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LB of Richmond upon Thames
A Kitzberger-Smith
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Our Ref: PINS/L5810/429/10

Date: 19th July 2017

Dear Mrs Kitzberger-Smith,

LONDON BOROUGH OF RICHMOND UPON THAMES – LOCAL PLAN EXAMINATION

Further to my earlier letter, I have read the Regulation 19 consultation responses against the content of the submitted Local Plan and its supporting evidence. I have also noted the Council's various responses. At this stage a number of matters arise.

I have received the 'Sustainability Appraisal Local Plan – Publication version for consultation'. Whilst I note its content, it would be informative if you could forward the previous iterations pertaining directly to the formulation of the submitted Local Plan which can be added to the Examination Document library. The purpose of each iteration should be clearly identified. I am currently unclear as to how reasonable alternatives to the content and policies of the submitted Local Plan have been considered and what reasons led to the preferred options being pursued and whether the reasons for discounting alternatives remain valid. I cannot readily discern this reasoning process from the submitted SA document albeit the Council's Legal Compliance Checklist provides a link to a SA – Pre-Publication Local Plan Public Consultation which I assume is relied upon. Your clarification would be helpful. However, the consideration of alternatives in the latter document appears to be restricted to a choice between two options: to have a policy or not. I am interested to understand how the Council has considered alternatives to the chosen policy position/content, for example in relation to the Site Allocations or the overall volume of housing and the ambitions for affordable housing provision, being mindful of the evidence base which includes the SHMA subsequently produced in December 2016.

In relation to housing, I note the Strategic Vision which seeks to meet people's needs via a choice of new homes and the Strategic Objectives which include an aim to ensure a suitable stock of high quality housing. I have also noted the submitted background evidence which includes the 2016 SHMA, the AMR Housing 2015-16, the Whole Plan Viability Report (draft), the London Plan, the Mayor's Housing SPG and national policy including the Planning Practice Guidance. The Local Plan policies (LP34 – 39) address housing issues within the Borough wherein the Borough's housing target is stated to be 3,150 for the 10 year period to 2025. I note that the content of LP 36 expects 50% of all housing to be affordable where a contribution towards affordable housing will be expected on all housing sites subject to the policy criteria.

These matters are important to the assessment of soundness of the submitted Local Plan and I am writing to enquire if there is any additional local evidence that has not been

submitted to date which explains further the justification for the Council's position which is not evidently in line with the national approach towards affordable housing as set out in the Written Ministerial Statement dated 28.11.14. For example, I have not yet been provided with the various Supplementary Planning Documents (SPDs) referenced within the submitted Plan which would be usefully received as soon as possible and I would be interested to know if there is anything such as a Housing background/topic paper that explains in more detail the Council's approach towards this matter across the Borough in its wider London context.

Could you clarify when the 2016/17 Housing Monitoring Report may be available and if any revised housing trajectory exists?

With regards to the Whole Plan Viability Report, this does not appear to test the viability of the 50% threshold sought by Policy LP 36. The reason for this is unclear to me. What evidence exists which supports the deliverability of the policy objective? For clarification, is the final report, as opposed to the draft, available?

I also note that the Report states at para 12.9 *"...Council policy dictates that sites below 10 units may make a financial contribution towards affordable housing, as opposed to an on-site provision. The method of calculating the contribution is set out in policy LP36 of the Local Plan Review and in the Council's Affordable Housing SPD using the accompanying proforma. We have been advised by the Council that, based upon our proposed open market values, the maximum affordable housing contributions should be as set out below"* I would appreciate clarification as to how the sums subsequently identified have been calculated which appear not to be those arising from a recommendation within the Report itself.

With regard to Policy LP 37 and mindful of the 'Research on Gypsies and Travellers in the London Borough of Richmond upon Thames', can you clarify what work the Council has done with its neighbouring authorities and any other stakeholders in assessing needs and requirements, including that of travelling showpeople?

Notwithstanding the date of the consultation submission, it would appear that the Mayor of London does not consider the submitted Local Plan to be in general conformity with the London Plan. This is clearly a matter for me to consider and I would be interested to hear if, in line with the aspirations set out within the Duty to Cooperate Statement, there have been further discussions between the two authorities upon which I can be updated.

I observe that in various parts of the Local Plan, specific policies require compliance with a SPD. However, the purpose of SPD is to provide more detailed advice or guidance on the policies in a Local Plan, not to create or represent policy in itself. To do otherwise would be to elevate the content of SPD to the status of policy which, with regard to S38(6) of the Town and Country Planning Act 1990 (as amended), would be potentially inappropriate. Based on the currently available evidence, the justification for such Local Plan policies and the associated requirements of the relevant SPD is not evident. It can be the case that references to necessary SPD are often placed within the supporting text to policies as suitable signposts to the further advice and guidance that is envisaged by national policy. I would appreciate your views on this point.

In addition to the above, I will have a number of matters, issues and questions that would form the basis of any examination Hearing sessions but before proceeding further I would appreciate your comments on the above points, if practical, within the next 5 working days.

Yours sincerely

Andrew Seaman

Andrew Seaman
BA (Hons) MA MRTPI, Planning Inspector

cc Banks Solutions (Programme Officer)