The policies then confirm the acceptability of increasing the amount of retail where this can be justified by sequential and impact policy tests in accordance with the national planning policy approach to control such matters.
- 5.19 We recommend that this point is confirmed in the policy wording (or supporting text) in order to ensure that the policy is demonstrably **justified** and capable of being implemented in an **effective** manner.

The Area-Specific Need for Improved Access to Convenience Retail Provision

- 5.20 As explained above, the availability of the site for redevelopment is dependent on the provision of substantial replacement retail floorspace (a replacement M&S store). This includes a requirement to increase the amount of convenience goods retail floorspace to a minimum 25,000sqft (net sales area).
- 5.21 The Richmond upon Thames Retail and Leisure Needs Study Phase 1 Update (July 2021) identifies an over-supply of convenience goods retail floorspace in the period to 2029, however long-term growth suggests an under supply by 2039. This is a borough level quantitative assessment of capacity which does not take account of more localised quantitative or qualitative needs.
- 5.22 We consider there to be a need to increase the amount of convenience goods retail floorspace in/around Kew in order to deliver the strategic policies that underpin the draft local plan as a whole – notably the Living Locally/20-Minute Neighbourhood principles of Policy 1 which is at the heart of the local plan. Policy 1 states that the ‘living locally’ concept will be achieved by giving people the ability to meet most of their daily needs (including access to food shopping) within a 20-minute walk from home, with safe cycling and public transport options. As demonstrated in Map 4.1 of the Local Plan, most of the borough is within 800 metres (as the crow flies) of a centre or shopping parade including much of Kew. However, on closer investigation it is clear that existing (and future) residents in much of Kew (including the KRP site) do not live within 20 minutes’ walk of a supermarket that is capable of meeting a ‘main’ food shop need.
- 5.23 Details of the closest supermarkets to the KRP site are set out in Table 5.1 below (refer to walk-distance maps at Appendix A):

Table 5.1 Existing Local Supermarkets

| Store | Address | Suitable for a Main-Food Shop? | Distance from KRP Site | Walk-Time from KRP Site |
|---------------|---|--------------------------------|------------------------|-------------------------|
| M&S | Kew Retail Park | No Top-up Only | - | - |
| Tesco Express | 2-8 Station Parade, Kew, TW9 3PZ | No Top-up only | 0.5 miles 0.8 km | 11 minutes |
| Sainsbury's | Lower Richmond Road, TW9 4LT | Yes | 1.2 miles 2 km | 23 minutes |
| Waitrose | Upper Richmond Road, East Sheen, SW14 7JG | Yes | 1.3 miles 2.1 km | 28 minutes |

- 5.24 This existing access deficiency (on the basis of the requirements of Policy 1) translates to a qualitative need to improve convenience retail provision in Kew, in order that it is capable of providing for main

food shop needs (as opposed to just top-up shopping). This need will intensify with the delivery of substantial new housing on the KRP site (as sought by the draft site allocation).

- 5.25 The provision of an improved convenience retail offer as part of the replacement M&S (required to make the site available for development) will satisfy this need, and ensure that the requirements of Policy 1 can be achieved for both existing and future residents in Kew.
- 5.26 Accordingly, in order for the Site Allocation to be **effective** (consistent with the rest of the Plan), **positively prepared** (meets the area's needs) and **justified** (based on evidence) we recommend that it is amended to specifically support the principle of the provision of improved convenience retail goods floorspace on the site as part of the replacement retail development.

Restrictions on the Type of Retail Provision (Convenience Goods)

- 5.27 The existing amount of convenience retail floorspace on the site comprises approximately 760sqm (net sales area).
- 5.28 As currently drafted the policy states that '*any new convenience retail provision should not exceed the floor space of the existing units, to protect the existing main centre in Kew*'. It is not clear what the exact intended meaning is of this (this should be clarified), nonetheless it could be interpreted as restricting the acceptable amount of convenience retail floorspace to no more than the existing. This approach would not be sound in our view.
- 5.29 Firstly, a restriction would not be in **general conformity** with the London Plan. London Plan Policy SD7 Part A(3) (as also firmly encouraged by London Plan Policy E9 (Part C(6)) and Policy H1) requires boroughs to realise the full potential of existing out-of-centre retail parks. As a starting point, SD7 supports the principle of replacement out-of-centre retail floorspace of up to the same quantum as the overall existing. Aside from the restriction on overall retail floorspace SD7 does not provide any restrictions on the redevelopment, replacement, or re-organisation of existing retail or leisure space – specifically it does not impose any restrictions on what type of goods the retail floorspace can be used for. It then confirms the acceptability of increasing the amount of retail at such sites where this can be justified by sequential and impact policy tests in accordance with the national planning policy approach to control such matters.
- 5.30 Secondly, the evidence set out in the Council's Retail Study Part 1 does not support a restriction on the amount of convenience retail floorspace at the site. A restrictive approach would require a clear and reasonable justification which is not provided in either the Phase 1 retail study and / or the draft Plan itself. In particular, it is briefly suggested that the proposed approach is to protect the health of town centres but no evidence is provided in order to demonstrate that the provision of replacement / net additional convenience goods floorspace at Kew Retail Park will lead to any harm to nearby defined 'town centres'. Accordingly, a restriction would not be **justified**.
- 5.31 This is in the context that policies should be positively worded.
- 5.32 As a final comment, we note that the allocation of Kew Retail Park is not the only site allocation to mention convenience goods floorspace in the draft Local Plan. The other references are in relation to a small number of 'town centre' allocations where a cap / limit / restriction has not been imposed.
- 5.33 Accordingly, in order to be **effective** (consistent with the rest of the Plan), **positively prepared** (meets the area's needs) and **justified** (based on evidence) we recommend that the policy is amended to remove any restrictions on the amount of convenience retail goods floorspace on the site as part of the replacement retail provision.

Sequential Test and Impact Assessment Requirements

- 5.34 For the reasons set out above, we recommend that the site allocation wording is amended to explicitly support the principle of substantial replacement retail development, including an increase in the amount of convenience goods floorspace in order to ensure the soundness of the policy.
- 5.35 We do not consider it necessary for the site allocation to define the acceptable amount of retail floorspace (in order for it to be sound) – rather this should be a matter dealt with at the planning application stage. With this approach it will be necessary to satisfy sequential and impact policy tests at the planning application stage in line with London Plan Policy SD7 and Local Plan Policy 18. Bearing in mind that the principle of substantial retail will have been established in the policy, the extent of the assessment work required to satisfy the policy tests should be proportionate.
- 5.36 In order for the policy to be effective (and cognisant of NPPF para 16d) we recommend that the policy (or supporting text) is amended to account for this.

5. Land Uses (Offices)

- 5.37 The draft allocation requires the provision of offices (including the provision of affordable workspaces for small to medium sized companies). We consider this to be unsound on the basis that it is not **justified** by evidence nor **consistent with national policy**. It would also be inconsistent with other parts of the plan and therefore risks not being **effective**.

Existing Use

- 5.38 The site does not currently accommodate any office (or other employment) uses. Accordingly, unlike retail uses (for example) the principle of such uses on the site has not been established, nor would redevelopment pose a risk of existing office/employment uses being lost.

Evidence Base

- 5.39 The Employment Land and Premises Needs Assessment (2021) identifies a need for additional office and industrial use accommodation in the borough. It identifies a need for a minimum 40,000sqm of office accommodation over the plan period, however that there is a very limited pipeline supply of sites to meet this need.
- 5.40 It recommends that these needs can best be met via the intensification of the borough's existing employment sites and/or the repurposing of land/buildings within the borough's town centres (particularly Richmond town centre which is highlighted as a commercially attractive office location).
- 5.41 It also recommends that office supply is boosted 'wherever the opportunity presents itself. Kew Retail Park is referenced at paragraph 5.46 as a potential 'opportunity' for potential supply of offices in the context of town centre sites (which we note is not the case – it is an out-of-centre location).

National Planning Policy/London Plan

- 5.42 In order to be sound, the recommendations of the aforementioned needs assessment should be applied in a manner that is in accordance with national planning policy and in general conformity with the London Plan.
- 5.43 Offices are defined as a Main Town Centre Use for the purposes of Annex 2 of the NPPF. NPPF paragraph 86 requires a range of suitable sites to be allocated in town centres to meet the scale and type development likely to be needed. Where suitable and viable town centre sites are not available for main town centre uses, appropriate edge-of-centre sites should be allocated followed by other

accessible locations that are well connected to town centres. Consistent with this is London Plan Policy E1 which directs new office uses in Outer London to town centres and existing business parks.

Consistency with Other Draft Local Plan Policies

- 5.44 In order to be effective, there must be consistency between each policy in the new Local Plan in order that it can be read 'as a whole'.
- 5.45 In line with national/London Plan policy, Policies 23 directs 'major' new office development to town centres, with smaller scale office development directed to designated Key Business Areas and other 'suitable locations'. Similarly, Policy 21 directs other major employment development to town centres and designated employment sites, while only allowing 'other' (which we interpret as non-major – i.e. less than 1,000sqm floorspace) to be located elsewhere.

Soundness Issues with Current Draft

- 5.46 As currently drafted, the site allocation requires offices (including associated affordable workspace) to be provided on the Site. While we recognise that there is an identified need for office accommodation in the borough, the Site is not in a town centre nor in a designated employment area therefore allocating it for 'major' office development would not accord with national or London Plan policies nor would it be consistent with other policies in the draft plan. The broader policy basis would support 'minor' office uses on the Site which could form part of a range of small-scale complementary uses (see next section), nonetheless we consider that an express 'requirement' for offices (as currently drafted) would not be **justified, effective**, nor **consistent with national policy**.

6. Land Uses (Other Non-Residential Uses)

- 5.47 In line with the overall approach of the policy as currently drafted, we support the inclusion of a range of small-scale other uses that would add to the vibrancy and vitality of the new community. The requirement as currently drafted is very specific (retail, café's and offices) which would prevent other perfectly acceptable other uses from coming forwards. In order to ensure the effectiveness of the policy we recommend that a more flexible approach is adopted to other uses as per the recommended amendments.

7. Land Uses (Public Open Space)

- 5.48 The policy wording regarding the provision of public open space is not entirely consistent with Policy 37. In order for the plan as a whole to be effective, there must be consistency between policies. As per our recommended amendments, we suggest that detail is stripped out of the site allocation and replaced with a 'sign-post' to Policy 37.

8. Design

Connections and Permeability

- 5.49 The site allocation calls for improving the permeability of the site by creating connections through to Kew Riverside and improving links to the River Thames. While we agree that this is desirable and would be a benefit to the scheme and the wider area, there are issues outside of the landowners' control that prevent direct options specifically along the eastern boundary. The Kew Riverside development is under private land ownership and the roads are not adopted by the local authority. There are also significant level changes along the eastern boundary where the level drops on the Kew Riverside side to allow for basement parking. This further restricts the potential of connecting the two sites.

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- 5.50 Therefore, creating new connections into Kew Riverside from the KRP site will be extremely challenging. There is potential to connect to the open space along the southern boundary which then allows access to the River Thames. We suggest that the policy is amended to state that new connections/permeability is provided 'where feasible' to ensure that it is properly justified and effective.

Public Space & Landscape

- 5.51 While 'tree lined avenues' may be typical of the area we feel that this is too prescriptive for the site allocation and may limit the landscape response to the site. We recommend that the policy is amended accordingly.

Building Heights

- 5.52 We welcome the requirement for development at Kew Retail Park and the wider area of Kew to improve and transform parts of East Kew through by improving the sense of place, public access and legibility. Based on our findings following a review of the Urban Design Study (2021), the Place-based Strategy for Kew is, however, unsound in its current form, as it is not supported by a sufficient evidence base to support specific building heights identified for the KRP site.
- 5.53 The prescribed building heights that form part of the policy are not sufficiently backed up by a robust evidence base in the Urban Design Study. We believe that a range of heights across the site would be more suitable. We will produce our own evidence to justify this as part of the preparation of the planning application for the site.
- 5.54 Please refer to our comments regarding the Urban Design Study and our representations to Policy 45.

6. Policy 4 – Minimising Greenhouse Gas Emissions and Promoting Energy Efficiency

- 6.1 Policy 4, as currently drafted, is not in accordance with national policy, not in general conformity with the London Plan, nor justified. We recommend that it is amended to fully conform with the London Plan which would make it sound, as explained below:

Explanation

- 6.2 London Plan Policy SI 2 'Minimising greenhouse gas emissions' sets a carbon cash-in-lieu payment of £95/t, which is based on a nationally recognised non-traded price, that has been tested as part of the viability assessment for the London Plan which boroughs may use to collect offset payments.
- 6.3 The Greater London Authority guidance for London's Local Planning Authorities on establishing carbon offset funds (October 2018) requires that "LPAs should develop and publish a price for offsetting carbon based on either: a nationally recognised carbon pricing mechanism; or the cost of offsetting carbon emissions across the LPA. **The price set should not put an unreasonable burden on development and must enable schemes to remain viable.**"
- 6.4 The London Plan carbon offset price of £95 per tonne has been tested as part of the viability assessment (of the London Plan). This is intended to be the price LPAs adopt. Where following a 'cost of offsetting' route, the LPA should include an assessment of the carbon offsetting measures that are possible in the LPA, and dividing the average cost per tonne per year of these measures by the expected shortfall in emissions from the anticipated development coming forward over the next 30 years. An evidence base for the £300/t figure has not been provided (an 'Evidence Base for Carbon Emissions Reduction Policies' was provided in 2008).
- 6.5 Based on recent referable developments, carbon offset payments at the London Plan 2021 rate (£95/t) equates to an average offset payment of c. £20/sqm. With the proposed £300/t rate this would equate to c. £65/sqm. As a worked example, on a development of 20,000 sqm it is estimated that this would be an additional £1 million which will greatly affect a development's viability.
- 6.6 Policy 4 is based on a baseline of Approved Document Part L 2013 emissions, which will become superseded by National Policy changes to Approved Document Part L 2021, that addresses carbon emissions via a 31% betterment over Part L 2013 (domestic), and Approved Document Part L 2025 under the Future Homes Standard which will go even further to deliver an estimated 75% betterment over Part L 2013 (domestic). This will effectively surpass the proposed target of 60% for major developments, but allows for a gradual transitional period for the Construction Industry to adjust. Furthermore, the GLA are due to release a revised Energy Assessment Guidance (2022) to compliment the newly published Approved Document Part L 2021, which will address the improved carbon reduction target and how this should be assessed on schemes within London going forward.
- 6.7 National Planning Policy and London Plan both encourage maximising renewable provision, including solar PV, but do not set specific targets, as they recognise site and roof space constraints. By adhering to a robust review process in planning, this allows greater design flexibility than setting rigid targets.

Recommended Amendments

- 6.8 In lieu of an appropriate evidence base for the £300/t offset figure, it is recommended that the GLA viability tested £95/t figure be kept, in accordance with the London Plan 2021.

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- 6.9 With the continual carbon reduction targets being imposed under the Future Homes Standard (31% under ADL 2021, and 75% under ADL 2025), and the anticipated update to the GLA Energy Assessment Guidance (2022), it is recommended that the Policy targets be amended to track London Plan 2021 targets, which shall develop in-sync with the Future Homes/Buildings Standard.
- 6.10 It is recommended that mandatory solar technologies target of 40% of the building footprint area be dropped, and the guidance in the London Plan 2021 and the anticipated Energy Assessment Guidance (2022) be adopted.

7. Policy 6 – Sustainable Construction Standards

- 7.1 Policy 6, as currently drafted, is not in accordance with national policy, not in general conformity with the London Plan, nor justified. We explain this and set out recommended amendments to make the policy sound, below:

Explanation

- 7.2 There is a considerable deviation from National Planning Policy and from the London Plan, neither of which require BREEAM or the voluntary Home Quality Mark standard. Key BREEAM credit philosophy has been embedded into the London Plan 2021 without specifically requiring certification, allowing greater design freedom. Home Quality Mark is a voluntary scheme, which was established so that house builders and developers could distinguish their properties and sustainability credentials. Mandating it will diminish this intent.
- 7.3 Policy does not take into consideration practical implications to 'Shell Only' and 'Shell & Core' BREEAM Assessments, which are considerably harder to achieve credits for due to the reduced number of available credits, therefore reducing design flexibility. Site constraints often make 'Outstanding' onerous to achieve, regardless of the Development design quality. This is particularly true for 'Shell Only' assessments where the scope only covers capped services. These assessments are likely to require an upgraded scope of works so that core services are fitted to enable improvements in efficiency. This will require efficient core services and renewable technology dedicated solely to the commercial areas.
- 7.4 BREEAM 'Outstanding' is a considerable uplift to the more common 'Excellent' rating, which requires BREEAM Assessor input from RIBA 0 which is often prior to consultant appointments. A BRE briefing paper 'The value of BREEAM' estimates an uplift in capital cost of 10% for retail and office building types. It is necessary that all pre-planning credits are targeted where possible and this will put additional pressure on planning stage budgets.
- 7.5 Key BREEAM Outstanding credits are often achieved on non-BREEAM Developments. BREEAM Outstanding represents a 66% carbon reduction over building regulations, which will be met from the Approved Document Part L 2021 and Approved Document Part L 2025 under the Future Homes Standard, in addition to the adoption of all-electric energy strategies. The Circular Economy and WLC requirements of London Plan 2021 surpass those of BREEAM Outstanding, successfully reducing waste, embodied carbon, and encouraging sustainable procurement methods. The London Plan also requires futureproofing through dynamic thermal overheating assessments following CIBSE TM52/59, and the prediction of operational energy performance through CIBSE TM54 which goes beyond the requirements of BREEAM Outstanding.
- 7.6 Approved Document Part L 2021 does not stipulate a specific FEES kWh/m²/yr target, but is instead informed by the Notional Building as defined by the SAP and SBEM methodologies. The targets under Policy 6 align closely with the London Energy Transformation Initiative (LETI) which is a voluntary standard and onerous to achieve.

Recommended Amendments

- 7.7 London Plan 2021 targets BREEAM minimum performance for selected key credit criteria, such as energy and water, and surpasses BREEAM Outstanding for other key areas, such as the reduction in carbon emissions and prediction of operational energy performance, reduction in water consumption, embodied carbon benchmarks via Whole Life Cycle Carbon assessments, and the

reduction of demolition and construction waste via Circular Economy Statement. It is therefore recommended that London Plan 2021 policies be targeted which shall cover the key BREEAM credits.

- 7.8 The Fabric Energy Efficiency Targets should be based on Building Regulation compliance in accordance with Approved Document Part L 2021 and the 2025 Future Homes Standard iteration, as this will be variable based on the design and Notional specifications used under the SAP and SBEM methodologies.

8. Policy 10 – New Housing

Recommended Amendments

Operating Period and the Housing Requirement

- 8.1 In accordance with NPPF para 22, it is necessary for soundness that strategic policies cover the full plan period, which in this case is 15 years (the period is confirmed at para 2.1 of the draft Local Plan). Policy 10 is confirmed (in its heading) as a 'Strategic Policy' but only covers a period of 10 years. As a starting point, we recommend that this is amended to cover the full 15-year period of the plan in order to be **consistent with national policy**.
- 8.2 In order to meet the overall housing requirement for the plan period as a whole, the 10 year housing target set by London Plan Policy H1 should be projected forward to cover the full 15 year period. Therefore we recommend that Policy 10 is amended to plan for a housing target of 6,165 homes in order to be **consistent with national policy** and in **general conformity with the London Plan**.

Exceeding the Housing Target

- 8.3 National planning policy (as expressed in NPPF para 60) is focussed on significantly boosting housing supply. London Plan Policy H1 sets minimum 'targets' for net housing completions which each local planning authority should plan for, and should be included in the Local Plan. The policy goes onto require boroughs to optimise the potential for housing delivery on all suitable and available brownfield sites through their development plans (including through the mixed-use redevelopment of low-density retail parks).
- 8.4 Part A of the Policy 10 confirms that the Council will 'exceed the minimum strategic dwelling requirement' 'where this can be achieved in accordance with other Local Plan policies'. It is our view that this qualification is unnecessary and over cautious and that the policy overall should adopt a much more positive and ambitious approach to significantly boosting housing supply in the borough and optimising sites in order to **accord with national policy** and be in **general conformity with the London Plan**. This view is justified by the supply of deliverable/developable sites set out in chapters 6-14 of the Plan which appear (on the basis of our review) to have capacity to exceed the minimum 15-year target set by the London Plan on the basis of the evidence set out in the Council's Urban Design Study (see below for further explanation).

Housing Trajectory

- 8.5 In order to be **consistent with national policy** (NPPF para 74), a housing trajectory should be prepared and included within the plan (to be read alongside Policy 10). This should be appropriately evidenced and consistent with the specific sites and broad locations for growth set out in Policy 10 itself and elsewhere in the Plan.

Broad Locations for Growth

- 8.6 NPPF para. 68 requires Local Plans to identify a supply of specific deliverable sites for years 1-5 of the plan period and specific developable sites or broad locations for growth for years 6-10 and, where possible, for years 11-15. The draft Plan includes a series of place-based strategies with associated site allocations, each of which includes details of their expected implementation timescale (years 0-5, 5-10 or 10-15). We recommend amending these to years 1-5, 6-10, and 11-15 for the purposes of consistency with national policy.

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- 8.7 Part B of Policy 10 goes on to identify broad locations for growth based on wards. The use of wards is inconsistent with the place-based approach adopted by the first part of the plan. As a consequence it is not possible to effectively read/apply Policy 10 and the first part of the plan together (and therefore not possible to read the local plan 'as a whole') which is not in accordance with NPPF para 16(d). In order to be **effective**, the 'areas' referred to in Policy 10 should be amended to tally with the 'places' set out in Chapters 6-14 plan upon which the spatial strategy of the plan as a whole is based.
- 8.8 Part B sets out a quantum of housing for each broad location. These are described as 'indicative ranges' and 'approx.'). These terms are vague (not in accordance with NPPF para 16(d)) and do not firmly commit to delivering the minimum target set by London Plan Policy H1. To ensure **accordance with national policy** and **conformity with the London Plan** we recommend the figures stated should be 'targets' (with a clear intention to exceed – see below).
- 8.9 In order to **accord with national policy** (NPPF para. 68), the 'target' amounts of new housing for each broad location set out in the table at Part B should be amended in order that they tally with the minimum 10-year housing target, and where possible the 15-year target. Our initial view is that the proposed site allocations set out in the draft plan indicate that the borough has an ample supply of specific deliverable/ developable sites to meet the 15-year housing target therefore we recommend that the amounts set out in the table at Part B of the Policy should cover the full 15-year period in order to accord with national policy and ensure soundness.
- 8.10 No explanation is provided in the draft policy of how the actual amounts set for each location in the table have been calculated, therefore these are not clearly justified by evidence. Our review indicates that some of the figures may be under-ambitious when considered in conjunction with the proposed site allocations and recent planning permissions. If this is the case, it would fail to accord with the national policy requirement to significantly boost housing supply nor conform with the London Plan requirement to optimise sites. To ensure soundness (**justified**), the figures should be clearly evidenced and revised accordingly to reflect the evidence.
- 8.11 To highlight this point, an indicative/approximate range of 1,100-1,200 homes has been identified for the 'Richmond' area. There are 6 sites allocated within this area with a total site area of 8.77ha. The optimum capacity of two of these sites (Kew Biothane and Homebase) has been confirmed via planning applications, with a combined capacity of 542 homes (average density of 214 dwellings per hectare (dph)). This leaves an 'indicative' balance of 558-658 homes for the remaining 4 allocated sites which would equate to an average density of 63-75dph. These density figures appear unrealistically low when considered in conjunction with the evidence set out in the Urban Design Study (2021) including the sites' capacity for change and suitability for tall buildings. Refer to Table 8.1, below:

Table 8.1 Review of Proposed Site Allocations in 'Richmond' Area

| Site | Site Area | Site Capacity |
|--|---------------|---|
| Homebase Manor Road | 1.84ha | 453 homes (planning application ref. 19/0510 – approved by Mayor) |
| Kew Biothane | 0.69ha | 89 homes (planning permission ref. 18/3310) |
| Sub-total (known site capacity) | 2.53ha | Actual capacity: 542 homes Average density = 214 dwellings per hectare |
| | | |
| Richmond Station | 1.96ha | Unknown Identified in UDS as tall building zone with appropriate building heights of 7-8 storeys |
| Richmond Telephone Exchange | 0.27ha | Unknown |
| Sainsbury's, Lower Richmond Road | 2.63ha | Unknown Identified in UDS as tall building zone with appropriate building heights of 7-8 storeys |
| Kew Retail Park | 3.91ha | Unknown Identified in UDS as tall building zone with appropriate building heights of 7 storeys |
| Sub-total (unknown site capacity) | 8.77ha | Indicative range (draft Policy 10): 558-658 homes Average density = 63-75 dwellings per hectare |

8.12 In accordance with the above, our view is that the 'approx. no. of units' figures set out in Part B of Policy 10 appear too low (including specifically for the Richmond area) and should be increased to more accurately reflect the optimum capacity of sites within each area in order to be properly **justified**. The figures should be underpinned by evidence – SG and M&S propose to work with the Council to prepare the necessary evidence to determine the optimum capacity of the KRP site over the course of 2022 in advance of the preparation of the Regulation 19 draft.

9. Policy 11 – Affordable Housing

Definition of Affordable Housing

~~Annex 2 of the NPPF defines Affordable Housing for planning purposes. Genuinely Affordable Housing.~~ The Council considers the following ~~to be~~ genuinely affordable housing products ~~to be as per the definition set out in London Plan Policy H4:~~

- ~~— Social Rent~~
- ~~— London Affordable Rent~~
- ~~— London Living Rent (only when delivered in compliance with the Council's Intermediate Housing Policy Statement 2019 or any further update.)~~
- ~~— Shared Ownership (only when delivered in compliance with the Council's Intermediate Housing Policy Statement 2019 or any further update.)~~

Policy

- A. ~~All new housing developments in the borough should provide affordable housing in accordance with London Plan Policies H4 to H6, at least 50 per cent of the total number of habitable rooms as affordable housing on site. The affordable housing being provided should be genuinely affordable for the majority of residents in the borough.~~
- B. ~~A contribution towards affordable housing will be expected on all housing sites. The following requirements apply:~~
- C. ~~on all former employment sites at least 50% on-site provision. Where possible, a greater proportion than 50% affordable housing on individual sites should be achieved.~~
- D. ~~on all other sites capable of ten or more units gross 50% on site provision. Where possible, a greater proportion than 50% affordable housing on individual sites should be achieved.~~
- ~~on sites below the threshold of 'capable of ten or more units gross', a financial contribution to the Affordable Housing Fund commensurate with the scale of development, in line with the sliding scales set out below and in the Affordable Housing SPD~~
- C. Where on site provision is required, an application should be accompanied by evidence of meaningful discussions with a Registered Provider which have informed the proposed tenure, size of units and design to address local priorities and explored funding opportunities.
- D. Where ~~on-site~~ affordable housing is provided on site, the Council will require an affordable housing tenure split of 70% ~~low-cost rented homes affordable rented housing~~ and 30% intermediate housing (~~as per London Plan definitions~~) by habitable room. ~~The intermediate housing will be delivered in line with the Council's Intermediate Housing Policy Statement.~~
- E. ~~If the minimum level of affordable housing is not provided in line with Part B (1) and B(2) the application for development will be refused.~~
- F. ~~Site specific viability information will only be accepted in exceptional cases, determined by the Council. Any proposals where site specific viability evidence is accepted must provide the maximum amount of affordable housing, informed by detailed viability evidence. The cost of any independent review must be covered by the applicant.~~
- G. ~~If a site proposes a non-compliant level of affordable housing and is granted permission it will be subject to detailed review mechanisms throughout the period up to full completion of the development, including an advanced stage review mechanism. Sites that meet the 50% target for affordable housing will not be subject to a late stage review, only an early stage review to incentivise implementation.~~
- H. In exceptional circumstances, where affordable housing cannot practically be provided on site, or off-site provision would create a better contribution (in terms of quantity and/or quality), the Council may accept provision of affordable housing off-site in the same area.

- I. Developments involving the provision of affordable housing will be expected to achieve the same high quality standards as the private housing element of the scheme in terms of accessibility, internal space requirements, external appearance and design quality and provision of private outdoor space.
- J. The Council will not accept the net loss of any existing affordable housing and will expect any estate regeneration to provide the equivalent amount of affordable housing by habitable room, and where possible, achieve an uplift in provision.

Explanation/Justification

Definitions

- 9.1 The definition of affordable housing set out in the orange box after para 17.11 is muddled which means it is not **effective** and not in accordance with NPPF para 16(d). There are two separate matters here: (1) a definition of affordable housing; and (2) a definition of what the Council considers to be 'genuinely' affordable housing.

Definition of Affordable Housing

- 9.2 'Affordable Housing' for planning purposes is defined at NPPF Annex 2. This is reiterated at footnote 53 of the London Plan. The definition set out in the orange box is not consistent with this and therefore is not in **accordance with national planning policy** nor in **general conformity** with the London Plan. We recommend that the text should be amended in order that it is based on the NPPF definition (there is no need to duplicate – a cross reference will suffice).

Definition of 'Genuinely Affordable Housing'

- 9.3 NPPF para. 63 allows the Local Plan to specify the 'type' of affordable housing required within the parameters of the definition provided at Annex 2. Accordingly, the orange box after para 17.11 provides a definition of what the Council considers to be 'genuinely' affordable housing, which comprises 4 acceptable types of affordable housing required by the policy. Part A of the policy introduces a further qualifying requirement that the affordable housing provided should be genuinely affordable for the 'majority of residents in the borough'. The supporting text at paragraph 17.18 goes on to provide a broader explanation which is not consistent with the orange box nor the policy wording, including the statement that 'genuinely affordable housing is primarily considered to be homes rented at either social rent or London Affordable Rent levels' (only). When read as a whole, the definition is not properly justified nor clear therefore is not in **accordance with national planning policy** nor in **conformity with the London Plan**.
- 9.4 The London Plan identifies 'preferred' affordable tenures at para 4.6.3-9, which are products that the Mayor considers to be genuinely affordable. This comprises London Affordable Rent (LAR), Social Rent (SR), London Living Rent (LLR), and London Shared Ownership (LSO). As a starting point, the type of affordable housing required by the policy (i.e. that identified as being 'genuinely affordable') should conform with the preferred affordable housing tenures set out in the London Plan.
- 9.5 The inclusion of Social Rent and London Affordable Rent (LAR) within the definition in the orange box conforms with the London Plan and is sound in principle. However, to ensure effectiveness and having regard to NPPF para 16(d) we recommend that the supporting text refers to the London Plan definitions for these products. Paragraph 17.18 deviates from the orange box by stating that LAR is only acceptable if evidence is provided that it will be affordable to the majority of residents living in

the borough. This qualifier is not in conformity with the London Plan (which establishes as a matter of established planning principle that LAR is a genuinely affordable product) and therefore is unsound.

- 9.6 The supporting text at paragraph 17.18 states that 'In the context of the Local Plan, genuinely affordable housing is primarily considered to be homes rented at either social rent or London Affordable Rent levels'. This is not sound on the basis of non-conformity with the London Plan which establishes the principle that LLR and LSO products also meet the definition of genuinely affordable.
- 9.7 The intermediate products (LLR and Shared Ownership) included within the definition in the orange box are not sound on procedural terms and on the grounds of non-conformity with the London Plan. This is principally due to the qualification: 'only when delivered in compliance with the Council's Intermediate Housing Policy Statement 2019 or any further update' (this also applies to Part D of the policy).
- The Local Plan must be capable of operating as a standalone document (with the exception of making reference to the NPPF and/or London Plan). It follows that it is not capable of being sound if its policies are subject to materially significant content set out in a separate existing statement that does not form part of the development plan (or Government policy) and therefore has not been subject to independent examination to ensure its soundness.
 - The Council's Intermediate Housing Policy Statement (2019) does not form part of the Council's evidence base being consulted on (as part of the Regulation 18 consultation) nor was it available for public download from the Council's website during the reg.18 consultation period. Accordingly, and notwithstanding the above point, it is not possible to for the public to reach a judgement on whether its content is sound or not.
- 9.8 There is no definition for the 'Shared Ownership' product. We recommend that this is amended to 'LSO' with reference made to the London Plan for LSO and LLR definitions.
- 9.9 The relevant evidence that is currently available comprises the Richmond Local Housing Market Assessment (2021), however this does not justify deviating from the London Plan and/or national policy in respect to the soundness issues set out above. Accordingly, in order to make the plan sound we recommend amending the orange box, the policy wording, and paragraph 17.18 in order that the definitions of 'affordable housing' and 'genuinely affordable housing' are in full conformity with the London Plan. There is no need to duplicate text, amending the wording to simply cross-refer to the London Plan will suffice to make the plan sound.

50% Minimum Affordable Housing Requirement

- 9.10 The combined requirement of Parts A, B(1) and B(2) of the policy require a minimum 50% affordable housing to be provided.
- 9.11 As a starting point, NPPF para 62 establishes the principle that affordable housing needs should be reflected in Local Plan policies. The London Plan sets a strategic target that 50% of all new homes across London should be affordable, with affordable housing provided through the threshold approach (Policies H4 and H5).
- 9.12 NPPF para 16(b) requires local plans to be deliverable. Satisfying this requirement in the context of setting affordable housing policies is dependent on evidence set out in a Whole Plan Viability Assessment. The Viability PPG states that: 'The role for viability assessment is primarily at the plan making stage. Viability assessment should not compromise sustainable development but should be used to ensure that policies are realistic, and that the total cumulative cost of all relevant policies will not undermine deliverability of the plan.' 002 Reference ID: 10-002-20190509

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- 9.13 As confirmed in the supporting text to the policy, the Council has not yet undertaken a Whole Plan Viability Assessment. Accordingly there is no evidence base to confirm whether the 50% requirement is viable (and therefore deliverable) and it is therefore fundamentally unsound (**not positively prepared, not justified, not effective, and not consistent with national policy**).
- 9.14 The plan can be made sound through the preparation of a Whole Plan Viability Assessment and subsequent amendments to accord with its conclusions. Until and unless such evidence is prepared that justifies deviating from the threshold approach set out in the London Plan, we recommend that the policy should be amended to fully conform with the London Plan.

Whole Plan Viability Assessment

- 9.15 In order to provide a robust evidence base to underpin the policy it is essential that the Whole Plan Viability Assessment fully accounts for the broad range of site-specific considerations that effect the viability of development in the borough. This is particularly important for the proposed site allocations, upon which the deliverability of the plan rests.
- 9.16 To illustrate the point, Kew Retail Park is not a 'typical' site typology as it is a successful retail destination with an inherently high existing use value. This means that viability is going to be more challenged here than on other brownfield sites where commercial uses may be redundant and/or existing use values lower.
- 9.17 Subject to the findings of the evidence, it may well be necessary for the policy to set different affordable housing targets at different locations and sites, as supported by the Viability PPG: 'Different requirements may be set for different types or location of site or types of development.' Paragraph: 001 Reference ID: 10-001-20190509. This is consistent with London Plan Policy H4 which recognises that the 50% target is a strategic London wide target that will not be achievable in all cases, particularly if additional funding is not available.

The Threshold Approach

- 9.18 The threshold approach was introduced in supplementary planning guidance by the Mayor in 2017 as a solution to address the failings of past policy approaches which have failed to deliver adequate levels of affordable housing to meet the needs of Londoners. The guidance was subsequently established as policy in the new London Plan. Evidence indicates that the shift to the threshold approach has been effective, with the average proportion of affordable housing secured under new planning permissions granted increasing significantly since the approach was introduced. Table 9.1, below, sets out the proportion of affordable housing provided within GLA referable applications (resolution to grant or approved) across London over the period 2011-2020. This demonstrates a clear increase in affordable housing commitments secured following the introduction of the threshold approach in 2017.

Table 9.1 – Affordable Housing Commitments (all London) 2011-20

| Year | Total Homes | Affordable Homes | % Affordable |
|--------------|----------------|------------------|--------------|
| 2011 | 29,120 | 6,900 | 24% |
| 2012 | 52,932 | 13,068 | 25% |
| 2013 | 40,058 | 9,863 | 25% |
| 2014 | 44,982 | 10,026 | 22% |
| 2015 | 53,425 | 13,929 | 26% |
| 2016 | 34,807 | 8,606 | 25% |
| 2017 | 23,784 | 6,188 | 26% |
| 2018 | 42,762 | 14,141 | 33% |
| 2019 | 29,631 | 10,935 | 37% |
| 2020 | 38,865 | 14,337 | 37% |
| Total | 390,366 | 107,993 | 27.7% |

Source: Affordable Housing Planning Analysis Referable Applications, GLA, 2021

- 9.19 The current Richmond Local Plan requires 50% of all housing units to be affordable. Table 9.2, below, sets out the proportion of affordable housing that this policy approach has historically delivered:

Table 9.2 – Affordable Housing Completions (LBRuT) (2010/11 to 2019/20)

| Year | Total Homes | Affordable Homes | % Affordable |
|--------------|--------------|------------------|--------------|
| 2010/11 | 399 | 126 | 32% |
| 2011/12 | 208 | 75 | 36% |
| 2012/13 | 695 | 227 | 33% |
| 2013/14 | 235 | 33 | 14% |
| 2014/15 | 304 | 6 | 2% |
| 2015/16 | 491 | 99 | 20% |
| 2016/17 | 460 | 62 | 13% |
| 2017/18 | 382 | 41 | 11% |
| 2018/19 | 419 | 70 | 17% |
| 2019/20 | 331 | 34 | 10% |
| Total | 3,924 | 773 | 19.7% |

Source: London Borough of Richmond upon Thames Local Plan Authority Monitoring Report – Housing (2020)

- 9.20 The data set out in the above table demonstrates that in practice the policy approach set out in the current local plan has not delivered the amount or proportion of affordable homes that it intended. The need to increase the actual and proportional amount of affordable housing in the borough is highlighted in the Local Housing Market Assessment (2021) and reflected in the ambition of the draft new local plan policy. However, we are concerned that despite the evidenced success of the Mayor’s threshold approach in increasing affordable housing supply across London, the supporting text of the draft Local Plan (para 17.20) dismisses this as a mechanism to boost affordable housing supply in the borough, and instead proposes to continue with the previous policy approach of a 50% requirement which, despite best intentions, hasn’t been effective in the past.
- 9.21 The historic trend-based evidence firmly indicates that 50% affordable housing is unlikely to be deliverable and the Local Housing Market Assessment (2021) does not justify continuing with the

current approach. Accordingly, we consider there to be no justification for deviating from the threshold approach set out in the London Plan.

- 9.22 Furthermore, setting an absolute 50% affordable housing target poses a risk to total new housing delivery in the borough as developers will focus upon areas where the threshold approach is valid and reasonable viability cases can be made.
- 9.23 On this basis, we consider the overall approach of the policy to be unsound on the grounds of non-conformity with the London Plan. It can be made sound by amending the policy to fully conform with London Plan Policy H5.

Application Stage Viability

- 9.24 In addition to the in-principle soundness issue regarding the threshold approach (as set out above) there are a number of further soundness issues with the proposed approach to the matter of viability at the planning application stage.
- 9.25 Part E states that if the minimum level of affordable housing is not provided the application will be refused. When read in isolation this allows no opportunity for a viability case to be progressed. This is inconsistent with Parts F and G of the policy and therefore is not in accordance with NPPF para 16(d). This point could be rectified by amending the text to add 'subject to Parts F and G'.
- 9.26 Part F states that site specific viability information will only be accepted in exceptional circumstances. The supporting text (including para. 17.22) goes on to state that viability arguments will only be accepted in extraordinary circumstances. This is clearly not in general conformity with London Plan threshold approach and Policies H4-6 and, in the absence of evidence to robustly justify non-conformity, is not sound.

Viability Reviews

- 9.27 The requirements of Part G of the policy are not entirely consistent with London Plan Policy H5 which risks creating confusion for applicants and decision-makers, and conflicts with NPPF para 16(d). We recommend that it is amended to fully conform with London Plan Policy H5 to ensure soundness.

Provision to be Informed by Meaningful Discussions with RPs

- 9.28 The Viability PPG states that plan makers should engage with landowners, developers, and infrastructure and affordable housing providers to secure evidence on costs and values to inform viability assessment at the plan making stage.
- 9.29 This exercise should therefore be taken at the Plan making stage by the Council to inform the area wide viability assessment. The RPs requirements may not be in alignment with the Council's currently stated targets and there may not be appropriate demand from RPs for the tenures and split indicated. It is not disputed that engagement with RPs is desirable at an early stage but this can only be effective if there is flexibility within the affordable housing policies for both developer's and RPs to respond to housing need and viability constraints on different sites across the Borough.

70:30 Ratio for Affordable Rented and Intermediate Housing

- 9.30 The proposed 70:30 split accords with the parameters set by London Plan Policy H6, however in the absence of a Whole Plan Viability Appraisal there is no evidence to confirm whether this is viable (deliverable). It is therefore unsound. The necessary evidence will need to be prepared and the policy updated to reflect its conclusions in order to ensure soundness.

9.31 Paragraph 4.6.2 in support of Policy H6 of the London Plan states that: There is a presumption that the 40 per cent to be decided by the borough will focus on Social Rent and London Affordable Rent given the level of need for this type of tenure across London. However, it is recognised that for some boroughs a broader mix of affordable housing tenures will be more appropriate either because of viability constraints or because they would deliver a more mixed and inclusive community. The appropriate tenure split should be determined through the Development Plan process or through supplementary guidance.

10. Policy 12 – Housing Needs of Different Groups

Recommended Amendments and Explanation

- 10.1 The wording in Parts A and B of the policy indicates that the policy applies to proposals for new 'housing' and/or 'accommodation'. Neither term is defined and the initial paragraphs of the supporting text implies that the policy applies to specialist forms of housing only. On the whole it is not clear. This is not sound having regard to NPPF para 16(d) (**accordance with national policy**). We recommend that the policy is amended to make it explicitly clear what type of residential development it applies to.
- 10.2 Part B of the policy states that 'a legal agreement will be necessary to secure the nature of provision and any necessary future control in terms of eligibility and affordability for future occupiers'. The use of planning obligations is controlled by Regulation 122(2) of the Community Infrastructure Levy Regulations, with the relevant tests reiterated at NPPF paragraph 57. Whether or not a planning obligation can justifiably be sought for the nature of provision and/or control the eligibility and affordability of future occupiers will need to be judged on a case-by-case basis having regard to these tests. A blanket mandatory policy requirement that applies to all residential development would not satisfy these tests and therefore would **not be in accordance with national policy**, and therefore not sound. We recommend that the text is amended to replace 'will be necessary' with 'may be necessary' to resolve this.
- 10.3 Part B(1) duplicates Policy 11 which is unnecessary in the context of NPPF para 16(f) (**not in accordance with national policy**). We recommend that this is deleted.
- 10.4 Part B(2) requires proposals to demonstrate how 'higher' standards of accessible and inclusive design have been met. The term 'higher' is not defined therefore the requirement of the policy is not clear. This is not sound having regard to NPPF para 16(d) (**not in accordance with national policy**). We recommend that the policy is amended to make it explicitly clear what standards of accessible and inclusive design are required. We note that the required standards would need to accord with NPPF para. 35, and we reserve the opportunity to make further representations on this matter at the Regulations 19 stage.

11. Policy 13 – Housing Mix and Standards

Recommended Amendments

A. Development should generally provide a mix of sizes and types of accommodation. Areas within PTALs 3-6 or within 800m distance of a station or town centre boundary should provide a higher proportion of small units (studios and 1 beds). For market housing, there is highest demand for 2 and 3 beds. The affordable housing mix should be based on discussions with a Registered Provider(s) to reflect local needs, in accordance with Policy 11 Affordable Housing. The housing mix should be appropriate to the site-specifics of the location.

B. All new housing development, including conversions, are required to comply with the Nationally Described Space Standard. As also set out in London Plan Policy D6 on private internal space, the minimum floor to ceiling height must be 2.5m for at least 75 per cent of the Gross Internal Area of each dwelling. New homes significantly above the minimum NDSS standard that do not make efficient use of land will be resisted.

C. All new housing development, including conversions, should provide adequate private amenity external space. Purpose built, well designed and positioned balconies, winter gardens or terraces are encouraged where new residential units are on upper floors, if they comply with Policy 46 Amenity and Living Conditions. Regard should be had to the Council's Residential Development Standards SPD as appropriate.

D. Private Amenity space for all new dwellings, including conversions, should be:

1. private, usable, functional and safe;
2. easily accessible from living areas or bedrooms where appropriate;
3. orientated to take account of need for sunlight and shading where feasible;
4. in line with London Plan minimum standards for private amenity space of a sufficient size to meet the needs of the likely number of occupiers; and
5. accommodation likely to be occupied by families with young children should have direct and easy access to adequate private amenity space.

E. At least 10% of all new build housing (via works to which Approved Document M (ADM) Volume 1 of the Building Regulations applies) is required to meet Building Regulation Requirement M4 (3) 'wheelchair user dwellings' and all other new build housing (created via works to which Part M volume 1 of the Building Regulations applies) is required to meet Building Regulation Requirement M4 (2) 'accessible and adaptable dwellings', in accordance with London Plan Policy D7. Design and Access Statements, submitted as part of development proposals, should include an inclusive design statement as set out in London Plan Policy D5 to demonstrate how the highest standards of accessible and inclusive design have been achieved.

Explanation/Justification

- 11.1 As currently drafted, there are some minor issues regarding the likely effectiveness of the policy, as set out below:
- Section B of the policy should clarify that the 'standard' referred to in the policy is the NDSS standard to avoid misunderstanding.
 - Section C should make clear that reference is being made to private amenity space and that winter gardens can be an appropriate form of amenity on constrained sites. Winter gardens are a

common feature across a number of London schemes and can help overcome issues of noise and air pollution on constrained sites.

- Section D should make clear that this is in reference to Private Amenity. It is sometimes appropriate and/or necessary to have the amenity space accessed from the main bedroom. This is common in some one-bedroom apartments and the policy should not restrict this. Point D.4 should make it clear that it is the London Plan minimum standards that should be achieved for private amenity space.

12. Policy 17 – Supporting our Centres

Recommended Amendments

- 12.1 Based upon the explanation and justification below, the following amendments are recommended to ensure the soundness of draft Policy 17:
- Part A of the draft policy should be amended to include reference to major retail and leisure development also being directed towards allocations in the Local Plan (otherwise Policy 17 does not properly and accurately describe the retail and leisure development strategy in the Borough).
 - Amend paragraphs 6.181 to 6.185 to reflect the following:
 - o The supporting text should be updated to reflect the preparation of a new retail study, which renders the current content paragraphs 6.181 – 6.184 out of date and inaccurate.
 - o remove the theoretical assumption in 6.182 that all new town centre uses could be accommodated in vacant shop units.
 - o whilst it may be the case, as stated in 6.183, that re-purposing existing retail floorspace has a genuine part to play in retail development strategy for the Borough, this does not mean that there is no requirement to allocate sites for major retail development (as allocations may be designed to redevelop existing floorspace to meet identified needs).

Explanation/Justification

- 12.2 Draft Policy 17 provides a straight-forward and logical approach to the defined 'town centres' across the Borough. It emphasises support for locating a range of land uses within the defined 'town centres', which is in line with national policy and thus should be supported.
- 12.3 The decision to define **the centre hierarchy** after 6.174 is also supported, as it provides clarity to the Local Plan strategy. However, we would urge the Council to make amendments and additions to this section, in the interests of clarify, for two main reasons.
- 12.4 First, the Local Plan should be clear over which locations in the table after 6.174 should be classified as 'town centres' for the purposes of applying development management policies such as the sequential and impact tests. The Glossary to the NPPF notes that:
- "References to town centres or centres apply to city centres, town centres, district centres and local centres but exclude small parades of shops of purely neighbourhood significance".*
- 12.5 Therefore, in light of this clear national policy, the Council is required to determine and justify which centres are capable of meeting the definition of a 'town centre' and this will require an assessment of the scale, role, catchment and function. Without this clarity, the Local Plan is failing to meet national policy.
- 12.6 Second, the Local Plan should define the role and function of the various tiers of centre in the formal 'town centre' hierarchy. This is required for clarity and to explain the role of 'town centres' in the Borough, including their key characteristics, role and function. It is also required to assist with the operation of the sequential and impact tests, particularly the choice of which centres should be considered as potential realistic alternative locations for main town centre land use proposals.
- 12.7 On a separate matter, whilst it is reasonable for the main 'town centres' policy to refer to the contents of **the evidence base**, the content of paragraphs 6.181 to 6.184 will need to be re-visited and updated in the next draft of the Local Plan in light of the decision by the Council to undertake a further retail study for the Borough. Indeed, if Policy 17 intends to rely upon the evidence base to support the development strategy therein then the evidence base must tackle the issues / topics in

question and provide a reasoned and robust analysis. At the present time, the retail floorspace forecasts quotes in this part of the supporting text are based upon evidence data which is either already out of date (due to the age of the household survey) or will soon become out of date due to the publication of new economic forecasts by Experian in late January 2022. Moreover, if the policy is based, in part, on using vacant floorspace to meet identified needs then the land use surveys should be updated given the on-going effects of the COVID-19 pandemic.

13. Policy 18 – Development in Centres

Recommended Amendments and Explanation

Part B – Defining Frontages and Boundaries

- 13.1 At the present time, the draft Local Plan refers to **key and secondary frontages** in part B of draft Policy 18 and provides a detailed description of these areas in Appendix 1 of the document. It is, however, important that the defined boundaries conform to the requirements of national planning policy and guidance.
- 13.2 Whilst all local authorities are now required to deal with the recent changes to the use classes order and permitted development rights, NPPF paragraph 86(b) continues to require planning policies to define the extent of town centres and primary shopping areas. Not only is it required for the new Richmond Local Plan to ensure conformity with national planning policy but it will also assist in the operation of the sequential test for future main town centre land use proposals¹. This should be clarified in the new version of the Local Plan.
- 13.3 In addition, it is to be noted that the latest version of the NPPF removes the formal requirement to define primary and secondary frontages. This is, no doubt, a reflection of the changing nature of town centres and an acknowledgement by central government that retail uses² are no longer the central pillar to the health of centres. It also conforms with the introduction of Use Class E.
- 13.4 The PPG does still refer to primary and secondary frontages:
- “Authorities may, where appropriate, also wish to define primary and secondary retail frontages where their use can be justified in supporting the vitality and viability of particular centres”.*
- 13.5 However, if it is clear that a clear justification should be provided. Therefore, we would expect the new Local Plan to provide town centre and primary shopping area boundaries and only defined frontages where they can be justified in their own right (in the face of the parameters of Use Class E) and be accompanied by sound development management policies which are required and effective.

Part C – High Trip Generating Development

- 13.6 Part C of the policy requires major development that generates high levels of trips to be located within a town centre boundary. This is not consistent with other parts of the plan (notably the site allocation for Kew Retail Park) and therefore is **not in accordance with national policy** (NPPF para 16(d)). This can be resolved by amending the text to ‘.....should be located within a town centre boundary or as per site specific allocations’.

Part F – Out-of-Centre Retail Development

- 13.7 Part F of the policy states that ‘out of centre development is not considered appropriate in line with the London Plan’. This is not in general conformity with the London Plan (and therefore **not in accordance with national policy**). The London Plan does not state that out-of-centre development is inappropriate. In line with national planning policy, London Plan Policy SD7 (Part A) requires

¹ The Council will no doubt be aware of the sequence of preferred locations for main town centre land uses, including: in-centre; edge-of-centre; and out-of-centre. The Glossary in the NPPF notes that: “For retail purposes, a location that is well connected to, and up to 300 metres from, the primary shopping area. For all other main town centre uses, a location within 300 metres of a town centre boundary. For office development, this includes locations outside the town centre but within 500 metres of a public transport interchange. In determining whether a site falls within the definition of edge of centre, account should be taken of local circumstances”.

² former Class A1

boroughs to take a town centres first approach. While in most instances this 'discourages' out-of-centre development, it does not preclude it.

- 13.8 The principal exception supported by London Plan Policy SD7 Part A(3) (as also firmly encouraged by London Plan Policy E9 (Part C(6)) and Policy H1) is the requirement for boroughs to realise the full potential of existing out-of-centre retail parks to deliver housing intensification through development, where this does not result in a net increase in retail floorspace unless this is in accordance with the development plan or can be justified through the sequential test and impact assessment policy requirements. In practice this supports the principle of replacement out-of-centre retail development.
- 13.9 In order for the policy to be sound, we recommend that the policy wording is amended to state that 'out of centre development is not considered appropriate except where this involves the replacement of existing out-of-centre development and/or is in accordance with site allocations'.

Part F – Sequential Test and Impact Assessment Requirements

- 13.10 Amendments are required in relation to the approach to main town centre land use proposals in Part F. This part of draft Policy 18 is the only part of the draft Local Plan which refers to the sequential test for main town centre uses and impact assessments for retail and leisure. It is currently unsound and ineffective and requires the following amendments:
- 13.11 With regards to the sequential test, it is entitled to refer to national policy and guidance in relation to the specifics of any assessment although the following should be incorporated into the policy and supporting text:
- The policy should make it clear that, in principle, it relates to proposed main town centres in certain circumstances.
 - The policy is not, however, in conformity with national policy as the sequential test applies to proposals for main town centre uses located outside of defined centres and not in accordance with an up to date development plan. This latter point needs to be included in Policy 18 in order that it reflects national policy in general and also the decision to allocate sites for retail development such as Kew Retail Park. The allocation of Kew Retail Park is a result of a number of factors, but in relation to retail land use provision it is acknowledged to be an established retail destination whose redevelopment can make a positive contribution to the development strategy for Richmond. Therefore, the sequential test should not apply to proposals at Kew Retail Park (or any other retail allocation) in the same way as other unallocated out of centre retail / main town centre land use proposals. This should be reflected in both Policy 18 and the site allocation policy.
- 13.12 Similar inconsistencies occur in the draft Local Plan in relation to the impact test. In particular, the policy requires amendment in order to reflect the provisions of the NPPF and London Plan Policy SD7 which do not require an impact assessment for proposals in accordance with a development plan. It is, of course, acknowledged that some development plan policies / allocations may not be specific about the exact scale and nature of floorspace and there a proportionate impact assessment may be appropriate (tailored to the circumstances of each site / allocation).

14. Policy 28 – Local Character and Design Quality

Recommended Amendments and Explanation

14.1 Policy 28 supports the introduction of high-quality architecture and urban design. Whilst the drafting of the policy is generally supported, Part B of the policy is unsound.

14.2 We recommend the following amendment to Part B to make the policy sound:

‘To ensure development respects, contributes to and (where appropriate) enhances the local environment and character, proposals must reflect and demonstrate the following principles’.

15. Policy 29 – Designated Heritage Assets

Recommended Amendments (tracked changes to Reg.18 draft text)

A. The Council will require development to conserve and, where possible, take opportunities to make a positive contribution to, the historic environment of the borough. Development proposals likely to cause harm to a designated heritage asset would require clear and convincing justification and should be weighed against the public benefits of the proposal.~~adversely affect the significance of heritage assets will be assessed against the requirement to seek to avoid harm and the justification for the proposal.~~ The significance (including the settings) of the borough's designated heritage assets, encompassing Conservation Areas, listed buildings, Scheduled Monuments as well as the Registered Historic Parks and Gardens, will be conserved and enhanced by the following means:

1. Give great weight to the conservation of the heritage asset when considering the impact of a proposed development on the significance of the asset.
2. ~~Resist the demolition in whole, or in part, of listed building.~~ Consent for demolition of Grade II listed buildings will only be granted in exceptional circumstances and for Grade II* and Grade I listed buildings in wholly exceptional circumstances following a thorough assessment of the justification for the proposal and the significance of the asset. Careful and sensitive maintenance, management and reuse of heritage assets also saves embodied carbon and avoids the carbon dioxide of constructing new buildings.
3. Resist the change of use of listed buildings where their significance would be harmed, particularly where the current use contributes to the character of the surrounding area and to its sense of place.
4. ~~Require the retention and preservation of the original structure, layout, architectural features, materials as well as later features of interest within listed buildings, and resist the removal or modification of features that are both internally and externally of architectural importance or that contribute to the significance of the asset.~~
5. Demolitions (in whole or in part), alterations, extensions and any other modifications to listed buildings should be based on proportionate~~an accurate~~ understanding of the significance of the heritage asset.
6. ~~Require, where appropriate, the reinstatement of internal and external features of special architectural or historic significance within listed buildings, and the removal of internal and external features that harm the significance of the asset, commensurate with the extent of proposed development.~~
7. Require the use of appropriate materials and techniques and strongly encourage any works or repairs to a designated heritage asset to be carried out in a correct, scholarly manner by appropriate specialists.
8. Proposals that affect the borough's Registered Parks and Gardens should conserve their significance. Where proposals may cause harm to that significance, that harm should require clear and convincing justification and be outweighed by public benefits.~~Protect and enhance the borough's registered Historic Parks and Gardens by ensuring that proposals do not have an adverse effect on their significance, including their setting and/or views to and from the registered landscape.~~
9. Proposals that affect the borough's Scheduled Ancient Monuments should conserve their significance. Where proposals may cause harm to that significance, that harm should require clear and convincing justification and be outweighed by public benefits.~~Protect Scheduled Monuments by ensuring proposals do not have an adverse impact on their significance.~~

Continued on following page

Cont.

B. Protect Scheduled Monuments by ensuring proposals do not have an adverse impact on their significance.

1. in the case of substantial harm or loss to the significance of the heritage asset, it is necessary to achieve substantial public benefits that outweigh that harm or loss;

2. in the case of less than substantial harm to the significance of the heritage asset, that the public benefits, including securing the optimum viable use, outweigh that harm; or

3. the building or part of the building or structure makes no positive contribution to the character or distinctiveness of the area.

C. All proposals in Conservation Areas are required to preserve and, where possible, enhance the character or the appearance of the Conservation Area.

D. Where there is evidence of intentional damage or deliberate neglect to a designated heritage asset, its current condition will not be taken into account in the decision-making process.

E. ~~Outline planning applications will not be accepted in Conservation Areas.~~ The Council's Conservation Area Statements, and where available Conservation Area Studies, and/or Management Plans, will be used as a basis for assessing development proposals within, or where it would affect the setting of, Conservation Areas, together with other policy guidance, such as Village Planning Guidance SPDs.

F. Sympathetic measures to make energy and carbon savings in historic and listed buildings are encouraged, by adopting a 'whole house approach' and understanding all the factors that affect energy use. Any potential damages to the structure or heritage value, or impacting the setting of, historic buildings have to be avoided.

Explanation/Justification

- 15.1 We consider the drafting of Policy 29 to be unsound. Paragraphs 201 & 202 of the NPPF (2021) state that where a proposed development will cause harm to a designated heritage asset (whether that be substantial or less-than-substantial), clear and convincing justification is required in order to demonstrate that such harm is outweighed by the public benefits of a development proposal. As currently drafted, Policy 28 is not compliant with national planning policy.
- 15.2 3.5 Parts A.4, A.6 A.8 and A.9 are considered too specific, particularly in reference to the requirement to retain and preserve original structures, layouts and architectural features. There is no requirement to, in national planning policy or the London Plan 2021, to reinstate historic features, not least in cases of buildings of multiple periods, as it may not be appropriate to reinstate features of a particular phase of a building's history.

16. Policy 30 – Non-designated Heritage Assets

Recommended Amendments (tracked changes to Reg.18 draft text)

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm of loss and the significance of the heritage asset.

A. The Council will seek to preserve, and where possible enhance, the significance, character and setting of non-designated heritage assets, including Buildings of Townscape Merit, memorials, particularly war memorials, locally listed historic parks and gardens and other local historic features.

B. There will be a presumption against the demolition of Buildings of Townscape Merit.

Explanation/Justification

- 16.1 As currently drafted, Policy 30 is not consistent with national policy set out in NPPF (2021), which requires the effect of an application on the significance of a non-designated heritage asset to be taken into account in determining applications. There is no requirement in national legislation or policy to preserve or enhance the significance of non-designated heritage assets.

17. Policy 31 – Views and Vistas

Recommended Amendments (tracked changes to Reg.18 draft text)

A. The Council will protect the quality of the identified views, vistas, gaps and the skyline, all of which contribute significantly to the character, distinctiveness and quality of the local and wider area, by the following means:

1. protect the quality of the views and vistas as identified on the Policies Map, and for any proposal affecting a designated/identified view/vista on the Policies Map demonstrate this through the submission of such through computer-generated imagery (CGI) and visual impact assessments as required by Policy 44 Design process;
2. ~~require clear and convincing justification for~~ ~~resist~~ development which interrupts, disrupts or detracts from strategic and local vistas, views, gaps and the skyline;
3. require developments whose visual impacts extend beyond that of the immediate street to demonstrate how views are protected or enhanced, and reflect the relevant character area design guidance in the Urban Design Study;
4. require development to respect the setting of a landmark, taking care not to create intrusive elements in its foreground, middle ground or background;
5. ~~where appropriate,~~ seek improvements to views, vistas, gaps and the skyline, particularly where views or vistas have been obscured;
6. ~~preserve, or where appropriate, enhance~~ ~~seek improvements to~~ views within Conservation Areas, which:
 - a. are identified in Conservation Area Statements and Studies and Village Plans;
 - b. are within, into, and out of Conservation Areas;
 - c. are affected by development on sites within the setting of, or adjacent to, Conservation Areas and listed buildings.

Explanation/Justification

- 17.1 We find Policy 31 unsound and too prescribed. Elements of the draft policy do not conform with the London Plan (2021), which states that development should not harm, and should seek to make a positive contribution to, the characteristics and compositions of Strategic Views and their landmark elements. We recommend the policy is redrafted in order to be brought in line with strategic planning policies of the London Plan (2021), specifically Policy HC4 – London View Management Framework.

18. Policy 37 – Public Open Space

Recommended Amendments and Explanation

- 18.1 As currently drafted the policy isn't fully evidenced to be properly justified. However, the stated intention to prepare further evidence to update the Public Open Space deficiency maps should address this.
- 18.2 We would welcome the opportunity to input into this evidence gathering work and reserve the opportunity to make further representations on the draft policy once this evidence is published.

19. Policy 38 – Urban Greening

Recommended Amendments and Explanation

19.1 We recommend the following amendments to Part E of the policy

'Extensive green or brown roofs should be incorporated into developments with roof plate areas of 100sqm or more, where technically feasible. As much as reasonably possible of any potential roof plate area should be used as biodiversity-based extensive green or brown roof.'

19.2 We support the ambition of the policy however, there is no evidence to properly justify the 70% requirement which in practice would limit space needed for residential rooftop amenity, space for plant/services and maintenance, and is therefore likely to be too restrictive. The recommended amendments would ensure that the policy was capable of being **effective**.

20. Policy 45 – Tall and Mid-Rise Building Zones (and Appendix 3)

Recommended Amendments (tracked changes to Reg.18 draft text)

Definitions

Buildings which are 7 storeys or over, or 21 metres or more from the ground level to the top of the building (whichever is lower) will be considered to be tall buildings. Buildings which do not trigger the definition of a tall building set out above, but are 5 storeys or over, or 15 metres or more from the ground level to the top of the building (whichever is lower) will be considered to be mid-rise buildings.

A. Proposals for tall buildings will only be appropriate in tall building zones identified on the Policies Map and in Appendix 3, where the development would not result in any adverse visual, functional, environmental or cumulative impacts, having regard to all criteria set out in the London Plan Policy D9. To take account of the local context, proposals for tall buildings should address the following criteria:

Visual Impacts

1. Tall buildings should respect the views and vistas towards heritage assets across the borough and in neighbouring boroughs, including distinctive roof line features.
2. The location of tall buildings should avoid substantial visual interruptions in areas with otherwise very consistent building and/or roof lines.
3. Tall buildings should respond to the analysis of views and vistas (Policy 31 Views and Vistas) towards the site to ensure the form and detailing are sympathetic to the wider context.
4. Tall buildings should consider the design of the lower, middle and upper parts of the tall building and how they work together as well as with the surrounding area and mid-range and long-range views.
5. Development proposals should be supported with [visual impact analysis graphic 3D modelling](#) to assess the individual and cumulative impact of the proposal on both the existing and emerging skyline, and on day-time and night-time views, in line with Policy 44 Design process.
6. Development proposals affecting the setting and approaches of the Kew World Heritage Site, must address all criteria set out in Policy 29 Royal Botanic Gardens, Kew World Heritage Site

Spatial Hierarchy

7. The massing of tall buildings should [respond to respect](#) the proportions of their local environment, including the consideration of the width of adjacent streets as well as public open spaces, parks and watercourses, and should be designed so as not overwhelm the street and adjacent context.
8. In cases of tall buildings located close to the street edge, proposals should incorporate measures to soften their edges and provide positive public spaces at their base [through the use of generous walkways and mature planting.](#)
9. Proposals for Tall Buildings will not be permitted outside the identified Tall Building Zones (see Appendix 3)
- ~~10. Proposals for tall buildings should not exceed the appropriate height range identified for each of the tall building zones in Appendix 3. The height of tall buildings will be required to step down towards the edges of the zone as indicated on the gradient map~~

Continued on the following page:

Cont.

Tall and Mid-Rise Building Near the River Thames Frontage

B. Proposals for tall and mid-rise buildings should address the following criteria:

1. The design of Tall buildings and mid-rise buildings fronting the River Thames must respond to views towards them as well as from them.
2. In areas of larger-scale riverfront buildings, consider landward facing orientation and ~~respond step down~~ appropriately to provide a transition towards the existing character and scale.
3. The design of tall buildings and mid-rise buildings should maintain the river frontage as a public resource. Developments should ~~respond to be set back to~~ physically and visually ensure the Thames Path acts and feels like a welcoming public route without heavy overlooking from adjacent riverside residences. Ground floor uses should seek to activate the space as far as possible.

Mid Rise Buildings

C. Proposals for new mid-rise buildings or extensions to existing buildings which increase their height to 5 storeys or over, will usually only be appropriate in mid-rise and tall building zones identified on the Policies Map and in Appendix 3. Proposals will be required to meet the requirements of Policy 44 Design process and Policy 28 Local character and design quality and should

1. be carefully located and designed to ~~respond step down~~ to surrounding existing and proposed buildings;
2. respond positively and ~~conserveprotect~~ the setting of existing buildings in the surrounding area, including heritage assets;
3. respect the scale, width and proportion of adjacent streets and watercourses, and local character, including potential effects on key characteristics, valued features and sensitivities as outlined in the character area profiles in Section 3 of the Urban Design Study;
4. deliver a varied and interesting roofline in response to surrounding architectural styles, avoiding long monotonous blocks of development and/or excessive height.
- ~~5. Where proposals are located within identified mid-rise and tall building zones, buildings should not exceed the appropriate height identified in Appendix 3.~~
6. In cases of mid-rise buildings located close to the street edge, proposals should incorporate measures to soften their edges and provide positive public spaces at their base ~~through the use of generous walkways and mature planting.~~

D. Proposals for mid-rise buildings may be permitted outside the identified mid-rise and tall building zones where they are:

1. located in a town centre (Whitton, Teddington, Twickenham, Richmond and East Sheen). The Character Area Design Guidance in the Urban Design Study (2021) should be considered, where relevant, to demonstrate appropriateness to local context; and/or
2. within transitional areas to tall building zones; and/or
3. within or adjacent to areas which include buildings taller than the prevailing height or subject to substantial redevelopment; and/or
4. a result of land assembly which enables the creation of a comprehensive scheme; and/or
5. close to strategic roads and good public transport accessibility; and 6. able to meet Part C of this policy

Explanation/Justification

- 20.1 As set out in Section 2 of this representation, we have demonstrated that the supporting evidence base set out in the Urban Design Study (2021) is unsound, lacking in the necessary thorough assessments to support specific height parameters within identified Tall Building Zones (as set out in Appendix 3). Owing to the evidence base that underpins and supports Policy 45 being unsound, we find the drafting of the Policy unsound. The recommended amendments set out above should make the policy sound.
- 20.2 More specific recommended amendments relate to policy requirements regarding the base of buildings, which require that “generous walkways and mature planting” should be provided at the base of tall and mid-rise buildings. The definition of the walkways is ambiguous, and the expectation of mature planting would be difficult to deliver from day one. There is no evidence provided within Urban Design Study to support this. This part of the policy should be more in line with London Plan Policy D9 which states “The function of the base should be to frame the public realm and streetscape, articulate entrances, and help create an attractive and lively public realm which provides a safe, inclusive, interesting, and comfortable pedestrian experience”.

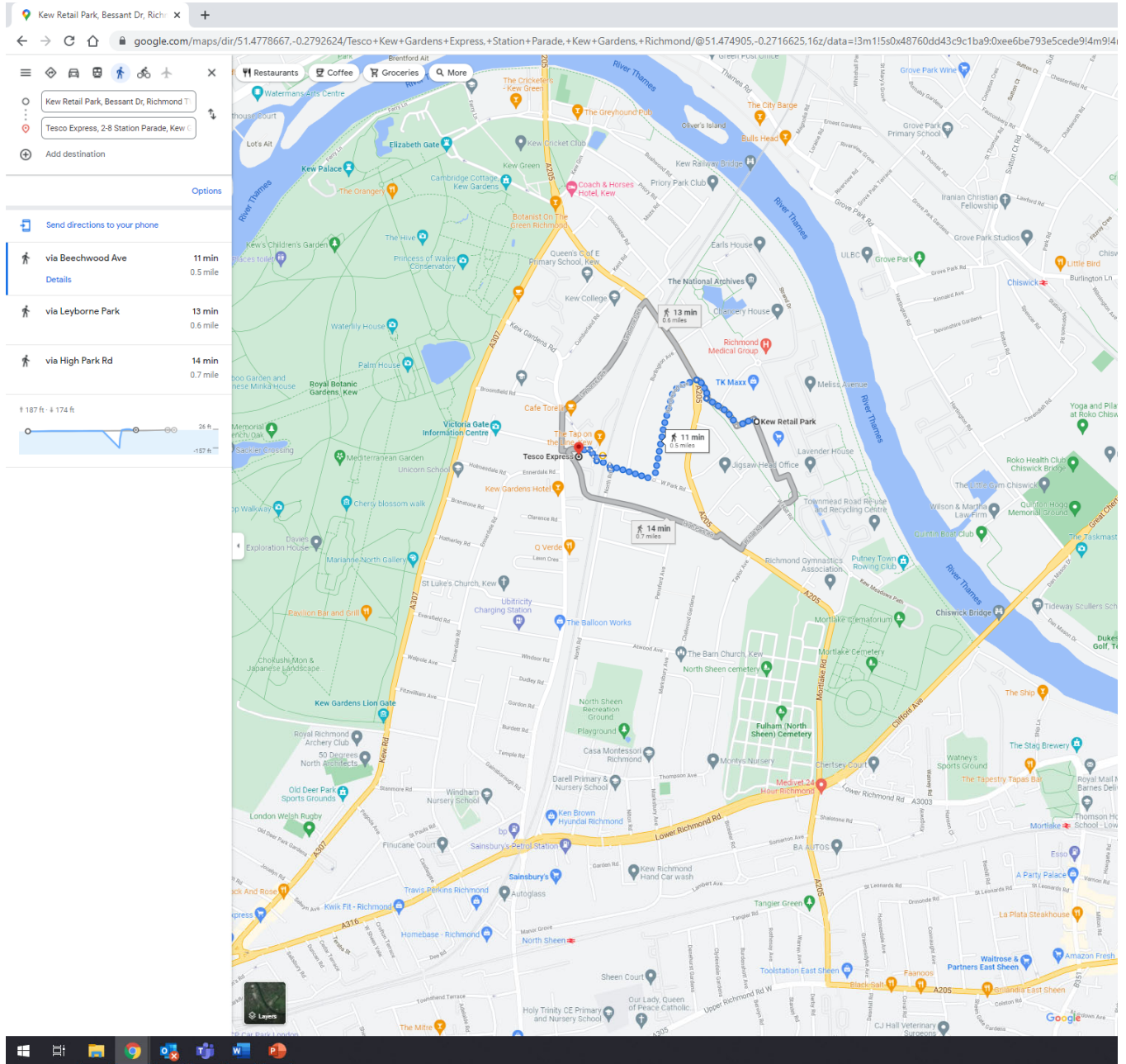
Appendix 3 (Tall and Mid-rise Building Zones)

- 20.3 The content of Appendix 3 (including specifically 27.25-26 – Kew Retail Park) should be updated to account for our comments set out in Section 2, including with respect to the extent of the tall and mid-rise building zones and the stated appropriate heights.

Appendix A

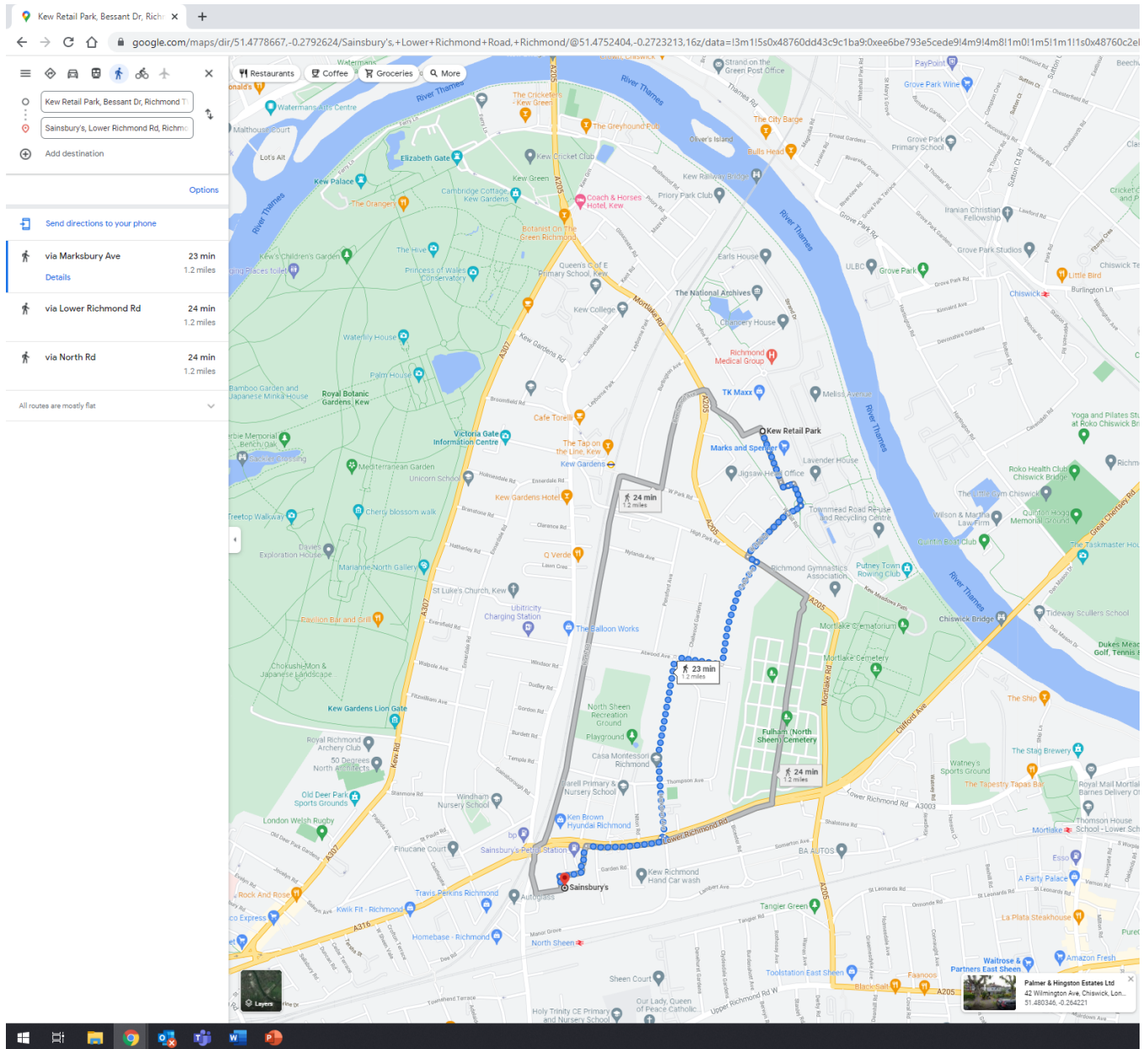
Walk-time to Supermarkets

Tesco Express, 2-8 Station Parade, Kew, TW9 3PZ



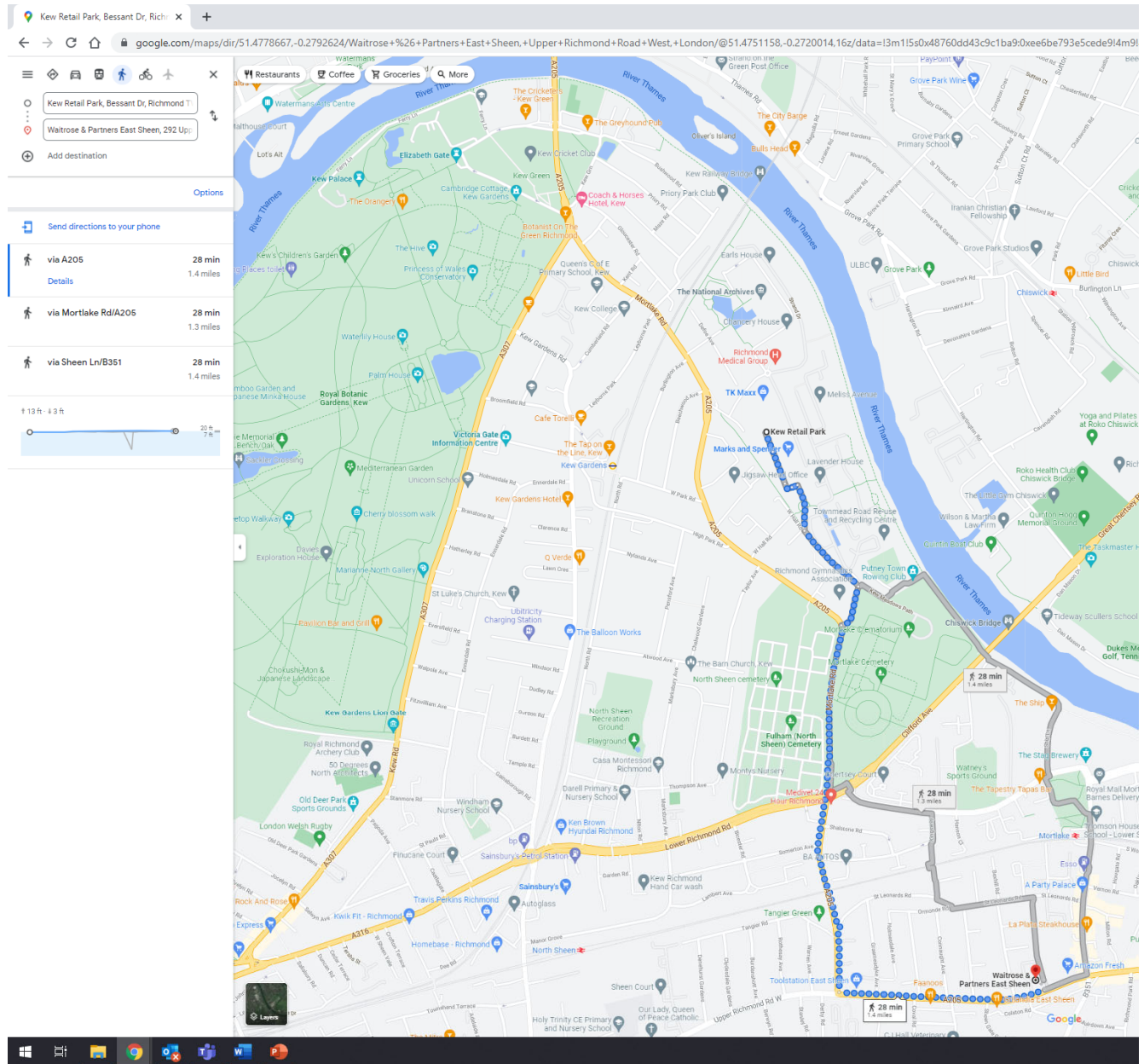
Source: Google (January 2022)

Sainsbury's, Lower Richmond Road, TW9 4LT



Source: Google (January 2022)

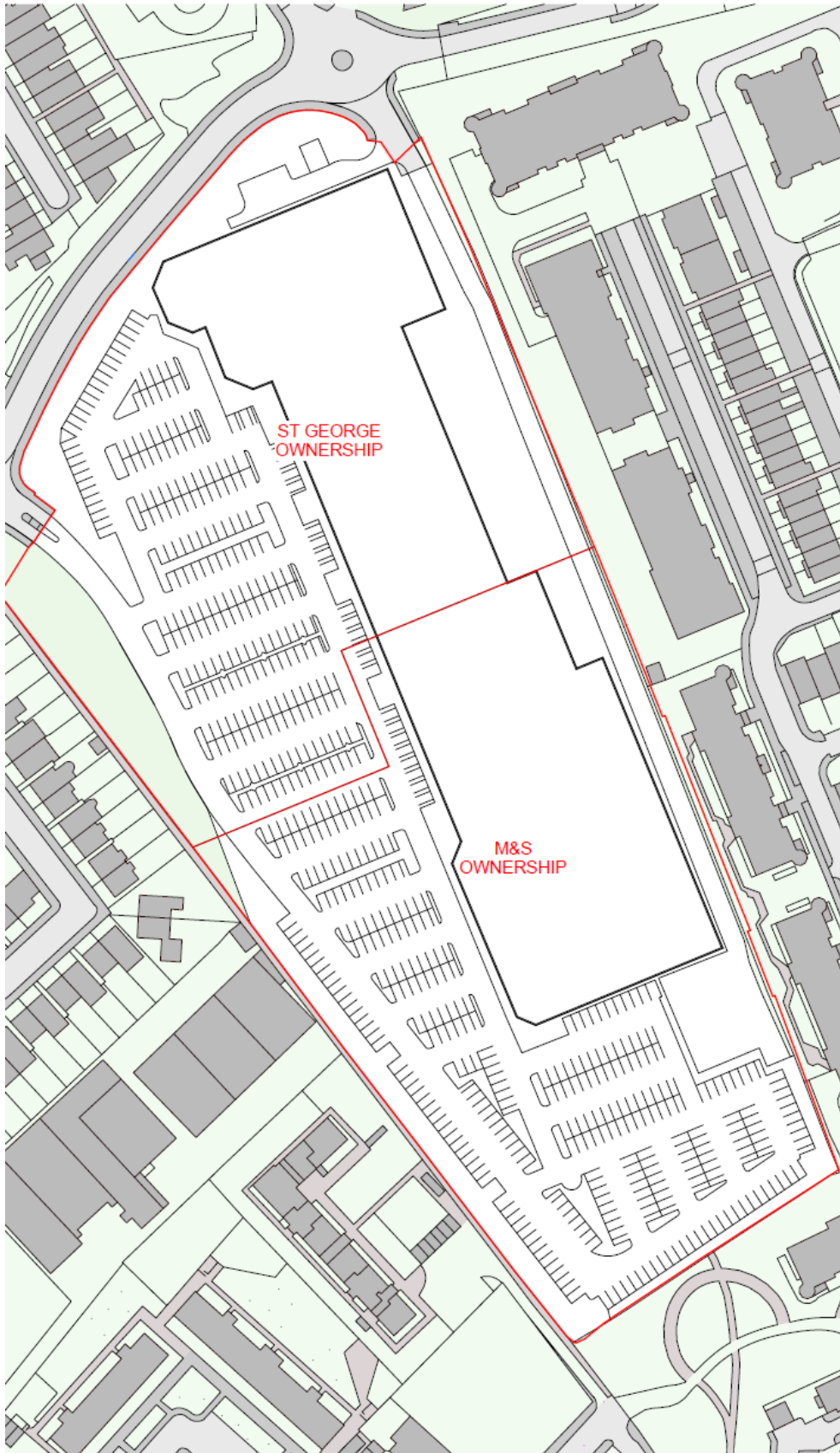
Waitrose, Upper Richmond Road, East Sheen, SW14 7JG



Source: Google (January 2022)

Appendix B

Site Ownership Plan



Notes

- Do not scale from this drawing.
- All construction work must be done in accordance with the approved drawings.
- No alterations or variations should be made from the approved drawings without the written approval of the responsible officer.
- The drawing is the work of the responsible officer.
- This drawing is prepared for the specific project and is not intended to be used for any other purpose. Whilst all reasonable efforts are made to ensure the accuracy of the drawing, it is not intended to be used for any other purpose, or as evidence of any liability for any other purpose, or as evidence of any liability for any other purpose.

| No. | Date | Description | Drawn | Check |
|----------------|------|-------------|-------|-------|
| Drawing Status | | | | |
| DRAFT | | | | |



Project: The Kew Quarter

Drawing Title: Ownership Plan

Scale: 1:500
 Drawing No: SK_023
 Date: 10/10/18
 Revision: 1
 Scale bar: 0 50 100 150 200 250 mm
 North arrow symbol

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Appendix B St George and Marks and Spencer August 2022 Householder Survey Report (Extracts)



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**Richmond Household Survey
for
Avison Young**

August 2022

Job Ref: 092A22

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Introduction

1.1 Research Background & Objectives

To conduct a survey amongst residents in and around Richmond, London area to assess shopping habits for main food and grocery, top-up food, non-food shopping, leisure activities and usage of local centres.

1.2 Research Methodology

A total of 1002 interviews were conducted between Monday 8th and Monday 22nd August 2022. Interviews were conducted using NEMS in-house CATI (Computer Assisted Telephone Interviewing) Unit. Respondents were contacted during the day and in the evening. All respondents were the main shopper in the household, determined using a preliminary filter question.

1.3 Sampling

1.3.1 Survey Area

The survey area was segmented into 9 zones defined by electoral wards. The zone details were:

| Zone | Wards | Number of Interviews |
|--------------|---|----------------------|
| 1 | E05000519 Ham, Petersham and Richmond Riverside E05000528 South Richmond | 84 |
| 2 | E05000527 St Margarets and North Twickenham E05000529 South Twickenham E05000531 Twickenham Riverside | 115 |
| 3 | E05000523 Heathfield E05000532 West Twickenham E05000533 Whitton | 107 |
| 4 | E05000518 Fulwell and Hampton Hill E05000522 Hampton Wick E05000530 Teddington | 107 |
| 5 | E05000520 Hampton E05000521 Hampton North | 104 |
| 6 | E05000524 Kew E05000526 North Richmond | 100 |
| 7 | E05000516 Barnes E05000517 East Sheen E05000525 Mortlake and Barnes Common | 129 |
| 8 | E05000348 Chiswick Homefields (Hounslow) E05000349 Chiswick Riverside (Hounslow) E05000191 Southfield (Ealing) E05000251 Askew (Hammersmith & Fulham) E05000261 Ravenscourt Park (Hammersmith & Fulham) E05000365 Turnham Green (Hounslow) | 129 |
| 9 | E05000362 Isleworth (Hounslow) E05000360 Hounslow South (Hounslow) E05000358 Hounslow Central (Hounslow) E05000347 Brentford (Hounslow) E05000364 Syon & Brentford Lock (Hounslow) E05000363 Osterley & Spring Grove (Hounslow) E05000192 Walpole (Ealing) E05000174 Ealing Common (Ealing) E05000182 Northfield (Ealing) | 127 |
| Total | | 1002 |

1.3.2 Telephone Numbers

The landline numbers are generated through a process known as Random Digit Dialling (RDD), whereby we start with known 'seed' numbers and then generate all possible number combinations around these. Known business numbers are removed and the remaining numbers are randomly sorted to give each number the same and equal chance of being selected.

The benefit of using RDD numbers (as opposed to those generated from pre-existing lists such as telephone directories and Electoral Register entries) is that ex-directory numbers are also included in the survey sample. In practice, this means that the sample provided is in no way preselected, and that consumers who had opted-out of providing their telephone contact details to directory operators had the opportunity to take part in the research, thereby removing potential bias in the sample.

Mobile numbers were also included in the survey sample to further increase the inclusivity of the survey, given the increase in the number of mobile-only households amongst certain demographic groups (especially younger people and lower income households). These numbers are generated from a variety of commercial sources, where permission has been given to use such contact information for research and marketing purposes.

We don't screen against the TPS (Telephone Preference Service) database, again because the demographic profile of TPS registered numbers is slightly different to the rest of the population. In addition, there is no legal requirement to screen against TPS registered numbers; market research is not classified as unsolicited sales and marketing.

1.3.3 Time of Interviewing

Approximately two-thirds of all calls are made outside normal working hours.

1.3.4 Sample Profile

It should be noted that as per the survey's requirements, the profile of respondents is that of the main shopper / person responsible for most of the food shopping in the household. As such it will always differ from the demographic profile of all adults within the survey area. With any survey among the main shopper / person responsible for most of the food shopping in the household the profile is typically biased more towards females and older people. The age of the main shopper / person responsible for most of the food shopping in the household is becoming older due to the financial constraints on young people setting up home.

A number of measures are put in place to ensure the sample is representative of the profile of the person responsible for most of the food / shopping in the household.

First of all, interviewing is normally spread over a relatively long period of time, certainly longer than the theoretical minimum time it would take. This allows us time to call back people who weren't in when we made the first phone call. If we only interview people who are at home the first time we call, we over-represent people who stay at home the most; these people tend to be older / less economically active.

We also control the age profile of respondents; this is a two-stage process. First of all, we look at the age profile of the survey area according to the latest Census figures. Using a by-product from additional data we collect from a weekly telephone survey of a representative sample of all adults across the country we know the age profile of the main shopper in any given area. This information is from data based on in excess of 100,000 interviews and is regularly updated and is therefore probably the most accurate and up to date information of its kind.

Stratified random sampling helps ensure that the sample is as representative as possible. While the system dials the next randomly selected number for interviewers, all calls are made by interviewers; no automated call handling systems are used.

1.3.5 Monitoring of Calls

At least 5% of telephone interviews are randomly and remotely monitored by Team Leaders to ensure the interviewing is conducted to the requisite standard. Both the dialogue and on-screen entries are monitored and evaluated. Interviewers are offered re-training should these standards not be met.

1.4 Weightings

To correct the small differences between the sample profile and population profile, the data was weighted. The population is of the main shopper in the household. Weightings have been applied to age bands based on an estimated age profile of main shoppers (see section 1.3.3 for details). The weighted totals differ occasionally from the adjusted population due to rounding error. Details of the age weightings are given in the table below:

| Age | Main Shopper Profile (%) | Interviews Achieved | Age Weightings |
|--------------|--------------------------|---------------------|----------------|
| 18-34 | 22.8% | 110 | 2.0747 |
| 35-44 | 23.6% | 63 | 3.7590 |
| 45-54 | 17.9% | 67 | 2.6823 |
| 55-64 | 16.6% | 158 | 1.0553 |
| 65+ | 19.0% | 604 | 0.3154 |
| Total | | 1002 | |

Further weightings were then applied to the zone data, to adjust zone samples to be representative by population. Details of those weightings are given in the table below:

| Zone | Population * | Interviews Achieved | Interviews Achieved (Weighted by Age) | Zone Weightings |
|--------------|----------------|---------------------|---------------------------------------|-----------------|
| 1 | 21,137 | 84 | 56 | 0.7311 |
| 2 | 31,555 | 115 | 83 | 0.5959 |
| 3 | 30,593 | 107 | 81 | 0.8283 |
| 4 | 30,682 | 107 | 81 | 0.8822 |
| 5 | 19,372 | 104 | 51 | 0.6834 |
| 6 | 22,085 | 100 | 58 | 0.7913 |
| 7 | 31,566 | 129 | 83 | 0.8758 |
| 8 | 72,756 | 129 | 192 | 1.2516 |
| 0 | 120,358 | 127 | 317 | 1.5816 |
| Total | 380,104 | 1002 | 1002 | |

* Source: 2011 Census

1.5 Statistical Accuracy

As with any data collection where a sample is being drawn to represent a population, there is potentially a difference between the response from the sample and the true situation in the population as a whole. Many steps have been taken to help minimise this difference (e.g. random sample selection, questionnaire construction etc) but there is always potentially a difference between the sample and population – this is known as the standard error.

The standard error can be estimated using statistical calculations based on the sample size, the population size and the level of response measured (as you would expect you can potentially get a larger error in a 50% response than say a 10% response simply because of the magnitude of the numbers).

To help understand the significance of this error, it is normally expressed as a confidence interval for the results. Clearly to have 100% accuracy of the results would require you to sample the entire population. The usual confidence interval used is 95% - this means that you can be confident that in 19 out of 20 instances the actual population behaviour will be within the confidence interval range.

For example, if 50% of a sample of 1002 answers “Yes” to a question, we can be 95% sure that between 46.9% and 53.1% of the population holds the same opinion (i.e. +/- 2.5%). The following is a guide showing confidence intervals attached to various sample sizes from the study:

| %ge Response | 95% confidence interval |
|---------------------|--------------------------------|
| 10% | ±1.9% |
| 20% | ±2.3% |
| 30% | ±2.8% |
| 40% | ±3.0% |
| 50% | ±3.1% |

1.6 Data Tables

Tables are presented in question order with the question number analysed shown at the top of the table. Those questions where the respondent is prompted with a list of possible answers are indicated in the question text with a suffix of [PR].

The sample size for each question and corresponding column criteria is shown at the base of each table. A description of the criteria determining to whom the question applies is shown in italics directly below the question text; if there is no such text evident then the question base is the full study sample. If the tabulated data is weighted (indicated in the header of the tabulations), in addition to the sample base, the weighted base is also shown at the bottom of each table.

Unless indicated otherwise in the footer of the tabulations, all percentages are calculated down the column. Arithmetic rounding to whole numbers may mean that columns of percentages do not sum to exactly 100%. Zero per cent denotes a percentage of less than 0.05%.

Percentages are calculated on the number of respondents and not the number of responses. This means that where more than one answer can be given to a question the sum of percentages may exceed 100%. All such multi-response questions are indicated in the tabulated by a suffix of [MR] on the question text.

Where appropriate to the question, means are shown at the bottom of response tables. These are calculated in one of two ways: if the data is captured to a coded response a weighted mean is calculated and the code weightings are shown as a prefix above the question text; if actual specific values were captured from respondents these individual numbers are used to calculate the mean.

Appendix 9:

Sample Questionnaire

Job Number: 092A22
Richmond Household Survey

Good morning / afternoon / evening, I am from NEMS market research, and we are conducting a short survey in your area about food and non-food shopping. Do you have time to answer some questions? It will take about five minutes.

QA Are you the main shopper in your household?
DO NOT PROMPT, ONE ANSWER ONLY

- 1 Yes GO TO Q01
2 No CLOSE

READ OUT: First we have a few questions about where you undertake food and groceries shopping. In answering these questions the location may be a supermarket, a smaller store or town centre, or local shopping parade, or could be the use of facilities such as the Internet.

Q01 Where do you do most of your household's main food shopping?
DO NOT PROMPT, ONE ANSWER ONLY. PROBE FULLY FOR STORE / LOCATION. IF 'OTHER' PLEASE SPECIFY LOCATION. IF 'MARKET STALL' PROBE FOR LOCATION AND CODE IN OTHER as 'Market - Location'

- #Food Food List GO TO Q02
500 Other (PLEASE WRITE IN) GO TO Q02
502 Internet / home delivered GO TO Q02
505 (Don't know / varies) CLOSE SURVEY
506 (Don't do this type of shopping) CLOSE SURVEY

Q02 Apart from (STORE / CENTRE MENTIONED AT Q01), where else do you regularly do a main food shop?
DO NOT PROMPT, ONE ANSWER ONLY. PROBE FULLY FOR STORE / LOCATION. IF 'OTHER' PLEASE SPECIFY LOCATION. IF 'MARKET STALL' PROBE FOR LOCATION AND CODE IN OTHER as 'Market - Location'

- #Food Food List
500 Other (PLEASE WRITE IN)
502 Internet / home delivered
505 (Don't know / varies)
507 (Nowhere else)

Q03 Approximately how much money does your household normally spend on a main food and grocery shop?
DO NOT PROMPT. PLEASE WRITE IN TO THE NEAREST £

- X (PLEASE WRITE IN)
Y (Don't know / varies)
Z (Refused)

Q04 How often does your household do a main food and grocery shop?
DO NOT READ OUT. ONE ANSWER ONLY

- 1 7 times a week
2 5 - 6 times a week
3 4 times a week
4 3 times a week
5 Twice a week
6 Once a week
7 Once every 2 weeks
8 Once a month
9 Less often
A (Don't know / varies)

Q05 Where do you do most of your household's small scale 'top-up' food shopping?
DO NOT PROMPT, ONE ANSWER ONLY. PROBE FULLY FOR STORE / LOCATION. IF 'OTHER' PLEASE SPECIFY LOCATION. IF 'MARKET STALL' PROBE FOR LOCATION AND CODE IN OTHER as 'Market - Location'

- #Food Food List
500 Other (PLEASE WRITE IN) GO TO Q06
502 Internet / home delivered GO TO Q06
505 (Don't know / varies) GO TO Q09
506 (Don't do this type of shopping) GO TO Q09

Those who do top-up food shopping at Q05

Q06 Where else do you do your household's small scale 'top-up' food shopping?
DO NOT PROMPT, ONE ANSWER ONLY. PROBE FULLY FOR STORE / LOCATION. IF 'OTHER' PLEASE SPECIFY LOCATION. IF 'MARKET STALL' PROBE FOR LOCATION AND CODE IN OTHER as 'Market - Location'

- #Food Food List
500 Other (PLEASE WRITE IN)
502 Internet / home delivered
505 (Don't know / varies)
507 (Nowhere else)

Those who do top-up food shopping at Q05

Q07 Approximately how much money does your household normally spend on a 'top-up' food and grocery shop?
DO NOT PROMPT. PLEASE WRITE IN TO THE NEAREST £

- X (PLEASE WRITE IN)
Y (Don't know / varies)
Z (Refused)

Contact details

Enquiries

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