

Comment

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Comment by	Catherine James (1338843)
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Part(s) of Local Plan responding to

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

Please indicate the documents(s) and part(s) you are commenting on.

Publication Local Plan (including changes to the Policies Map designations) - Page number(s) / Paragraph number(s) / Policy no./name / Place-based strategy / Site Allocation(s) no./ name / Maps / Tables

Sustainability Appraisal Report - Page number(s) / Paragraph number(s)

Other (for example an omission or alternative approach)

Publication Local Plan (including changes to the Policies Map designations)

Sustainability Appraisal Report

Other (for example an omission or alternative approach)

Legal Compliance, Soundness and Duty to Co-operate

Do you consider the Local Plan is:

Legally Compliant . Yes

Sound . No

Complies with the Duty to Co-operate . No

Reason Consider Unsound

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

- . Positively Prepared
- . Justified
- . Effective
- . Consistent with national policy

Details of reason(s) for representation

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.*

On Page 5.

2 Introduction

Setting the Scene

Reference should also be made to the Localism Act 2011 which requires in Part 6 Chapter 4

Consultation that there is a 'Duty to take account of responses to consultation' [61X]

(2) The person must, when deciding whether the application that the person is actually to make should be in the same terms as the proposed application, have regard to any responses to the consultation that the person has received.

Also Part 1 Chapter 6 Predetermination

Prior indications of view of a matter not to amount to predetermination etc

(2) A decision-maker is not to be taken to have had, or to have appeared to have had, a closed mind when making the decision just because—

(a) the decision-maker had previously done anything that directly or indirectly indicated what view the decision-maker took, or would or might take, in relation to a matter, and

(b) the matter was relevant to the decision.

The effect is to make clear it is legally acceptable for persons deciding planning applications to confer with persons living in the vicinity of them. Contrary to the leader of the Council's assertion:

....that there are protocols in place which prevent our taking an active interest and you may inadvertently lobby a member of the committee who will decide [an] application.

On page 29

6 Place-based Strategy for Hampton & Hampton Hill states:

Overall strategy p30 :

Hampton Hill Residential (A4) has a high sensitivity to change, owing to the high townscape value across much of the area, the consistent building heights, suburban character and sense of green, and the strategy is to conserve and enhance.

Vision p30:

The characteristic local urban scale and rural feel with its parks, green spaces and riverside, will be retained. The 'local urban scale' surrounding the St Clare business Park site is predominately 2 storeys with one exception 3.

P31

Future development in this place is expected, where relevant, to:

.....There is an opportunity to establish distinctive landmarks, without recourse to tall buildings, to improve legibility, focused along main roads and at key junctions. St Clare is neither on a main road nor at a key junction.

and at the bottom of P31 it lists:

There are some development sites that if they are brought forward, or permissions implemented, may provide for redevelopment or new development. At Carpark for Sainsburys, Uxbridge Road, Hampton (Site Allocation 4) there is potential for affordable housing and restoration and enhancement of the river corridor.

The criteria for allocating sites for mid-rise buildings are as follows as set out in the Urban Design Study 2023.

"The strategy map for tall and mid-rise buildings focuses on:

- The five town centres (Teddington, Whitton, Twickenham, Richmond and East Sheen);
- Areas with existing tall buildings, including on the riverside at Hampton Wick and in Barnes on the boundary with LB Wandsworth;
- Known areas with emerging masterplans or redevelopment opportunities such as North Sheen, the Stag Brewery site and Kew Retail Park;
- Site allocations where relevant, including Twickenham Stadium, The Stoop and in Ham;
- Areas along strategic routes where there could be potential for increases in height through mid-rise buildings (Hanworth Road), whether the existing character is less consistent."

The mid-rise allocation to Hampton Hill does not meet any of the criteria.

From the Urban Design Study 2023, the following criteria are set out for the location of mid-rise buildings: "Fig.376 is a map of zones with potential to accommodate mid-rise buildings.

Overall, Richmond borough has some capacity for midrise buildings across the borough. Opportunities for mid-rise buildings are generally:

1. transition areas to tall building zones: The majority of tall building zones have mid-rise building transition zones around them to provide appropriate stepping and integration to surrounding small scale built form;
2. within town centres: There are opportunities for mid-rise buildings within the town centres of Whitton, Teddington, Twickenham, Richmond and East Sheen;
3. within or adjacent to existing estates: This includes opportunities within Edgar Road in Whitton, Broom Park in Hampton Wick and Ham Close in Ham.
4. close to strategic roads: including at the Stoop on A316 Chertsey Road, and in North Sheen on Lower Richmond Road."

The site at Hampton Hill does not meet any of these criteria. Hampton Hill is designated as a local centre in the draft Plan and nowhere in that Plan are local centres identified as suitable for mid-rise developments.

In the overall strategy, Hampton Hill is defined as Area 4. The area has a high sensitivity for change owing to the high townscape value across much of the area, the consistent building heights, suburban character and sense of green and the strategy is to conserve and enhance. It will not be possible to place a mid-rise 15m high building within this area without causing harm and failing to conserve and enhance.

No attempt has been made in the Regulation 19 document to apply any of the criteria set out above to justify the designation of this land as suitable for mid-rise development. If these criteria had been applied, the site would not have been designated.

There is reference to Hampton Hill having a high sensitivity for change owing to the high townscape value of much of the area, the consistent building heights, suburban character and sense of green.

Modification(s) consider necessary

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 in the question 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.*

To make The Plan compliant with the Localism Act 2011 add Reference to the Localism Act 2011 which requires in Part 6 Chapter 4 Consultation that there is a 'Duty to take account of responses to consultation' [61X]

that consultation between decision makers and their electorate in the planning process is encouraged by the LPA

and that a decision-maker is not to be taken to have had, or to have appeared to have had, a closed mind when making the decision just because the decision-maker had previously done anything that directly or indirectly indicated what view the decision-maker took, or would or might take, in relation to a matter.

To make The Plan consistent with other policies remove St Clare (Hampton Hill): Mid-Rise Building Zone Appropriate Height: 5 storeys (15m) from Appendix 3 Tall and Mid-Rise Building Zones

Participation at Examination

Do you consider it necessary to participate in examination hearing session(s)?

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

Reason for Participation

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.

Notwithstanding substantial publicly expressed, reasoned opposition to the intention to permit 5 storeys there has been no discussion or engagement with the local community concerning the designation of Hampton Hill as suitable for mid-rise development. The local community wish to take this opportunity to address the Inspector in person and put forward the arguments against the designation clearly and succinctly so that they are fully understood.

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.