

LONDON BOROUGH OF RICHMOND UPON THAMES
LOCAL PLAN INDEPENDENT EXAMINATION IN PUBLIC
WRITTEN STATEMENT

HEARING 5: CHARACTER AND DESIGN; GREEN INFRASTRUCTURE; CLIMATE CHANGE

MONDAY 9 OCTOBER

COUNCIL RESPONSES TO QUESTIONS 16-20, ON CLIMATE CHANGE

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Does the Plan take a justified and suitably evidenced based approach towards climate change? Is the Plan consistent with national policy in such regards and will it be effective in implementation?

Yes, the Plan takes a justified and evidence based approach towards climate change, as set out below within the Council's responses to questions 16 to 20.

The Plan is consistent with national policy with regard to climate change and it is considered to be effective in its implementation. See the Council's responses to questions 16 to 20 within this Statement below.

16. How will LP 20 be effective in operation?

This policy aims to ensure all new development is located and designed so that it can adapt to and cope with the potential impacts and consequences of climate change.

This is in line with the NPPF (paragraphs 93-104); paragraph 99 states that 'Local Plans should take account of climate change over the longer term, including factors such as flood risk, coastal change, water supply and changes to biodiversity and landscape. New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change'.

The policy acknowledges that the development industry has a key part to play in integrating adaptation to climate change within decision making processes. Paragraph 6.1.7 of the Policy sets out what applicants and developers should consider from the outset to ensure developments are resilient to the future impacts of climate change and to minimise vulnerability of people and property. This will ensure the effective implementation of Part A of the policy.

The Council's Sustainable Construction Checklist (SCC) SPD (PS-040) describes the key principles of sustainable design and construction, which the Council expects all applicants to follow. In line with the Council's adopted Local Validation Checklist (PS-025), a completed Checklist is required to be submitted for certain types of planning applications. The purpose of the Checklist is to assess compliance of development proposals with the Local Plan's policies. Therefore, the effective implementation and operation of LP 20 Part B criteria 1 to 6 will be secured through the SCC SPD. Section 2.1 of the SPD (Need for Cooling) requires applicants to tick the relevant cooling measures that are being incorporated within a development.

Part C of the Policy encourages the adaptation of existing buildings to the likely effects of climate change where opportunities arise.

Overall, this policy follows the London Plan's approach to climate change adaptation, specifically Policy 5.9 (Overheating and Cooling), which sets out the cooling hierarchy and states that boroughs should develop more detailed policies and proposals to support the avoidance of overheating and to support the cooling hierarchy.

17. Is LP21 justified by the evidence base and consistent with national policy? Is the EA satisfied with its content?

The aim of this policy is to ensure that all sources of flooding are duly considered in developments, in line with national and regional policy and guidance as well as the Council's detailed evidence base set out in the recently reviewed and updated Strategic Flood Risk Assessment (SFRA) (SD-043). The policy sets out the acceptable land uses for each flood zone as well as requirements for Flood Warning and Evacuation Plans and attenuation areas where there is an opportunity. This is considered to be consistent with paragraph 99 - 104 of NPPF and the [PPG](#) on flood risk.

The supporting text expands on the nature of flood risk within this borough and sets out how the Sequential Test will be applied. It provides details on how the functional floodplain will be protected and how existing developed sites within it are expected to contribute to a reduction in flood risk when they are being redeveloped. Further information on Flood Risk Assessments and on managing flood risk, such as through mitigation measures and Flood Warning and Evacuation Plans, is also set out in the supporting text.

The SFRA sets out the areas at particular risk of flooding within the borough and it includes recommendations for planning and development. As part of reviewing the scope of the Local Plan (PS-005), alongside the revised and updated SFRA, it became evidence that specific flood risk policy guidance is required in relation to basement developments. As such, Part B of the policy deals specifically with basements in flood affected areas to ensure that careful consideration is given to their use and that minimum design requirements are being followed, in line with the SFRA's recommendations. The Inspector should note the minor modifications proposed to Part B of this policy as set out within the 'Schedule of Minor Changes'.

The policy also sets out the relevant flood risk management strategies affecting this borough, including the [Thames Estuary 2100 Plan](#), which sets out measures for managing tidal flood risk, and the [River Thames Scheme](#), which is a proposed programme of works for managing fluvial flood risk from Datchet to Teddington.

In addition, the policy covers sustainable drainage as well as flood defence requirements, which are in conformity with the London Plan policies, particularly Policy 5.12 Flood risk management and Policy 5.13 Sustainable drainage (this also sets out the drainage hierarchy that the Local Plan follows).

The EA are satisfied with and welcome policy LP 21; see LBR-LP-002, Comment ID 388.

Should there be reference to the Water Framework Directive within the Plan?

The Water Framework Directive (WFD) is adequately referenced within the Plan, specifically within Policy LP 23. The EA have confirmed in August 2017 that the Richmond Local Plan addresses the issues and opportunities set out in the WDF through policies on pollution prevention and the protection and enhancement of rivers across the borough.

Does the Plan refer adequately to Groundwater Source Protection Zones?

There are no Groundwater Source Protection Zones within the boundary of the London Borough of Richmond upon Thames. This has also been confirmed by the EA in August 2017. See map within Appendix 1 which the EA attached for confirmation.

18. Is LP 22 positively prepared, justified by the evidence base and consistent with national policy? Are the detailed criteria necessary within planning policy?

This policy aims to deliver the highest standards of sustainable design and construction in accordance with the London Plan policies 5.1 – 5.8. It seeks to ensure that buildings minimise and reduce carbon dioxide emissions; it promotes decentralised energy and encourages retrofitting where possible. This is considered to be consistent with NPPF paragraphs 95 to 97. In particular, paragraph 97 states that LPAs should have a positive strategy to promote energy from renewable and low carbon sources as well as design their policies to maximise renewable and low carbon energy development.

The policy follows the London Plan approach, as set out in policy 5.2, which states that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy set out in the London Plan as well as within Part C of LP 22. In addition, the London Plan policy sets out the targets for carbon dioxide emissions reduction in residential and non-domestic buildings in relation to improvement on Building Regulations. In order to ensure conformity with the London Plan, this Plan sets out within the main policy text (Part B) the relevant targets.

As part of the '[Minor Alterations to the London Plan](#)' in 2015, the Greater London Authority (GLA) commissioned research to assess the viability (PS-082 and PS-083) of an alteration to the carbon dioxide emissions reduction targets. The two London-wide viability assessments considered specifically residential as well as non-domestic developments. Also note that the Whole Plan Viability Assessment (SD-024) has included costs assessed by a quantity surveyor, which reflect a reasonable proportion of base build costs above the GLA research.

The Mayor of London, in his representation to the Pre-Publication Local Plan consultation, welcomed Richmond's commitment to working towards zero carbon standards for all new development. This is in line with his manifesto pledge for London to become a 'zero carbon' city by 2050. However, he requested that both the policy and supporting text should refer to London Plan policy 5.2, which expects the housing element of major developments to be 'zero carbon'. Further details of the definition of 'zero carbon' are explained in the Mayor's Housing SPG 2016 (PS-058). The Mayor of London's approach is supported by the 'need' and 'viability' evidence produced for the 'Minor Alterations to the London Plan' (in relation to Housing).

Therefore, as the London Plan viability evidence concluded that the requirement for zero carbon homes as well as zero carbon standards for non-domestic buildings from 2019 would

not affect overall viability and deliverability of housing and non-domestic developments across London, Policy LP 22, including its details and targets, are justified, positively prepared and based on local / London-wide evidence.

The Inspector should note that the requirement for zero carbon standards in major residential development has been in effect since October 2016. In addition, the Council has been collecting contributions into the Council's Carbon Offset Fund where required to make a specific development acceptable. Paragraph 6.3.12 of LP 22 states that "where viability is a concern, affordable housing will be prioritised over zero carbon contributions."

Part D of the policy is required to ensure conformity with the London Plan Policy 5.5 Decentralised energy networks. The level of detail set out in this regard is considered necessary to ensure effective implementation of the policy.

The target set out in Part B of the policy makes it clear that all developments resulting in a new residential unit will need to achieve a 35% reduction in CO2 emissions beyond the target emission rate based on Part L of Building Regulations 2013. In addition, due to London being 'seriously water stressed' (see paragraphs 6.3.3 to 6.3.6), a specific target is set out in Part A of the policy to ensure the water consumption is limited to a maximum of 110 litres per person per day (a minor change for clarity is proposed in this regard, as set out within the 'Schedule of Minor Changes'). The approach for setting specific targets for non-major residential developments is considered to be appropriate within the context of this borough, particularly due to the majority of developments taking place on small sites (see Appendix 1 of Hearing Statement 2 in relation to numbers of major applications permitted during the last 3 years), and the Mayor of London supports this approach.

This policy will be effectively implemented and operated through the requirement set out in Part A, criterion 1. In this regard, a minor change is proposed for clarity as set out within the 'Schedule of Minor Changes'. Also note the minor change proposed to Part E of the policy.

19. Is LP 24 justified by the evidence base and consistent with national policy? Are the detailed criteria necessary within planning policy?

The Council is required to not only meet the London Plan apportionment requirements as a minimum but also comply with national policy and the national waste management plan. The policy contributes to the Mayor of London's aim to manage as much of London's waste within London as practicable, working towards managing the equivalent of 100% of London's waste within London by 2026 and work towards zero biodegradable or recyclable waste to landfill by 2026. The London Plan sets challenging targets for recycling, including a target exceeding recycling and reuse levels in construction, excavation and demolition (CE&D) waste of 95 per cent by 2020.

London Plan Policy 5.17 E. requires suitable waste and recycling storage in all new developments. Policy LP 24 follows this approach by ensuring that all development proposals provide adequate refuse and recycling storage space and facilities to serve the new developments. Furthermore, London Plan Policy 5.18 states that local plans should require developers to produce site waste management plans to arrange for the efficient handling of construction, excavation and demolition waste and materials. It is therefore considered that criteria 1 to 4 within the Plan are necessary to ensure effective implementation of the waste management policy, in order to contribute to achieving the Mayor of London's targets.

With regard to the requirement for site waste management plans, it should be noted that this derives from Policy WLWP 6 (Sustainable Site Waste Management) as set out within the West London Waste Plan (WLWP) (SD-018), which supports the use of local, reclaimed, renewable, recycled and low environmental impact materials in construction and estate management. It states that "Their details should be considered and included within the sustainable design and construction statement and the Site Waste Management Plans."

The policy is also consistent with National Planning Policy for Waste (PS-084). In particular, the Waste Management Plan for England (PS-085) sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and management. It states that planning should ensure that "the design and layout of new residential and commercial development and other infrastructure (such as safe and reliable transport links) complements sustainable waste management, including the provision of appropriate storage and segregation facilities to facilitate high quality collections of waste."

Has the policy been assessed for its effect upon development viability?

The provision of refuse and recycling storage space and facilities to serve new developments is considered to be standard practice and a normal requirement that all developments are expected to take into account, especially as this requirement is set out within both national and regional policy and guidance on waste (see above).

The cost of such provision would be covered in build costs. It should also be noted that an allowance has been made within the Whole Plan Viability Assessment (SD-024) as part of any site specific contributions, set out at paragraph 11.2: “A rate of £1,000 per housing unit for any other S106 costs has been allowed for, that could be S278 contributions or other site specific contributions if in accordance with the revised Planning Obligations SPD alongside the borough and Mayoral CIL contributions.”

Is the approach towards Arlington Waste Works justified?

The PPG on Waste states that “WPAs should have regard to the apportionments set out in the London Plan when developing their policies. The Local Waste Plan will need to be in general conformity with the London Plan”.

Prepared jointly by the six west London boroughs of Brent, Ealing, Harrow, Hounslow, Hillingdon, Richmond upon Thames and the Old Oak and Park Royal Development Corporation (OPDC), the West London Waste Plan (WLWP) (SD-018) identifies and safeguards sufficient sites for waste management facilities in the area to satisfy the waste apportionment targets established in the London Plan (2011).

With particular reference to Arlington Works, Appendix 2 on page 78 of the WLWP identifies this site (Operator: Sharpes Recycle Oil Ltd, Facility: Arlington Oil Reclamation Facility) as an existing waste management site in West London. The WLWP also makes it clear that this site counts against the apportionment figure. The relevant policy in relation to existing waste management sites is WLWP 2 – Safeguarding and Protection of Existing and Allocated Waste Sites. This policy requires the safeguarding of these sites (as set out in Appendix 2) as they form an essential resource for dealing with all waste streams within the Waste Plan area. This policy ensures general conformity with Policy 5.17 G (a) and paragraph 5.82 of the London Plan (2011). Note that Policy WLWP 3 provides support for waste development proposals on existing waste management sites.

Therefore, it is clear that in line with the WLWP, existing waste management sites should be protected and safeguarded for waste use.

The WLWP has been adopted in 2015 and it does not form part of this Local Plan Review. It should be noted that Richmond Council would be unable to make changes to the WLWP as part of this Local Plan as the WLWP has been produced and adopted in co-operation with other boroughs, including the OPDC, and the designation of Arlington Waste Works as an existing waste management site can only be considered as part of a review into the WLWP, together with the other LPAs.

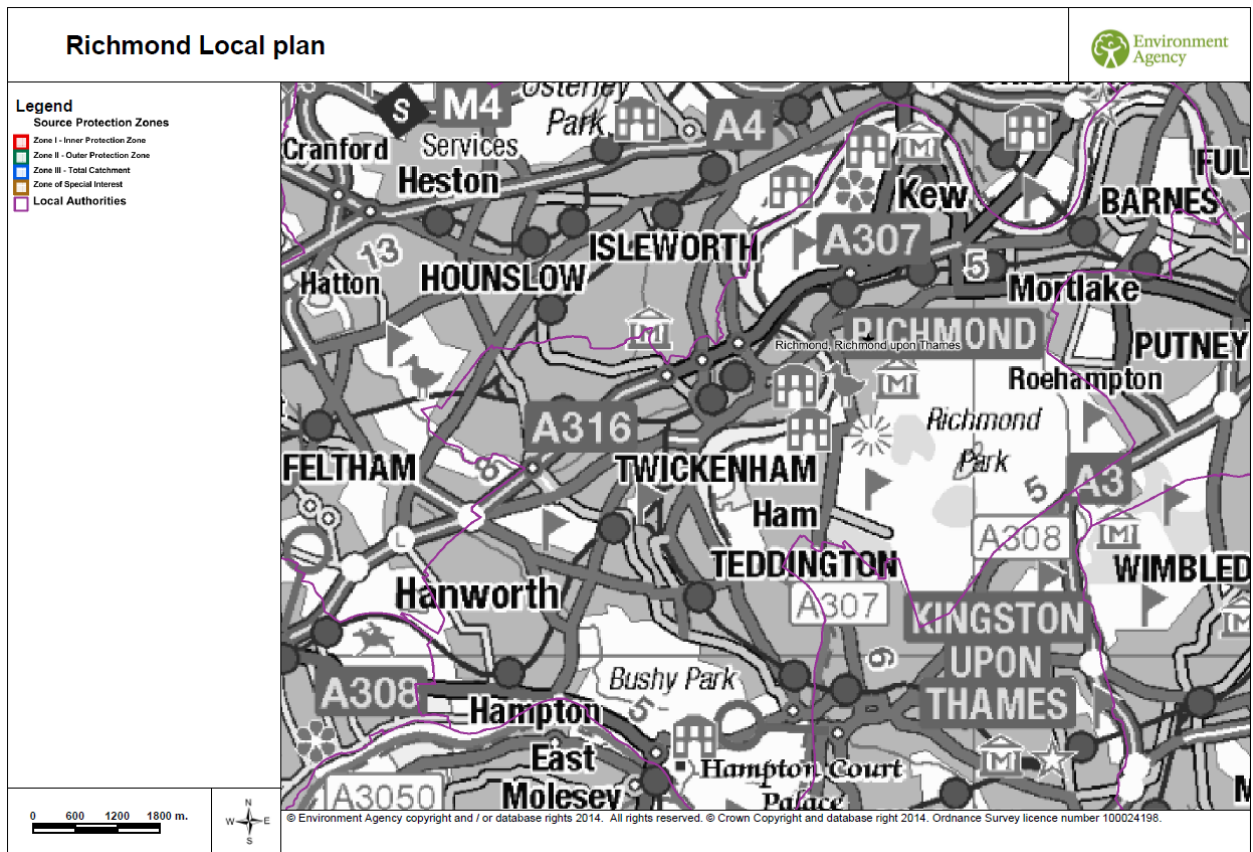
Therefore, this Local Plan does not / cannot change the status of this safeguarded waste site, and it is not proposed that this site is designated as anything else within the Plan. Note that only the neighbouring site, Twickenham Film Studios, is proposed to be designated as 'Locally Important Industrial Land and Business Parks'. Therefore, any proposal that could affect this site would need to be assessed against the policies of the WLWP, and this is set out within the last paragraph of the main policy text of LP 24.

20. Are issues of land contamination, remediation and water/air quality acknowledged sufficiently by the Plan?

Yes, issues in relation to land contamination and remediation as well as air quality / air pollution are adequately dealt with in Policy LP 10 Local Environmental Impacts, Pollution and Land Contamination. See the Council's response as set out within the Statement for Hearing 5, Character and Design, question 6. The EA (representor ID 70) welcomes this policy and its importance of remediating contaminated land and careful management of construction and demolition waste (see SD-009, Appendix 2I).

Issues in relation to water quality are covered and addressed in Policy LP 23 Water Resources and Infrastructure. The EA (representor ID 70) as well as Thames Water (representor ID 285) support this policy and its supporting text. Also see the Council's response above in relation to the Water Framework Directive.

Appendix 1 – Map confirming that there are no Groundwater Source Protection Zones



Source: Environment Agency, supplied to LB Richmond in August 2017, showing no Groundwater Source Protection Zones.