

Date: 24/07/2023
Our Ref: 15750

DWD

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Dear Sir or Madam

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

RE: DRAFT LOCAL PLAN PUBLICATION REGULATION 19 CONSULTATION

DWD has been instructed to submit representations on behalf of Dukes Education Group and Radnor House School Limited on the London Borough of Richmond upon Thames (LBRuT) Draft Local Plan Publication Regulation 19 Consultation.

The submission comprises of this letter and a completed 'Response Form'. It focuses on our client's interest in Kneller Hall, Kneller Road (the Site) and draft 'Site Allocation 21: Kneller Hall, Whitton'.

This letter sets out:

- The ownership of the Kneller Hall site;
- Background to Dukes Education Group and the proposed Kneller Hall School;
- The site owner's proposals for Kneller Hall;
- A response to the draft Site Allocation 21 and the place based strategy for Whitton, in the context of our client's proposals for the site; and
- A response to the proposed Site of Importance for Nature Conservation Designation.

Kneller Hall's Ownership

The site was formerly a Royal Military School of Music, which included residential accommodation and was owned by the Ministry of Defence (MOD). They vacated the site in Summer 2021. The freehold interest of the entire site, totalling 9.7 hectares, was acquired by Radnor House School Limited, which is part of the Dukes Education Group, from the MOD in quarter 3 of 2021.

Site surveys and investigations and design development took place alongside pre- application engagement with the LBRuT and Sports England and public consultation from late 2021 to September 2022. A planning performance agreement was also been entered into with LBRuT.

A full planning application and listed building consent was then submitted to the LBRuT and is under consideration in connection with our client's proposals to convert the site to a day school (ref

Partners
R J Greeves BSc (Hons) MRICS
G Bullock BA (Hons) BPL. MRTPI
A Vickery BSc MRICS IRRV (Hons)
S Price BA (Hons) DipTP MRTPI

A R Holden BSc (Hons) FRICS
G Denning B.Eng (Hons) MSc MRICS
B Murphy BA (Hons) MRUP MRTPI
A Meech BSc MRICS

S Page BA MA (Cantab) MSc MRTPI
P Roberts FRICS CEnv
T Lodeiro BA (Hons) PGDip MSc MRICS



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22/3004/FUL and 22/3005/LBC). A further listed building consent application is also under consideration for external repair and cleaning works to Kneller Hall and the two curtilage listed buildings (ref 23/0639/LBC).

Dukes Education Group

Dukes Education is a family of UK nurseries, schools and colleges united by a common purpose; to give children the foundations for an extraordinary life through education. Founded in 2015 by its chairman Aatif Hassan, Dukes Education has 23 schools and colleges, and 20 nurseries, with sites across London, Cambridge, Kent, and Cardiff.

Dukes Education also owns and runs wraparound advisory services and summer schools at each stage of the education journey, from academic summer schools to university application consultancy services. Dukes is a dynamic, future-focused organisation committed to providing a gold standard of education for young people in the UK.

Dukes have significant experience operating schools in listed buildings and restoring listed buildings. In recent years, Dukes Education converted a Grade II listed office building in the London Borough of Hackney to a primary school, for The Lyceum School. In the City of Westminster, a Grade I listed building at 106 Piccadilly was converted to facilitate occupation by Eaton Square School. Eaton Square School also occupy a number of other listed properties within the City of Westminster. The existing Radnor House School, at Pope's Villa, Cross Deep falls within the Grade II listed Pope's Garden parks and gardens designation.

Radnor House is part of the Dukes Education Group. Radnor House is an independent selective co-educational day school, currently located at Pope's Villa, Cross Deep, Twickenham, London, TW1 4QG. Radnor House pupils learn in small classes with a strong focus on individual attention. The school educates girls and boys from ages 9 (Year 5) to 18 (sixth form), with three main entry points in Year 5, Year 7 and Year 12.

The existing school is approximately a 1.6 mile walk south-east of Kneller Hall. The school wishes to expand, to enable it to improve the facilities that it provides to existing students and also to further grow the school. Dukes Education has been searching for a suitable additional property in the local area for a number of years.

It is proposed that all pupils in Years 7 to 11 and in the sixth form, who are currently located at Pope's Villa, will be relocated to Kneller Hall. Pope's Villa will then solely be used for Year 5 and 6 pupils (junior school).

The new school at the Kneller Hall site will be called Kneller Hall school.

Kneller Hall School

The new Site will provide improved and larger learning spaces for all pupils and to broaden their learning curriculum, to enhance the school's education offering and the facilities that pupils can benefit from. It will enable the facilities at the Site to be bespoke for the age groups located at the Site.

The Site will be self-contained, providing all the facilities that pupils require and therefore pupils and staff will not need to move between the existing and proposed Site. Pupils at the Pope's Villa Site, will travel on minibuses to Kneller Hall to access the proposed sports facilities.

Approximately 100 of the circa 120 staff members at Radnor House currently employed to support the existing Year 7 to 11 and sixth form will move across to Kneller Hall. Further staff will be employed at Kneller Hall as pupil numbers increase. Once the school reaches 1,000 pupils it is expected that there will be a total of 160- 170 staff employed at the school. This results in a net addition of up to 70 jobs at the Site. Further new jobs will also be created at the Pope's Villa Site, resulting in a total of circa 85 additional jobs across the two Sites.

A high quality and well equipped sports facility is proposed to be delivered. This will provide a multi-purpose indoor sports hall, indoor swimming pool and changing facilities. This is proposed to be positioned on the western part of the Site.

Sports pitches will be provided on the eastern part of the Site and the existing tennis courts will be retained. Changing facilities to support the outdoor sports facilities will also be provided on this part of the Site. The extensive open space at the Site, and the proximity to Twickenham Stadium means provides an excellent opportunity to deliver high quality sports facilities. These will be used by the school at the Site and also by the Year 5 and 6 pupils based at the Radnor House junior school (at Pope's Villa). Dukes Education will also facilitate managed access to the outdoor and indoor sports facilities for local community groups and other local schools.

An existing building on the northern part of the Site will be refurbished to provide a base for the Forest School learning programme. This facility at Kneller Hall will support the learning of pupils at the Site, pupils from Radnor House junior school and it is proposed that other local schools could also be provided with access to the Forest School facilities.

Dukes want to ensure that the Site's historical musical legacy is retained. They will continue to use the existing outside bandstand and are also proposing to build a performing arts and music hall. This provides an opportunity for music-based events and concerts to continue to be held at the Site, including events that the public can be invited to.

The new facilities at the Site, provide the opportunity for collaboration between Kneller Hall School and other local schools and community groups and the sharing of facilities.

Proposals for Kneller Hall

The planning and listed building consent applications currently under consideration seek approval for:

"The demolition of existing modern buildings on the site and the conversion of and extensions to Kneller Hall and other ancillary buildings associated with the former royal military music school to a day school (Use Class F1), together with the construction of associated new purpose-built buildings including teaching space, indoor sports facilities, sporting pavilion and forest school building. Alterations to the existing playing fields, to include an all weather pitch with fencing, flood lighting to existing tennis courts, sustainability measures and re-turfing. Provision of a new access from Whitton Dene, and other ancillary works including parking areas, hard and soft landscaping, lighting, access alterations and energy centre. Internal and external alterations to Kneller Hall and the curtilage listed buildings to facilitate the day school use, including demolition and rebuilding of single storey extension to the west wing of Kneller Hall, extension to the Band Practice Hall and re-opening of Whitton Dene site entrance."

The Proposed Development comprises of the following core elements:

- Use of the main Grade II listed Kneller Hall for Education Use (Use Class F1);
- Use of Guard Room and Band Practice Hall for Education Use (Class F1);

- Restoration, repair, cleaning and maintenance works to Kneller Hall, the Guard Room and Band Practice Hall. The investment by Dukes Education into these buildings will facilitate the school use and also support the long term retention and protection of the heritage assets.
- Demolition of existing modern buildings and piecemeal development on the Site and the conversion of other existing single storey modern buildings to use as an energy centre and for maintenance storage, ancillary to the main school use (Use Class F1);
- New build development to provide new purpose-built buildings for school use including, teaching space and classrooms, an indoor sports facility with a swimming pool and sporting pavilion (Use Class F1);
- Upgrading and enhancing the existing playing fields and outside sports pitches at the Site and introducing an all weather hockey pitch;
- Ancillary works to facilitate the use of the Site as a school to include high quality sports facilities and a Forest School programme; and
- Facilitation of managed local school and local community group access to the facilities, including the sports and forest school facilities.
- Retention of the outside bandstand.
- Creation of a biodiversity corridor at the north of the site.

The new facilities at the site, provide the opportunity for collaboration between schools and community groups and the sharing of facilities. Prior to the submission of the planning application engagement took place with LBR, Sports England, the local community, local schools and local community groups that could benefit from this access. There was a lot of interest in the use of the facilities.

Significant financial investment is proposed by our client to ensure the long term retention and preservation of the Grade II listed Kneller Hall and the curtilage listed Guard Room and Band Practice Hall.

Representations to Draft Local Plan

This section responds to question 6 and 7 of the LBR's Response Form.

Site Allocation 21: Kneller Hall, Whitton

It is welcomed that allocation has been updated since the Regulation 18 wording to acknowledge that our client, the site owner, intends to use the Site for education use. Given the advanced stage of the planning application, we consider that the wording should be further updated to reflect our client's proposals for the Site. Our client is committed to the delivery of the school at the Site, and their intention is to implement the planning permission and listed building consent as soon as permission is secured.

The allocation states *"The Council will expect the provision of high quality public open spaces and public realm, including a new publicly accessible green and open space available to both existing and new communities, together with links through the site to integrate the development into the surrounding area"*.

The site is not currently publicly accessible and nor was it whilst the MOD occupied the site for the Military School of Music. Providing public open space and links through the site conflicts with the proposed school use, which must prioritise pupil safety and manage access.

As part of the planning application our client is committing to a wide range of community access opportunities at the Site. Our client will provide managed access to the outside sports facilities including the playing fields, as well as access to the indoor sports facilities. Local school and community groups will also be able to utilise the Forest School programme and members of the community will be invited to concerts run by the school. The Draft Community Use Agreement that forms part of the full planning application should be reviewed, as this further details the community benefits of the development proposals. This document has been prepared with input from LBRuT and Sports England to ensure a strong package of community use opportunities are provided, and officers and Sports England are now supportive of the latest version of this draft Agreement.

Therefore, whilst our client is open to providing managed access to certain parts of the site, it is not feasible or appropriate for open access or links through the Site to be provided. The proposals for the site will result in it becoming more accessible to local community groups and schools, than the site currently is. However, to provide designated publicly accessible green and open spaces, or links through the Site, is not deliverable, effective or justified.

The Landscape Design and Access Statement, prepared by ADP that was submitted as part of the full planning application should be reviewed, as this further explains the rationale why links through the Site cannot be provided.

The wording in the draft site allocation should be updated to remove reference to publicly accessible green and open space and links through the site, to ensure that the plan is deliverable, effective and justified and to reflect the owner's proposals to deliver a school at the Site.

The allocation states "*Future development would be expected to demonstrate how the vision set out in the Kneller Hall Masterplan SPD 2020, and requirements above, are being met*". It is noted that a Supplementary Planning Document (SPD) is not part of the development plan. Whilst public consultation was undertaken as part of the SPD's preparation, it was not subject to an independent examination and therefore does not hold the same weight in planning decisions as a Local Plan. The allocation wording should also acknowledge that the masterplan included in the SPD, provides one potential option for the site, but as a result of the current landowner's intentions and the constraints of the site, the masterplan needs to evolve from the version included in the SPD.

[Place-based Strategy for Whitton & Heathfield](#)

The place based strategy for Whitton refers to Kneller Hall, mentioning the opportunity for a new public park. For the same reasons as those set out in the previous section of this letter we do not consider that this aspiration is deliverable, effective or justified and the wording should be updated to better reflect our client's proposals for the Site.

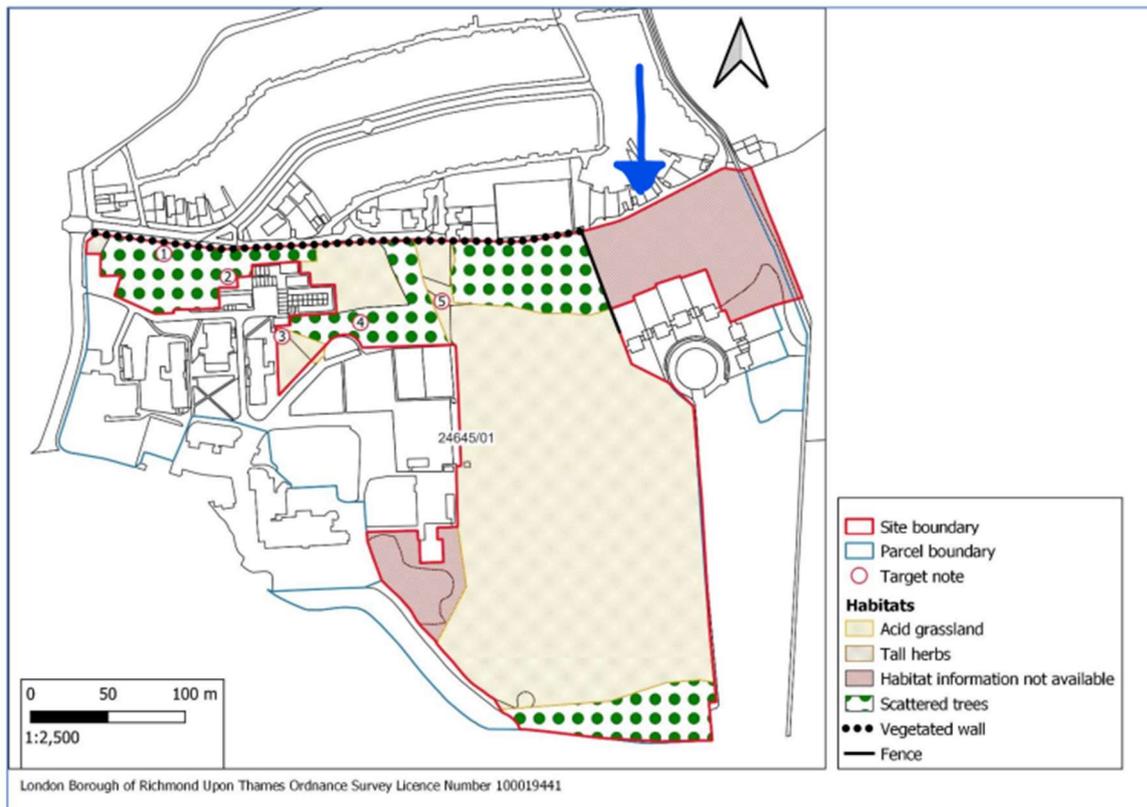
[Representations to Appendix 4 – Sites of Importance for Nature Conservation \(SINC\)](#)

Following work undertaken by Salix Ecology, 6.73 ha of land at Kneller Hall is proposed to be allocated as Borough Grade SINC. This is approximately 69% of the Site.

Salix Ecology's Review of Sites of Importance for Nature Conservation in Richmond upon Thames Volume 1: Report (November 2021) lists Kneller Hall as an additional site recommended for survey. 2.48 hectares of land is recommended for this survey at the Site. In Salix Ecology's November 2022 update to their report (Volume 1), Kneller Hall is recommended to be allocated as a Borough Grade SINC, with the area increased to 6.7 hectares. In Volume 2 (November 2022) on page 18 a site plan of Kneller Hall is shown. However, this includes an area of land which is fenced off from and not part of the Kneller Hall site. This land is also outside of our client's ownership. We assume this land is included within the figure of 6.7 hectares. The extract from page 18 shows the relevant plan and marks with

the blue arrow the land that does not form part of the Kneller Hall site i.e the land to the east of the fence.

Kneller Hall



The SINC designation at Appendix 4 should be amended to reduce the land area to that which falls within the Kneller Hall site or the title of the allocation updated to reflect that it also covers land outside the Site. We also query the suitability of allocating the extent of land as suggested at the Site as a SINC, especially as two areas marked on the plan above appear to not have been inspected (Habitat information not available). Currently the proposed SINC allocation is not justified.

Furthermore, we disagree with the statement on page 72 of Salix Ecology’s Volume 2 (November 2022) that states that *“Much of the grassland at the site was classified as acid grassland. Although species poor, these areas have potential for enhancement with appropriate management. The largest area of acid grassland was within the disused playing fields to the south of the site.”* The playing fields are not disused, they were used by the Royal Military School until they vacated the site in 2021. Since that time our client has been bringing forward their masterplan for the Site and they are now awaiting planning permission to enable them to deliver the masterplan. Once planning permission is secured our client intends to re-level and re-turf the pitches, to improve their quality for sports. This is supported by Sports England, the LBRuT draft wording of Site Allocation 21 and by local schools and community groups. As a result of the past and proposed retention of the sporting use the playing fields, we query the suitability of designating such an extensive part of the Site as SINC. Paragraph 98 and 99 of the NPPF protects playing fields and opportunities for sport and physical activity. The SINC designation is in conflict with the ongoing sporting use of the pitches.

Policy 39 (Biodiversity and Geodiversity) states that the LBRuT will require certain development proposals to achieve 20% Biodiversity Net Gain. This percentage considerably exceeds the

Environment Act 2021 which introduces a biodiversity net gain requirement of 10%, effective from November 2023. The feasibility of achieving this needs to be considered, as does whether it places a reasonable and necessary obligation on developers. We consider this suggested figure is not justified and should be removed from the plan. Policies on Biodiversity Net Gain also need to acknowledge that for sites like Kneller Hall that are already very green and with high biodiversity value, where much of the site is being untouched or protected it is not realistic for development to meet a score of 10% or 20%. The policy needs to acknowledge that there will be site specific circumstances where this is not achievable, to ensure that appropriate and sustainable development is not constrained from coming forward.

Summary

It is welcomed that Site Allocation 21 now acknowledges our client's proposed use of the Site. However, we consider that the wording of Site Allocation 21, as well as the wording for the place-based Strategy for Whitton & Heathfield, should be amended to ensure that the allocation is effective, deliverable and justified.

We consider that further consideration should be given to the suitability and extent of the SINC designation at the Site, to ensure that it does not preclude the retention and enhancement of the playing fields.

Our client intends to continue to work collaboratively with the Council's planning department to ensure that planning permission and listed building consent is secured, to enable our client to implement their proposals at the Site and ensure the long term protection and maintenance of Kneller Hall.

If you require any further information in connection with these representations and the proposals for the site, please do not hesitate to contact me.

Yours faithfully,



Emma Penson
Partner
DWD





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		Miss
First name	Lisa	Emma
Last name	Maynard	Penson
Job title (where relevant)	Director of Estates	Planning Consultant - Partner
Organisation (where relevant)	Dukes Education	DWD
Address		████████████████████
Postcode		████████
Telephone		██████████
E-mail address		████████████████████

*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)	Page 420 (Appendix 4)
		Paragraph number(s)	
		Policy no./name	Policy 39
		Place-based strategy	9 Place-based Strategy for Whitton & Heathfield
		Site Allocation(s) no./ name	Site Allocation 21
		Maps	
		Tables	
Sustainability Appraisal Report	<input type="checkbox"/>	Page number(s)	
		Paragraph number(s)	
Other (for example an omission or alternative approach)	<input type="checkbox"/>		

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	<input checked="" type="checkbox"/>

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 supporting letter prepared by DWD dated 24 July 2023 for our response to this question.

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 supporting letter prepared by DWD dated 24 July 2023 for our response to this question.

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.

At the current time we do not anticipate that it will be necessary for us to participate in the hearing session(s). However, we would like to reserve the opportunity to, and ask that we are reprovided with the opportunity to at the relevant time.

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:

Emma Penson

For electronic responses a typed signature is acceptable.

Date:

24/07/2023