

**From:** [REDACTED]  
**Sent:** 24 July 2023 12:58  
**To:** Richmond Local Plan  
**Cc:** Joe Cunnane  
**Subject:** Local Plan Publication Consultation Response due 24 July 2023  
**Attachments:** local\_plan\_publication\_consultation\_response\_form JULY 2023.pdf

Dear Sirs

Please find attached our response form in respect of the above.

Could you please acknowledge receipt and confirm acceptance of our response.

Kind regards.

**Joe Cunnane**  
**Senior Partner**



+44 (0) [REDACTED]  
@ [reception@cunnanetownplanning.co.uk](mailto:reception@cunnanetownplanning.co.uk)  
✉ Oriel House, 26 The Quadrant, Richmond TW9 1DL  
🌐 [www.cunnanetownplanning.co.uk](http://www.cunnanetownplanning.co.uk)

This email is private and confidential. If you are not the intended recipient you have received this in error and please be advised that any use, forwarding, printing, or copying of this email is strictly prohibited. Any views or opinions presented are solely those of the author and do not necessarily represent those of Cunnane Town Planning LLP. Cunnane Town Planning LLP try to maintain the highest possible protection against the transmission of viruses via email, however, any attachments should be scanned for possible viruses before opening. We do not accept any liability for damage to, or loss of information, or the accidental transmission of computer viruses. If you have received this email in error please call +44 (0)20 3846 6390 or email [reception@cunnanetownplanning.co.uk](mailto:reception@cunnanetownplanning.co.uk).



## 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](http://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](mailto: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		Mr
First name		Joe
Last name		Cunnane
Job title (where relevant)		Senior Partner
Organisation (where relevant)	Hampton Hill Residents	Cunnane Town Planning LLP
Address		<div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 150px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 200px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 50px; height: 15px;"></div>
Postcode		<div style="background-color: black; width: 80px; height: 15px;"></div>
Telephone		<div style="background-color: black; width: 120px; height: 15px;"></div>
E-mail address		<div style="background-color: black; width: 100%; height: 15px;"></div>

\*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](http://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)	Pages 5, 29 – 31, 240 and 413 – 416
		Paragraph number(s)	
		Policy no./name	2 Introduction Setting the Scene Appendix 3 Tall and Mid-Rise Building Zones
		Place-based strategy	Page 29 and following...Place Based strategy for Hampton and Hampton Hill
		Site Allocation(s) no./ name	
		Maps	St Clare (Hampton Hill): Mid-Rise Building Zone Appropriate Height: 5 storeys (15m)
		Tables	
Sustainability Appraisal Report	<input type="checkbox"/>	Page number(s)	
		Paragraph number(s)	
Other (for example an omission or alternative approach)	<input checked="" type="checkbox"/>	Urban Design Study Executive Summary and Figure 376 paragraph 4.6.3	

#### 4. Do you consider the Local Plan is:

4.1 Legally compliant	Yes <input checked="" type="checkbox"/>	No <input 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](http://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.***

**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 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.

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.***

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

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.*

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.

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:  
*For electronic responses a*

Joe Cunnane

Date:

24/7/2023

*typed signature  
is acceptable.*

