

**Actions Arising from Hearings – Week 1 (update provided to Inspector on 3.10.2017)**

Please find detailed below the Council's record of actions/proposed changes arising from discussions during hearing sessions in week 1. Where proposed changes are set out below the Council will update and publish the Schedule of Proposed Minor Changes later this week, with a prefix EH to identify they have arisen from discussions during hearing sessions, and update the track changes version of the Plan to incorporate these in due course.

**Hearing 1. Legal Compliance, Spatial Vision and Strategic Objectives**

The additional Air Quality Action Plan publications have been added to the EIP library.

The Duty to Co-operate AMR will be published on the Council's website and added to the EIP library this week.

The following changes are proposed by the Council:

Change Ref.	Policy Section or heading	Page /Paragraph	Proposed change	Reason for the change
TBC	Strategic Context		<p>New paragraph and sub-heading after 2.1.11 and before "Village Planning"</p> <p><b><u>"Neighbourhood Planning</u></b>  <b><u>Neighbourhood Planning was introduced by the Localism Act 2011. It allows communities to influence the future of their local areas by preparing a Neighbourhood Development Plan for the area. Neighbourhood plans are led and written by the community, not the Council, and they have to be in general conformity with the strategic policies in the relevant local, regional and national planning policy documents and guidance. A neighbourhood plan that is prepared in line with the legal requirements and supported by a majority in a local referendum must be adopted by the Council. When adopted, a neighbourhood plan becomes part of the statutory development plan and will be taken into account alongside the Council's other plans when making decisions on planning applications in that area. In this borough, the Ham and Petersham Neighbourhood Forum is preparing a Neighbourhood Plan for its area."</u></b></p>	Further to discussions in Hearing Session 1, to provide clarity on Neighbourhood Planning and Village Plan process and SPDs.

Change Ref.	Policy Section or heading	Page /Paragraph	Proposed change	Reason for the change
			<p>Change to paragraph 3.1.4:            3.1.4 The Spatial Strategy reinforces the borough's context as an outer London Borough that is characterised by a high quality natural, built and historic environment with highly valued open landscape, parks, green spaces and opportunities for sport, recreation, culture and tourism. The overarching principles are to protect the unique local character (as set out in the Village Planning Guidance SPDs and in <a href="#">neighbourhood plans, such as</a> in the emerging Ham and Petersham Neighbourhood Plan), maintain and enhance our open spaces as well as our heritage, achieve high levels of sustainability and ensure all communities have access to housing, employment opportunities, services and facilities.</p>	
TBC	Glossary		<p>Add to Glossary: <a href="#">Inclusive design</a>  <u><a href="#">Design that creates an environment where everyone can access and benefit from the full range of opportunities available to members of society. It aims to remove barriers that create undue effort, separation or special treatment, and enables everyone regardless of disability, age, or gender to participate equally, confidently and independently in mainstream activities with choice and dignity.</a></u></p>	<p>Further to discussions in Hearing 1, to clarify the Plan approach seeking inclusive communities and inclusive design. Add to Glossary definition of 'Inclusive Design' from the London Plan and the Mayor's Accessible London: Achieving An Inclusive Environment SPG, to assist with the implementation of policies LP 1, LP 18, LP28, LP 30, LP 31 and LP 44 in particular. This will, in conjunction with the existing Glossary definition of 'Social Inclusion', clarify the wider Plan's aspiration for inclusiveness, and also assist with the implementation of policies LP 25 and LP 37.</p>

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TBC	13. Implementation	13.5 Monitoring	Add new paragraph following 13.5.6: <u>It is recognised that over the lifetime of the Plan, external circumstances will change. Whilst the Plan is overall considered to be flexible, the NPPF allows for Local Plans to be reviewed in whole or in part to respond flexibly to changing circumstances. Therefore, external factors such as changes in national policy, a London Plan review or changes in local evidence and need may trigger a review of this Local Plan. The programme for the preparation of Development Plan Documents is set out within the Council's Local Development Scheme, which is regularly reviewed and updated.</u>	Further to discussions in Hearing Sessions 1 and 3, to clarify review in the Plan triggers and review mechanisms.

## Hearing 2. Community Facilities

The following changes are proposed by the Council:

Change Ref.	Policy Section or heading	Page /Paragraph	Proposed change	Reason for the change
TBC	Social and Community Infrastructure	LP 28 Paragraph 8.1.2	This is not an exhaustive list and the Council will determine, <del>as part of the pre-application process,</del> whether any facility or service is considered to be a social infrastructure or community use. <u>The pre-application process is encouraged and on specific schemes may clarify which policies and requirements apply.</u>	Further to discussions in Hearing 2, to clarify that the pre-application process is optional.
TBC	Social and Community Infrastructure	LP 28 Paragraph 8.1.13	Add to paragraph 8.1.13 new sentence (after second sentence): ... <u>For applications for 10 or more residential units, this should be addressed in a Supporting Planning Statement and a Health Impact Assessment, as required (in accordance with the Local Validation Checklist) and/or through an Environmental Impact Assessment (EIA) for projects above the threshold. ...</u>	Further to discussions in Hearing 2, to clarify this assessment can be made within the standard supporting documents to a planning application; there is no requirement for a separate assessment.

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TBC	Glossary		Add to Glossary: <u>Social Infrastructure Covers facilities such as health provision, early years provision, schools, colleges and universities, community, cultural, recreation and sports facilities, places of worship, policing and other criminal justice or community safety facilities, children and young people’s play and informal recreation facilities. This list is not intended to be exhaustive and other facilities can be included as social infrastructure.</u>	Further to discussions in Hearing 2, additional guidance to assist implementation, reflecting the Mayor’s Social Infrastructure SPG and London Plan definition.
TBC	Education and Training – Local Employment Agreements	LP 29 Paragraph 8.2.14	Add after first sentence: ... <u>Securing the skills to support residents into sustainable employment is a key priority for the Council to support the local economy, to raise the bar further for those with higher levels of skills than London averages and make sure some residents with lower skills are not missing out economically.</u> ...	Further to discussions in Hearing 2, to clarify the requirement for LEAs is considered necessary, directly related, and fairly related in scale and kind to the development. A LEA provides the means to manage the development related job opportunities arising from the proposal, and will cover how the applicant will work with the Council in order to maximise employment and training opportunities for local people and businesses.  Examples of previous agreements within Richmond: - <u>12/3650/FUL</u> Twickenham Sorting Office. <u>Legal Agreement</u> secured a LEA - (page 33 in the PDF) - <u>16/2777/FUL</u> Ryde House,

Change Ref.	Policy Section or heading	Page /Paragraph	Proposed change	Reason for the change
				Twickenham. Legal Agreement secured for Employment and Skills Plan (about to be uploaded to website).
TBC	Education and Training – Local Employment Agreements	LP 29 Paragraph 8.2.15	<p>Add to end of paragraph 8.2.15:  ... <u>Such an agreement can make use of existing schemes, such as Way2Work, Construction Training Initiative, schemes run by Registered Providers and developers, provided these manage the development related job opportunities. The details of the LEA will be subject to negotiation, tailored to site specific circumstances and proportionate to the scale of development proposed, and require developers to use reasonable endeavours to incorporate in their relevant contracts. The contents are expected to cover:</u></p> <ul style="list-style-type: none"> <li>• <u>Forecasting of job opportunities</u></li> <li>• <u>Notification of job vacancies</u></li> <li>• <u>Local labour target</u></li> <li>• <u>Jobs brokerage and skills training</u></li> <li>• <u>Apprenticeships and work experience</u></li> <li>• <u>Use of local suppliers</u></li> <li>• <u>Delivery of specific LEA targets.</u></li> </ul> <p><u>A developer can set out justification as to why it may not be possible to deliver any of the requirements highlighted. Further guidance to assist implementation will be provided in a forthcoming SPD.</u></p>	<p>Further to discussions in Hearing 2, to guide the practicalities for implementation of the requirement for LEAs, ahead of further SPG guidance.</p> <p>Further SPD guidance will, amongst other areas, clarify the thresholds to aid implementation, such as:  Retail, leisure or office dev. (1,000 m<sup>2</sup> + )  Industrial dev. (2,000 m<sup>2</sup> + )  Warehouse dev. (4,000 m<sup>2</sup> + )  Mixed use dev. (1,000 m<sup>2</sup> + )</p>
TBC	Social and Community Infrastructure and Health and Wellbeing	LP 28 Paragraph 8.1.10  LP 30 Paragraph 8.3.17	<p>Amend paragraph 8.1.10 point (1):  ... Where the application relates to the loss of a health facility, <u>the requirements of LP 30 will also need to be addressed and</u> written agreement from the Richmond Clinical Commissioning Group, NHS England or other relevant health body must be provided...</p> <p>Add to end of paragraph 8.3.17 to read:</p>	<p>Further to discussions in Hearing 2, to signpost clearly that Policies LP28 and LP30 will be considered for proposals involving the loss of any health facilities.</p>

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			.... Applications for new or loss of health and social care facilities will be considered in line with the criteria of policy LP 28 in 8.1 'Social and Community Infrastructure' <u>and paragraph 8.1.10 sets out that written agreement of the relevant health body must be provided to assess the loss of any existing health facilities.</u>	

### Hearing 3. Housing

The following changes are proposed by the Council:

Change Ref.	Policy Section or heading	Page /Paragraph	Proposed change	Reason for the change
TBC	New Housing	LP 34 Paragraph 9.1.4	This is reflected in the broad expected pattern of future housing land supply set out in <del>the</del> policy <u>LP34.B which sets out indicative ranges for the broad areas and are not to be regarded as any lower or upper limit, as the overall target is to be exceeded.</u>	Further to discussions in Hearing 3, to clarify that the approx. no. of units set out for the broad areas in LP34.B does not set any upper limit.
TBC	Housing Mix and Standards	LP 35 Paragraph 9.2.2	Amend the last sentence in Part A to read: ... The housing mix should be appropriate to the <u>site-specifics of the</u> location.  Amend the last sentence in paragraph 9.2.2 to read: ... <u>To accord with LP35.A t</u> he appropriate mix should be considered on a site by site basis having regard to...	Further to discussions in Hearing 3, to clarify the assessment of housing mix is considered on a site by site basis, and signpost this sentence in the supporting text which provides clarification on the assessment of mix to the location.
TBC	Housing Mix and Standards	Paragraph 9.2.10	Amend paragraph 9.2.10 to read: ... (in accordance with policy LP 8 in 4.8 'Amenity and Living Conditions' <u>which also considers the impact on existing occupants</u> ) ...	Further to discussions in Hearing Session 3, to emphasise the different purposes of assessments under LP35 and LP8 regarding balconies and

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				terraces, and the flexibility for a case by case assessment as set out in paragraphs 9.2.10 and 9.2.11.
TBC	Affordable Housing	LP 36	Amend Part A.a to read: a. 50% of all housing units will be affordable housing, <del>with this 50%</del> <u>will comprise</u> a tenure mix of 40% <u>of the affordable</u> housing for rent and 10% <u>of the affordable</u> intermediate housing.	Further to discussions in Hearing Session 2, to provide clarity to LP36 A.a additional wording to specify the application of the tenure split.
TBC	Affordable Housing	LP 36 Paragraph 9.3.3	Amend after second sentence to read: <u>...There is a national definition of affordable housing (see Glossary) and the Council will consider different products, such as for intermediate rent or low-cost home ownership, to ensure delivery at a local level is affordable and relevant to the housing needs in the borough.</u> The Council's Tenancy Strategy and Intermediate Housing Policy Statement set out guidance which should inform the provision of <u>a range of</u> affordable housing. ...	Further to discussions in Hearing Session 2, additional sentence added to paragraph 9.3.3 to refer to the Glossary definition in the Plan of affordable housing (as set out in the NPPF) and the Richmond context for consideration of local needs and affordability, while retaining flexibility in the Plan period to allow for consideration of a range of new products as they come forward from the GLA, RPs or other delivery partners.
TBC	Affordable Housing	LP 36 Paragraph 9.3.2	Amend Part B to read: B. A contribution towards affordable housing will be expected on all housing sites. <u>The following requirements apply:</u> a. <u>on all former employment sites at least 50% on-site provision. Where possible, a greater proportion than 50% affordable housing on</u>	Further to discussions in Hearing Session 2, clarification to provide distinction in BP36.B.a the exact percentage sites are expected to deliver

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			<p><b>individual sites should be achieved.</b>  <b>b.</b> on <b>all other</b> sites capable of ten or more units gross <del>and all former employment sites, at least</del> 50% on-site provision. Where possible, a greater proportion than 50% affordable housing on individual sites should be achieved.</p> <p><b>b.c.</b> 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.</p> <p>Amend fourth sentence in paragraph 9.3.2 to read:  <b>A flowchart to follow setting out the policy requirements and t</b>The mechanism for assessing the contributions from individual sites, is set out in the Affordable Housing SPD</p>	<p>and requirements for on-site provision, along with a reference to the flowchart in the Affordable Housing SPD at paragraph 9.3.2.</p>
TBC	Affordable Housing	LP 36	<p>Amend Part C to read:  <b>C. In accordance with A and B, t</b>the Council will seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes.</p> <p>Amend Part D to read:  D. Where a reduction to an affordable housing contribution is sought <b>from the requirements in A and B</b> on economic viability grounds</p>	<p>Further to discussions in Hearing Session 2, clarification added that C is offering additional guidance to assist in the implementation of Parts A and B and does not set any different policy requirement, and when D would apply. This is in accordance with London Plan Policy 3.12.</p>
TBC	Affordable Housing	LP 36	<p>New paragraph after 9.3.12:  <b>The Mayor’s Affordable Housing and Viability Supplementary Planning Guidance (2017), which provides useful guidance alongside the Local Plan, particularly in respect of viability considerations, will need to be applied for all schemes providing 10 or more homes.</b></p>	<p>Further to discussions in Hearing Session 2, added reference to the Mayor’s Affordable Housing and Viability SPG.</p>



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TBC	Infill, Backland and Backgarden Development	LP 39	<p>Amend Part A criteria (10) to read:            10. Result in no <b>unacceptable</b> adverse impact on neighbours in terms of visual impact, noise or light from vehicular access or car parking.</p> <p>Amend Part B third sentence to read:            In exceptional cases <del>where it is considered that</del> a limited scale of backgarden development may be <b>considered</b> acceptable <del>it should not have a significantly adverse impact upon</del> <b>if it complies with</b> the factors set out <b>in A</b> above. Development on backgarden sites must be more intimate in scale and lower than frontage properties.</p>	Further to discussions in Hearing Session 3, to clarify how Part B is applied on backgarden developments (along with Part A) and the potential impacts assessed.

**Hearing 4. Site Allocations SA1-SA17**

The following changes are proposed by the Council:

Change Ref.	Policy Section or heading	Page /Paragraph	Proposed change	Reason for the change
TBC	Site Allocations	p.153 - 191 Final Bullet point for SA 1-28	<p>Replace final bullet point for all 28 site allocations to read  <b>“Design objectives and general Detailed guidance on design and relating to the local character of the area, which for any redevelopment proposal should have regard to,</b> is/will (also) (be) set out in the Village Planning Guidance SPD for XXX.”            (Where XXX is the relevant Village Plan area.)</p>	Further to discussions in Hearing 4, to clarify references to Village Planning Guidance SPDs and the guidance they provide.

In addition, the Council would like to update the Inspector on actions in relation to the following Site Allocations:

Site Allocation	Action

<p><b>SA 3</b> Hampton Traffic Unit, 60-68 Station Road, Hampton</p>	<p>This is under consideration by the Council and an update will be provided to the Inspector prior to 10 October.</p> <p>The Inspector should note that the Council has already proposed a modification to SA 3 by adding a sentence to the end of 3rd bullet point that states: <a href="#">It is recognised that a planning application for 28 residential units has been granted permission.</a></p>
<p><b>SA 8</b> St Mary's University, Strawberry Hill</p>	<p>The Inspector has already received further email correspondence on 28 September from the GLA/Council with regard to further changes.</p>
<p><b>SA 8</b> St Mary's University, Strawberry Hill</p>	<p>In relation to the emerging Village Planning Guidance SPD and the Inspector's comments on Metropolitan Open Land (MOL), the Council is currently in the process of analysing all responses received during the statutory consultation period earlier this year. We would like to point out that comments received also include issues relating to MOL, and the final version of the SPD will be updated in this regard to ensure MOL constraints are also reflected within the SPD.</p>
<p><b>SA11</b> Twickenham Stadium, Twickenham</p>	<p>The Council is in liaison with the RFU on a potential Statement of Common Ground. An update will be provided to the Inspector later this week or latest prior to 10 October, depending on progress made on the Statement.</p>
<p><b>SA 14</b> Kneller Hall, Whitton</p>	<p>The Council is in liaison with the DIO to agree an amendment to the first sentence of SA 14.</p> <p>The Council is proposing to update the policy as follows:  <del>"If the site is declared surplus to requirements,</del> <a href="#">There is an intention to release Kneller Hall for disposal in 2020.</a>  Appropriate land uses include..."</p>
<p><b>SA 17</b> St Michael's Convent, Ham Common, including new OOLTI designation</p>	<p>The Council's ecologist has been instructed to prepare a further note / update in relation to the OSNI designation in light of habitats' and other surveys prepared for the planning application currently under consideration. This will be submitted and added to the EIP library prior to Hearing 7, where this is scheduled to be discussed further under 'Other Matters'.</p>
<p><b>SA 15, SA 16 and SA 17</b> Ham and Petersham Neighbourhood Plan</p>	<p>The Inspector asked for clarification on how relevant sites are treated in the submitted Ham and Petersham Neighbourhood Plan. Please find attached an extract relating to the Site Allocations in the Local Plan from the Ham and Petersham Neighbourhood Plan Submission version (Sep 2017).</p> <p>We would like to point out that Plan has only been submitted on 14 September, and the Council has not yet had the ability to carry out an initial 'Basic Conditions' check. The Council's Cabinet will consider the Submission version at its meeting on 16 November 2017, at which point approval will be sought to progress to a minimum 6-week public consultation.</p>