

Witness: J Capper
For: Claimant
Date: 06/08/2025
No.: 3
Exhibits: JC2-5

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

Claim No. KB-2024- 003315

IN THE MATTER OF SECTION 222 OF THE LOCAL GOVERNMENT ACT 1972
AND SECTION 187B OF THE TOWN AND COUNTRY PLANNING ACT 1990

B E T W E E N:-

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH
RICHMOND UPON THAMES

Claimant

-and-

- (1) PERSONS UNKNOWN FORMING AN UNAUTHORISED ENCAMPMENT AND / OCCUPYING FOR RESIDENTIAL PURPOSES (including temporary accommodation) WITH OR WITHOUT VEHICLES AT ANY OF THE 8 SITES WITHIN THE LONDON BOROUGH OF RICHMOND UPON THAMES LISTED ON THE SCHEDULE ATTACHED TO THIS CLAIM
- (2) PERSONS UNKNOWN DEPOSITING WASTE ON ANY OF THE 8 SITES WITHIN THE LONDON BOROUGH OF RICHMOND UPON THAMES LISTED ON THE SCHEDULE ATTACHED TO THIS CLAIM

Defendants

LONDON GYPSIES AND TRAVELLERS

intervener

THIRD WITNESS STATEMENT OF JOANNE
CAPPER

I, Joanne Capper, Principal Policy and Information Planner, for the London Borough of Richmond upon Thames, of Civic Centre, 44 York Street, Twickenham, London TW1 3BZ WILL SAY AS FOLLOWS:

1. This is the third statement I make on behalf of the Claimant. I make this Statement further to the hearing before Mr Justice Dexter Dias on 14 February 2025 (the “Hearing”). There is now produced to me a bundle of true copy documents marked Exhibits JC2-5 to which I will refer.
2. I understand that during the Hearing, Mr Justice Dexter Dias stated that he wanted further evidence from the Council regarding its assessment of need in relation to additional Traveller pitches/sites.

The Council’s Research – 2018 Local Plan

3. It may assist the Court to set out how the Council has conducted research into the accommodation needs of Gypsies and Travellers and how that has fed into the Council’s subsequent policy decisions.
4. The Council first started undertaking our own dedicated research into the accommodation needs of Gypsies and Travellers in 2013, so as to inform the Council’s planning policy towards site allocations and housing strategy work.
5. It was decided that Richmond Housing Partnership (“RHP”) would collect data for the Council, by way of undertaking questionnaires with the families living on the Hampton site, an existing site for Gypsies and Travellers in the borough (the “Hampton Site”), as well as interviewing any families that could be identified as living in bricks and mortar. This exercise was undertaken in 2013 and 2015.
6. RHP provide the majority of the Council’s housing stock, managing 6,300 social rent homes, a further 1,800 leasehold homes and the Hampton Site. Through managing the existing site and providing day to day support services, they are

aware of the existing residents on the Hampton Site and the wider traveller community within the borough. Therefore, the Council considered them best placed in the circumstances to carry out the data collection.

7. At the time of the first round of data collection in 2013, there had been no documented unauthorised encampments within the borough for a number of years, nor any planning applications for private sites.
8. This research fed into the Council's Research on Gypsies and Travellers in the London Borough of Richmond upon Thames, published in June 2016 (the "2016 Research") and formed part of the evidence base for the Council's current Local Plan, as adopted in 2018 (the "2018 Local Plan").
9. As set out in my previous statements, the Council's Local Plans go through various methods of consultation and scrutiny prior to their adoption. I discuss the full scrutinisation process further below, however part of that process entails the emerging Local Plan being submitted to the Planning Inspectorate, who examines the plan in public. Following the examination, the Council is provided with a list of Main Issues and Questions regarding the plan, which the Council then responds to.
10. In relation to the 2018 Local Plan, as part of the Main Issues and Questions, the Planning Inspectorate asked:

'8. What evidence justifies the approach of the Plan towards gypsies and travellers and travelling showpeople and is this sufficiently up to date and consistent with national policy?

- Has the duty to cooperate been employed adequately (and sufficiently widely) to address the issue of gypsy and traveller accommodation effectively? What engagement with relevant communities has been undertaken outside of the Borough?*
- How have alternatives been considered and discounted?*
- Is the needs assessment adequate for the entire plan period and how does it relate to Section 124 of the Housing and Planning Act 2016*

(caravans and houseboats)? How will the issue of needs assessment and site supply be addressed into the future?’

11. The Council in turn responded to these questions, and its full response is exhibited at Exhibit JC2. However, in summary, the Council responded as below:
- a. That its evidence was the 2016 Research.
 - b. That it felt that it had fulfilled its duty to cooperate, and the London Gypsies and Traveller Unit, the National Federation of Gypsy Liaison Groups and the Friends, Families and Travellers as service representative groups were consulted during the drafting stages of the 2018 Local Plan, and that no comments were received from gypsies, travellers or the aforementioned representative groups.
 - c. As the research found no demonstrated need for any additional pitches within the borough, there was no need to consider alternatives, as the 2018 Local Plan proposed to continue to protect the Hampton Site.
 - d. That the Council’s research recommended surveys of the existing Hampton site should be repeated to allow for continued monitoring of need over the lifetime of the 2018 Plan (through regular monitoring over the 15 year plan period until 2033), that the number of Gypsy and Traveller pitches would be kept under review, and that meetings between RHP, Council Officers and Councillors would allow for discussion of issues relating to the Hampton site.
12. In 2013 and 2015, when residents on the Hampton Site were surveyed as part of the 2016 Research, RHP requested contacts details from the residents, for any individuals or families they knew to be living in bricks and mortar, who may have wished to have been interviewed as part of the Council’s research that fed in the 2018 Local Plan. However, no additional such individuals or families were identified.
13. As set out in paragraph 9 of my second Witness Statement, the Planning Inspectorate’s ultimate findings on this issue were that the Council’s research was proportionate, its conclusion that there were no signals of an unmet

accommodation need was justified and therefore the decision not to increase the number of sites or pitches was sound.

The Council's Research – Emerging Local Plan

14. Since the adoption of the 2018 Local Plan, the Council has ensured that its evidence base has been kept up to date as required by the National Planning Policy Framework (“NPPF”) to ensure this is adequate and proportionate, focused tightly on supporting and justifying the policies and taking into account relevant market signals (NPPF 2024, paragraph 32) given there is no specific methodological guidance set out by Government for how to carry out Gypsy and Traveller accommodation needs assessments. This ensures that decisions reached on the basis of the 2018 Local Plan remain sound and has also helped to feed into the emerging Local Plan, which as discussed in my previous statements, is currently with the Planning Inspectorate for public examination (the “Emerging Local Plan”).
15. As part of its 2023 research to inform the Emerging Local Plan on the accommodation needs and Gypsies and Travellers and to conduct an assessment of those needs (the “2023 Research”), referred to in and exhibited to my previous Witness Statements, the Council once again engaged RHP to carry out surveys on the Hampton Site in 2022 (the “2022 Survey”). This survey was carried out by a Tenant Support Officer from RHP, who informed the Council that they visit the site regularly and also support a few members of the Gypsy and Traveller Community that live in RHP’s bricks and mortar properties. Therefore, RHP are aware of family connections with the Community, and were able to verify the survey data collected.
16. As with previous surveys carried out on the Hampton site, RHP requested contact details for anyone known to the site residents that were living in bricks and mortar, that may have wished to have been interviewed by the Council as part its research. However, again, no such individuals were identified (see page 23 of Exhibit JC1, attached to my first Witness Statement).

17. Although the Council is aware of research published by the Intervener and other Gypsy and Traveller representation groups, and other wider published information, all of which would have formed part of the wider internal discussions whilst the Council formed the Emerging Local Plan, the main source of evidence for the 2023 Research, was data collected on the ground in the borough, i.e the 2022 Survey data, census data and data relating to unauthorised encampments in the borough. This allowed the Council to fully understand the position as it was on the ground in the borough, and to compare it to the position in other boroughs too.
18. In the 2023 Research, the Council noted that the borough saw an average of 3.3 unauthorised encampments of varying sizes and stay-lengths per year (see paragraph 3.2 on page 11 of Exhibit JC1). Although there had been a small increase since 2015, the Council considered this to be a low figure when benchmarked with other local authorities, where data was available. By way of comparison, in the years around 2018-2020, districts in East Surrey (Tandridge, Reigate & Banstead, Epsom & Ewell and Mole Valley), were seeing on average 1 unauthorised encampment per week with an average duration of stay of 6.4 days (see paragraph 3.7 on page 11 of Exhibit JC1). When compared to the London Borough of Bromley, the Council saw approximately six times fewer encampments in comparative years. With neighbouring boroughs, the matter of Gypsies and Travellers can be considered a strategic issue, but discussions have not identified any patterns of movement within/across boroughs that raise cross-boundary issues.
19. The Council also consulted the 2021 census, which revealed that 85 residents within the borough identified as White Gypsy or Irish Traveller, down from 95 in 2011, representing just over 1% of the total count for London (7,470) and the second lowest figure for Outer London boroughs.

Scrutiny of the Emerging Local Plan

20. As with the 2018 Local Plan, the Emerging Local Plan goes through an extensive review and consultation process, prior to be adopted as the Council's Local Plan. The current process followed for this Plan entails 7 stages.
21. Stage 1 is referred to as the Direction of Travel stage, whereby the Council begins to engage with residents, stakeholders and businesses on the scope and vision for the new Local Plan.
22. Stage 2 is referred to as the Informal Engagement stage, during which the Council reflects on the feedback provided during the Direction of Travel stage.
23. A Draft Local Plan is produced at stage 3, incorporating the feedback. The Draft Plan is published alongside the Council's emerging evidence base, and a public consultation is held on these documents to invite further feedback from various stakeholders and interested parties.
24. During stage 4, a revised Draft Local Plan is created and published using the feedback gathered during stage 3, along with all of the updated evidence base (which included the 2023 Research). Another public consultation is held to seek further feedback from stakeholders and interested parties.
25. The Draft Local Plan, known as the 'Publication Richmond Local Plan' is submitted to the Planning Inspectorate during stage 5, together with the Council's evidence base and the feedback received during the previous stages.
26. During stage 6 Independent Planning Inspectors appointed on behalf of the Secretary of State, examine the Draft Local Plan, supporting evidence and feedback. Public examination hearings are held to discuss the 'soundness' of the Plan and the Inspectors publish a list of Main Matters, Issues and Questions, which the Council must respond to. Following the hearings, the Inspectors set out any Proposed Main Modifications which they consider are necessary to make the plan 'sound', which the Council organises a public consultation on. Taking into account the feedback received on the Proposed Main Modifications, the Inspectors provide an examination report, which includes Main Modifications

required for the plan to be found as 'sound', which have to be incorporated by the Council.

27. Stage 7 sees the Local Plan be formally adopted by the Council (including the Main Modifications), replacing the previous Local Plan, and thereafter it is used to inform decisions on planning and applications.
28. The consultation process is conducted in public, and therefore any parties are entitled to be involved and provide input throughout. The Council produced public notices, press releases and updated its website throughout the consultation process. The Council has published its Statement of Consultation regarding the Emerging Local Plan, which details how the Council complied with the consultation requirements of the Town and County Planning (Local Planning) (England) Regulations 2021 (as amended) and the Council Statement of Community Involvement (adopted 2019).
29. Appendix 1 to the Statement of Consultation sets out the full list of those consulted during the consultation process, which includes the Intervener. Due to the sheer volume of parties that are consulted (in excess of 1,800 consultees), the Council relies on being informed by individuals or parties if they want to be notified, or to have their contact details updated. However, if the Council receives email delivery failures or postal returns during the consultation process, these are followed up to find new contacts as appropriate where possible. An extract of the Statement of Consultation, including a redacted part of Appendix 1 showing the Intervenor as included in the list of those consulted at the top of the last page is exhibited at Exhibit JC3.
30. The Emerging Local Plan is currently at stage 6. As per paragraph 10 of my first Witness Statement, the Inspectors raised a specific point in their Main Matters, Issues and Questions regarding the adequacy of the Council's accommodation provision for Gypsies and Travellers. The Council's response is set out in paragraph 11 of my first Witness Statement, but in short, the Council stood by its position that no further provision of accommodation was required.

31. As per paragraph 10 of my second Witness Statement, having provided the Inspectors with their responses as above, the Council has now received the Main Modifications from the Inspectors, and none of them relate to the Emerging Local Plan's position as to the accommodation needs of Gypsies and Travellers. There were no responses to the recent Main Modifications consultation raising comments on provision for Gypsies and Travellers. Therefore, as with the 2018 Local Plan, the Inspectors, having extensively scrutinised the Council's evidence base, research methodology and subsequent position regarding accommodation need of Gypsies and Travellers, and have not indicated any fault at this advanced stage.
32. Regardless of the Council's current policy on the matter, it is committed to keeping the position under review generally, and the Council will review the Mayor of London's Gypsy and Traveller Accommodation Needs Assessment ("GTANA") upon release and consider its position accordingly at a strategic level.

The Council's Current Assessment of Needs

33. As has been discussed in my previous Witness Statements, the conclusion of the 2023 Research, as with the previous 2016 Research, was that there is no demonstrated need to provide additional sites within the borough. Therefore, the Council's assessment was that no additional sites are required, and as with the 2018 Local Plan, the Emerging Local Plan reflects this position as the Council's policy. This position, and the research used to reach it, were considered and approved by the relevant Council Committee and where appropriate at a full Council meeting during the consultation stages of the Emerging Local Plan, and has directly informed the decision to pursue these proceedings.
34. The most recent decisions approving the Publication (Regulation 19) Local Plan for consultation and subsequent submission to the Secretary of State (i.e stages 4 and 5, as per paragraph 25 above), were made by the Council's Environment, Sustainability, Culture and Sports Committee (the "Committee") on 24 April 2023 and full Council on 27 April 2023.

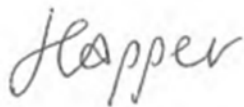
35. The Committee report (the “Committee Report”) noted “...*the Council has published Research [i.e. the 2023 Research] on Gypsies and Traveller updated in 2023, which finds there is no demonstrated need for additional pitches, but there is a need to protect the existing site [i.e the Hampton Site].*” The relevant extract of the Committee Report is exhibited at Exhibit JC4, with the aforementioned sentence appearing as the last sentence on the last page of the extract.
36. The Committee Report was considered at a full Council meeting on 27 April 2023, where it’s recommendations to, amongst other things, approve the Emerging Local Plan for public consultation and subsequent submission to the Secretary of State, were approved. A copy of the minutes of this meeting are exhibited at Exhibit JC5.
37. In conducting the assessment that no additional sites are required and subsequently implementing this position into this policy decision in the Emerging Local Plan, the Council undertook a balancing exercise as to whether there were strong enough indications to signal an unmet need for accommodation, both by looking at the data collected for the 2023 Research, and by looking at patterns and trends using previous data.
38. Whilst the 2023 Research revealed a small increase in the number of unauthorised encampments since the 2016 Research, the Council considered that that number remained low, especially when benchmarked against other nearby boroughs. In addition, the waiting list for the Hampton Site remained short, there had been no planning applications for private Gypsy and Travellers sites in recent years, and the census data indicated that there was a low number of Gypsies and Travellers living within the borough. Further, as discussed elsewhere in the evidence of Yvonne Feehan, those forming unauthorised encampments often refuse to engage with the Council, even to conduct welfare assessments, and therefore in the Council’s view, this did not suggest a desire to stop on official pitches, even if there was an indication of additional need.

39. Accordingly, it was, and remains the Council's considered judgment, that there is no unmet need to the extent that further sites are required. Clearly, there is a tipping point, and it is certainly possible that one or more of the above indicators could increase to the point that there would be an indication of an unmet need necessitating a change in the Council's position; however it is the Council's view that it has not yet reached that tipping point.

40. In any event, as set out in paragraph 5 of my first Witness Statement, the borough is constrained in terms of land supply, and therefore the matter would need consideration at a strategic, pan-London or regional level, to determine location and size of any future sites. As discussed in my previous Witness Statement, the Council stands ready to respond to and engage with the eventual findings of the London-wide GTANA and associated research in this regard. However, the Council's considered opinion at present is as set out in paragraph 33 above.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.



.....
Joanne Capper

Dated this 6th day of August 2025

IN THE HIGH COURT OF JUSTICE

CLAIM NO. KB-2024-003315

KING'S BENCH DIVISION

**IN THE MATTER OF SECTION 222 OF THE LOCAL GOVERNMENT ACT 1972
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B E T W E E N:

**THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF RICHMOND
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Claimant

And

**(1) PERSONS UNKNOWN FORMING AN UNAUTHORISED ENCAMPMENT
AND/OR OCCUPYING FOR RESIDENTIAL PURPOSES (including
temporary occupation) WITH OR WITHOUT VEHICLES ON ANY OF THE
8 SITES WITHIN THE LONDON BOROUGH OF RICHMOND UPON
THAMES LISTED ON SCHEDULE 1 ATTACHED TO THIS CLAIM**

**(2) PERSONS UNKNOWN DEPOSITING WASTE ON ANY OF THE 8 SITES
WITHIN THE LONDON BOROUGH OF RICHMOND UPON THAMES
LISTED ON SCHEDULE 1 ATTACHED TO THIS CLAIM**

Defendant

EXHIBIT JC2

This is the exhibit marked "JC2" as referred to in the Witness Statement Joanne Capper dated 06 August 2025

Dated 06 August 2025

LONDON BOROUGH OF RICHMOND UPON THAMES

LOCAL PLAN INDEPENDENT EXAMINATION IN PUBLIC

WRITTEN STATEMENT

HEARING 3: HOUSING

WEDNESDAY 27 SEPTEMBER

Document version: 8/9/17

8. What evidence justifies the approach of the Plan towards gypsies and travellers and travelling showpeople and is this sufficiently up to date and consistent with national policy?

- ***Has the duty to cooperate been employed adequately (and sufficiently widely) to address the issue of gypsy and traveller accommodation effectively? What engagement with relevant communities has been undertaken outside of the Borough?***
- ***How have alternatives been considered and discounted?***
- ***Is the needs assessment adequate for the entire plan period and how does it relate to Section 124 of the Housing and Planning Act 2016 (caravans and houseboats)? How will the issue of needs assessment and site supply be addressed into the future?***

This evidence is set out in the Council's Research on Gypsies and Travellers in the London Borough of Richmond upon Thames (SD-027). This justifies the need to continue to protect the existing site in LP 37, which will continue to accommodate existing and future needs of the existing Gypsy & Traveller population within the borough. This is considered consistent with 'Planning policy for Traveller sites' (2015) which requires up to date assessment of needs.

The Council considers the Duty to Co-operate has been employed adequately. The London Gypsy and Traveller Unit, the National Federation of Gypsy Liaison Groups as well as the Friends, Families and Travellers service (who would all represent groups within and beyond the Borough) were consulted on the Publication Local Plan and accompanying research. It was also covered in meetings and correspondence with neighbouring authorities, as set out in the Duty to Co-operate Statement (SD-012) and the Council's response to Inspector's Procedural Letter ID-3 (27 July 2017) (LBR-LP-005). No comments were received from gypsies, travellers or their representatives or groups, as confirmed in the Soundness Self-Assessment Checklist for Local Plan (SD-010).

The Housing and Planning Act 2016 at section 124 'Assessment of accommodation needs' removed the requirement in the Housing Act 2004 for a separate Gypsy and Traveller assessment, which can now be part of the general assessment of housing needs to include all people residing in or resorting to the district in caravans or houseboats. As the Council's research was started with site surveys in 2013, it was not incorporated within the borough SHMA (SD-025).

Richmond Housing Partnership (RHP), who manages the existing site and provide day to day support services, has provided the main source of information and intelligence for the Council. They are not only aware of the existing residents, but also the wider traveller community within the borough, for example through extended families and visitors. RHP has confirmed that as of July 2017 there are no new families identified, only those with an existing connection to the site. An indefinite Caravan Site Licence has recently been granted by the Council for the site to RHP as licensee. RHP has advised that the current waiting list as at September 2017 is 3. The research suggests that the size of the site and the way that it is managed allow for some natural turnover and that position is likely to continue, with effective site management given that one pitch is vacated each year on average. The Council's research recommended that the survey of families on the existing site in Hampton is repeated again to continue monitoring into the future. It will therefore be kept under review over the plan period. The Monitoring Framework (SD-013) includes an indicator to keep the number of gypsy and traveller pitches under review. There are regular meetings with RHP as part of wider governance arrangements, involving both Officers and Elected Members, where issues regarding the existing site can and have been discussed.

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EXHIBIT JC3

This is the exhibit marked "JC3" as referred to in the Witness Statement Joanne Capper dated 06 August 2025

Dated 06 August 2025



Statement of Consultation

Local Plan

Regulation 18 Version

Version produced for Environment Committee 24 April 2023

April 2023

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6. List of Appendices

Appendix 1: List of consultees – version used for Regulation 19 Publication Consultation which incorporates previous respondents. Contact details have been removed. (to be updated with the Publication list)

Appendix 2: Direction of Travel consultation

2A: Letter to consultees. Sent by email or post depending on availability of email addresses.

2B: Copy of consultation details on the Council's website

https://www.richmond.gov.uk/new_local_plan_direction_of_travel_engagement

2C: Press notice in RTT 7 February 2020 / 5 March 2020

2D: Press release 24 February 2020 – also available online:

https://www.richmond.gov.uk/council/news/press_office/older_news/press_releases_february_2020/richmond_residents_and_businesses_invited_to_shape_future_of_the_borough

2E: Councillor Comment Spot on 18 February 2020 by Chair of Environment, Sustainability, Culture and Sport Committee 'Setting out our priorities for the development of the borough'

2F: Responses to Local Plan Direction of Travel consultation

Appendix 3: Pre-publication consultation

3A: Letter sent to consultees. Sent by email or post depending on availability of email addresses.

3B: Consultation details and draft documents were published on the Council's website and the Council's consultation portal

https://www.richmond.gov.uk/draft_local_plan_pre_publication_version

3C: Pre-publication consultation response form

3D: Public notice in the Richmond & Twickenham Times on 16 December 2021

3E: Press release on 16 December 2021 'Have your say on the new Local Plan to help shape the borough's development'

3F: Report of 'Pre-Publication' Draft Local Plan (Regulation 18) Consultation Responses including Responses to Local Plan pre-publication consultation and Officer comments

3G: Richmond Local Plan Engagement event [report](#) (2022)

First name	Surname	Organisation
Statutory Consultees		
		BNP Paribas Real Estate (on behalf of West London Mental Health NHS Trust)
		Heathrow Airport Ltd
		Telereal Trillium (BT Telephone Exchanges)
		BT Group plc
		Civil Aviation Authority
		GP Locality Rep, Clinical Commissioning Services
		Head of Commissioning – Prevention and Wellbeing,
		Coal Authority
		Planning Casework (London), Ministry of Housing,
		Development Plans Team, Ministry of Housing,
		Croydon Council
		Dept for Business, Enterprise & Regulatory Reform
		EDF Energy
		Elmbridge Borough Council
		Historic England
		Historic England
		Greater London Archaeology Advisory Service (GLAAS)
		Environment Agency
		Environment Agency
		Environment Agency Estates Department
		Environment Agency
		Sustainable Places Team Leader, Kent and South London
		E.ON Energy
		Friends, Families and Traveller and Traveller Law Reform Project
		GLA - Planning Admin
		Greater London Authority
		Greater London Authority
		Greater London Authority
		Health & Safety Executive
		Highways England Company Limited
		Highways England
		Highways England
		Highways England
		Highways England
		GLA Housing and Land Directorate
		London Ambulance Service
		London Borough of Hammersmith and Fulham
		London Borough of Hammersmith and Fulham
		London Borough of Hounslow
		London Borough of Hounslow
		London Borough of Wandsworth
		London Fire Brigade - Drivers Jonas LLP
		London Fire and Emergency Planning Authority
		London Fire and Emergency Planning Authority

Ilinca	Diaconescu	London Gypsy and Traveller Unit
		London Mental Health Trust
		London United Busways
		London Parks and Gardens Trust
		Metropolitan Police
		Metropolitan Police
		Metropolitan Police Service
		Amec Foster Wheeler (on behalf of National Grid)
		Amec Foster Wheeler
		Avison Young on behalf of National Grid
		National Grid Property
		National Grid
		Cadent Gas Ltd
		Adviser, Sustainable Development, Thames Team Natural
		Natural England
		Natural England
		Natural England
		NHS London Healthy Urban Development Unit
		Hounslow and Richmond Community Health
		NHS Richmond Clinical Commissioning Group
		NHS Richmond Clinical Commissioning Group
		NHS Kingston Clinical Commissioning Group
		NHS SW London
		NHS Richmond Clinical Commissioning Group
		NHS Richmond Clinical Commissioning Group
		NHS England
		NHS England
		NHS Property Services Ltd
		Network Rail
		Npower
		Office of Rail Regulation
		Planning Inspectorate
		Public Health Lead, London Borough of Richmond
		The Planning Inspectorate
		Port of London Authority
		Port of London Authority
		Port of London Authority
		The Royal Borough of Kingston upon Thames
		Royal Borough of Kingston upon Thames
		Runnymede Borough Council
		Scottish and Southern Energy plc.
		Spelthorne Borough Council
		Spelthorne Borough Council
		South West London & Springfield University Hospital
		SW London & St George's MH Trust (Headquarters)
		Sport England
		Sport England

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EXHIBIT JC4

This is the exhibit marked "JC4" as referred to in the Witness Statement Joanne Capper dated 06 August 2025

Dated 06 August 2025

LONDON BOROUGH OF RICHMOND UPON THAMES

REPORT TO: Environment, Sustainability, Culture and Sports Committee

DATE: Monday, 24 April 2023

REPORT OF: Assistant Director of Environment and Community Services
(Planning and Transport)

TITLE OF DECISION Approval of the Regulation 19 Local Plan for public consultation and subsequent submission to the Secretary of State

WARDS: (All Wards);

KEY DECISION? YES

IF YES, IN FORWARD PLAN? YES

For general release

1. MATTER FOR CONSIDERATION

- 1.1 This report seeks the approval to proceed to public consultation on the Regulation 19 version of the Richmond Local Plan, and for the subsequent submission to the Secretary of State for independent Examination.

2. RECOMMENDATIONS

- 2.1 To approve the Draft Richmond Local Plan (incorporating updates to the Policies Map) (Appendix 1) for public consultation (to be accompanied by associated Sustainability Appraisal) under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for a minimum period of six weeks in accordance with the Council's adopted Statement of Community Involvement.
- 2.2 To delegate to the Assistant Director of Environment and Community Services (Planning and Transport) agreement of the final version of the Regulation 19 version of the Richmond Local Plan for public consultation (including minor text, layout, mapping and design changes as well as changes needed for clarification and for consultation purposes, that taken together do not materially alter the meaning of the policies), and other supporting material to be produced for consultation purposes, in consultation with the Chair of the Environment, Sustainability, Culture and Sports Committee.
- 2.3 To delegate to the Assistant Director, Environment and Community Services (Planning and Transport) the preparation and submission of a schedule of proposed changes to the Regulation 19 Local Plan which are recommended by statutory consultees and/or considered by officers to be necessary that (taken together) do not materially affect the policies set out in the Regulation 19 version of the Richmond Local Plan, in consultation with the Chair of the Environment, Sustainability, Culture and Sports Committee.

2.4	To delegate to the Assistant Director, Environment and Community Services (Planning and Transport) to submit the Regulation 19 version of the Richmond Local Plan to the Secretary of State for independent Examination under section 20 of the Planning and Compulsory Purchase Act 2004, in consultation with the Chair of the Environment, Sustainability, Culture and Sports Committee.
2.5	To delegate to the Assistant Director, Environment and Community Services (Planning and Transport) to seek approval to agree both the content of any minor or main modifications recommended by the Planning Inspectorate and their public consultation during the Examination of the Richmond Local Plan, in consultation with the Chair of the Environment, Sustainability, Culture and Sports Committee.
2.6	To delegate to the Assistant Director, Environment and Community Services (Planning and Transport) to exercise all Examination procedural matters as prescribed by the Planning and Compulsory Purchase Act 2004 and associated Regulations following submission of the Plan to the Secretary of State for Levelling Up, Housing and Communities for independent Examination by an Inspector appointed by him, in consultation with the Chair of the Environment, Sustainability, Culture and Sports Committee.
2.7	To agree the adoption and use of the Regulation 19 Local Plan for development management purposes and determining planning applications, with the exception of Policy 39 in relation to biodiversity net gain and Policy 4 in relation to the increase in the carbon offset rate, with appropriate weight given in accordance with paragraph 48 of the National Planning Policy Framework.

3. DETAIL

- 3.1 The current planning system is based on the Planning & Compulsory Purchase Act 2004, as amended by the Localism Act 2011 and The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), whereby a collection of documents should be produced by the Local Planning Authority that make up together the statutory plan for the borough, referred to as a "Local Plan". The Local Plan will be used for the consideration of planning applications and to assist with investment and locational decisions by the Council, its partners and developers.
- 3.2 The Committee in July 2019 approved an updated Local Development Scheme for 2019 – 2022, which set out the Council's programme, stages and timeframes, including to commence the preparation of the next boroughwide Richmond Local Plan. The Committee in February 2020 agreed the Direction of Travel consultation for the new Richmond Local Plan, which was undertaken from February to April 2020. The Committee in November 2021 agreed the Local Plan Regulation 18 version for public consultation, which was undertaken from December 2021 to January 2022. This report seeks approval of the Regulation 19 version of the Local Plan and supporting documents to proceed to public consultation on the Council's final version of the Plan, with its subsequent submission for Examination in Public by a Government appointed Planning Inspector(s).

Local Plan Preparation

- 3.3 The Regulation 19 version of the Local Plan has been drafted following extensive plan preparation and consultation, including responses to the comments and feedback at Regulation 18 stage, further work and updates on

the evidence base studies, and Duty to Cooperate engagement with neighbouring authorities and other statutory bodies.

- 3.4 Consultation on the 'Pre-Publication' Regulation 18 version of the Plan was undertaken from 10 December 2021 to 31 January 2022, alongside a Sustainability Appraisal. Virtual events were held in January 2022 comprising three evening themed workshops and two lunchtime Q&As, each with an overview presentation and opportunity for discussion. An [engagement event report](#) on those events has been published including the comments made. In response to the Local Plan consultation, the Council received comments from 311 respondents. All the responses received, together with a summary of the comments made, are available to view on the Council's [website](#) and in the Statement of Consultation in Appendix 2, which also includes the Council's response to the comments raised and a summary of changes made to the Plan. The main issues raised are summarised in the following table, along with a summary of the Council's response and changes to the Local Plan.

Summary of all main issues raised	Summary of how issues raised have been dealt with
General/Introduction	
• Some comments did not agree with the order of the Plan. • Some comments raised issues that had not been covered in the strategic context and trends, such as on health inequalities or Heathrow. • A few comments related to the supporting documents to the Plan – the Sustainability Appraisal, the Habitats Regulation Assessment, and the Sequential Test Report. • Some comments collated against the general/introductory parts of the Plan raised broad issues, such as on infrastructure.	• Specific references have been added to the strategic context and trends section on health inequalities and carers. • The supporting Sustainability Appraisal, Habitats Regulation Assessment, and the Sequential Test report have all been updated to accompany the Regulation 19 Plan. • The update to the Infrastructure Delivery Plan also covers some of the general issues raised, where they are within the remit of the Local Plan.
Vision and Strategic Objectives, Spatial Strategy, Place-Based Strategies and Site Allocations	
• General support for the vision. Some support for the emphasis including on climate change and responding to change. Some suggestions for areas to improve and issues to address. A few over-development concerns. Some felt could be meaningless without measurable targets and could be bolder. The Mayor of London comment the themes and objectives align well with the London Plan 'Good Growth' policies. • Some general support for the strategic objectives, or support for some of them but not all. While some support for particular emphasis, should acknowledge competing objectives and some suggestions the climate emergency should take priority. Some suggestions for detailed issues to address across most of the themes. • There was broad support for the concept of 'living locally' (Policy 1), although some concerns about how it would be implemented, the need to address public transport and the need to provide for the transport needs of those less mobile (elderly, disabled etc). Comments highlighted the need for clarification, and to ensure a range of infrastructure and facilities. • There was broad agreement with the spatial strategy (Policy 2), although some concerns about the challenges and high-rise/high density development, with some suggestions for specific issues to be raised. • Many respondents agreed with the overall approach to the	• The vision now reflects the Council's commitment to a borough wide net zero target of 2043. Some specific references have been added to emphasise improvements to public transport, and cover additional issues, including flood risk, and health inequalities. • The strategic objectives refer to further detailed issues including dark spaces for biodiversity, engaging with local community groups invested in blue and green assets, flood storage, climate resilience in development, safer use of spaces, and health and care services. • There is clarity to how the Living Locally (Policy 1) is intended to be implemented, addressing those with reduced mobility and explain the geography does not have any fixed zones or boundaries. • The context for the spatial strategy (Policy 2) is updated, to refer to new and updated evidence base, and the Key Diagram updated. • Three new Site Allocations added - Hampton Telephone Exchange, Homebase

and how up to date it is. The NPPF is clear that the type of evidence that may be required is subject to local circumstances.

3.6 To inform the Regulation 19 Local Plan, further evidence base phases and additional studies have been undertaken during 2022 and 2023. The key areas covered are:

- a) The Urban Design Study: published in 2021 (updated in 2023); a boroughwide townscape assessment with a deep understanding of the values, character and sensitivity of the different parts of the borough, combined with the reality of future development pressures to assess capacity. It recognises a large proportion of the borough has high sensitivity to change, including the large open spaces and river corridors. There are few areas of lower sensitivity to change. In response to comments raised on the Regulation 18 Local Plan, specific amendments have been made to the Study, to the character area profiles and design guidance, in the form of an updated 2023 version, with enhanced graphics to aid usability.
- b) The Open Land Review (Green Belt, MOL, LGS and OOLTI): published in 2021 (with an addendum in 2023); the review examined the performance of designated open space against relevant national, regional and local purposes and criteria. Much of the borough is covered by these open space designations, which collectively play important roles including preventing the sprawl of Greater London and the coalescence of neighbourhoods, contributing to the character of neighbourhoods and providing green spaces for recreation, nature and associated health and wellbeing impacts. The open spaces also have an important role to play as part of the borough's green infrastructure network, which is considered more widely as part of other evidence base studies. Land designated as Green Belt was assessed to meet the purposes and all land was recommended for retention. The majority of the MOL has been assessed as performing strongly, with some areas scoring weakly against the MOL criteria. The study has also assessed existing OOLTI, the majority of which meet the criteria for designation. The Study also assessed a number of potential sites for LGS designation, some of which the Council is taking forward as new sites. Overall, there are recommendations for changes to only a small number of existing or new sites in the new Local Plan. In response to comments raised on the Regulation 18 Local Plan, a 2023 addendum updates one of the criterion methodology for MOL assessment, and a small number of site specific assessments/scoring. In addition, a Local Green Space Assessment of Proposed Sites (2023) has been published to support the sites proposed as LGS.
- c) Housing needs: the London Plan sets the 10-year target of 4,110 net housing completions (2019/20 to 2028/29), based on a comprehensive study of capacity for housing delivery. The Local Housing Needs Assessment 2021 (stage 1) identified for affordable rent a need for 1,123 affordable homes per annum across the borough, and a need for 552 affordable homes per annum for affordable home ownership products, to inform the policy approach to affordable housing by demonstrating the unconstrained figures represent an acute affordable housing need. A 2023 update has provided updates on local needs, taking into account the recent Census findings. In addition, the Council has published Research on Gypsies and Travellers updated in 2023, which finds there is no demonstrated need for additional pitches, but there is a need to protect the existing site.

IN THE HIGH COURT OF JUSTICE

CLAIM NO. KB-2024-003315

KING'S BENCH DIVISION

**IN THE MATTER OF SECTION 222 OF THE LOCAL GOVERNMENT ACT 1972
AND SECTION 187B OF THE TOWN AND COUNTRY PLANNING ACT 1990**

B E T W E E N:

**THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF RICHMOND
UPON THAMES**

Claimant

And

**(1) PERSONS UNKNOWN FORMING AN UNAUTHORISED ENCAMPMENT
AND/OR OCCUPYING FOR RESIDENTIAL PURPOSES (including
temporary occupation) WITH OR WITHOUT VEHICLES ON ANY OF THE
8 SITES WITHIN THE LONDON BOROUGH OF RICHMOND UPON
THAMES LISTED ON SCHEDULE 1 ATTACHED TO THIS CLAIM**

**(2) PERSONS UNKNOWN DEPOSITING WASTE ON ANY OF THE 8 SITES
WITHIN THE LONDON BOROUGH OF RICHMOND UPON THAMES
LISTED ON SCHEDULE 1 ATTACHED TO THIS CLAIM**

Defendant

EXHIBIT JC5

This is the exhibit marked "JC5" as referred to in the Witness Statement Joanne Capper dated 06 August 2025

Dated 06 August 2025

LONDON BOROUGH OF RICHMOND UPON THAMES

MINUTES

At a meeting of the Council of the **LONDON BOROUGH OF RICHMOND UPON THAMES** held at the Municipal Offices, Twickenham at 7.00pm on Thursday, 27 April 2023

PRESENT:

The Mayor, Councillor Cambridge in the Chair.

The Deputy Mayor, Councillor Lee and Councillors
Allen, Baldwin, Bennett, Butlin, Cardy, Chard, Coombs, Crookdake, Dalton, Dane,
Davis, Ehmann, Elengorn, Engel, Fleming, Frieze, Frost, Gant, Giesler, Hale, Hull,
Juriansz, Khosa, Mansfield, McLeod, McNulty-Howard, Millard, Millum, Neden-Watts,
Nicholson, O'Shea, O'Carroll, Pollesche, Richards, Roberts, Sacks, Samuel, Sehra,
Varley, Vollum, Warlow and Wren

Apologies for absence were received from Councillor Alice Bridges-Westcott, Councillor Robin Brown, Councillor Ian Craigie, Councillor Jo Humphreys, Councillor Laura O'Brien, Councillor Tony Paterson, Councillor Richard Pyne, Councillor Paulina Vassileva, Councillor Richard Warren and Councillor Michael Wilson

10. DECLARATIONS OF INTEREST

None.

11. REPORTS OF THE HEAD OF PAID SERVICE

The Mayor welcomed former councillors present in the Chamber and noted that the service of those unable to attend this meeting was also recognised. She acknowledged the important role that all councillors play in representing their ward and highlighted that the former colleagues present also represented special responsibilities undertaken during their time as Members of Council.

Councillor Roberts paid tribute to former colleagues for their service to the Council and local communities, recognising that it is often the case that good, long serving and hard-working councillors will lose their seats for reasons related to national politics which are beyond their control. He also reminisced about some of the fun aspects of the previous Council term which are missed.

Councillor Bennett, expressing his pleasure at seeing former councillors again, spoke of the experience of former colleagues and knowledge which he had personally benefited from and admired, as well as his appreciation of their collaboration and collegiality across a number of issues.

The Mayor then associated herself with the comments of the Leader of the Council and the Leader of the Opposition.

To the acclamation of Council, The Mayor presented certificates and gifts to each former councillor present, namely former councillors Geoff Acton, Richard Baker, Avril Coelho, Roger Crouch, Gemma Curran, Pamela Fleming, Paul Hodgins, Kate Howard, Liz Jaeger, Seamus Joyce, Helen Lee-Parsons, Brian

Marcel, Rita Palmer, and Tim Woodcock.

12. REPORTS OF THE COUNCIL'S COMMITTEES

RESOLVED:

The Council agree the following recommendations and delegations,

1. To approve the Draft Richmond Local Plan (incorporating updates to the Policies Map) (Appendix 1) for public consultation (to be accompanied by associated Sustainability Appraisal) under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for a minimum period of six weeks in accordance with the Council's adopted Statement of Community Involvement.
2. To delegate to the Assistant Director of Environment and Community Services (Planning and Transport) agreement of the final version of the Regulation 19 version of the Richmond Local Plan for public consultation (including minor text, layout, mapping and design changes as well as changes needed for clarification and for consultation purposes, that taken together do not materially alter the meaning of the policies), and other supporting material to be produced for consultation purposes, in consultation with the Chair of the Environment, Sustainability, Culture and Sports Committee.
3. To delegate to the Assistant Director, Environment and Community Services (Planning and Transport) the preparation and submission of a schedule of proposed changes to the Regulation 19 Local Plan which are recommended by statutory consultees and/or considered by officers to be necessary that (taken together) do not materially affect the policies set out in the Regulation 19 version of the Richmond Local Plan, in consultation with the Chair of the Environment, Sustainability, Culture and Sports Committee.
4. To delegate to the Assistant Director, Environment and Community Services (Planning and Transport) to submit the Regulation 19 version of the Richmond Local Plan to the Secretary of State for independent Council – 27 April 2023 Official Examination under section 20 of the Planning and Compulsory Purchase Act 2004, in consultation with the Chair of the Environment, Sustainability, Culture and Sports Committee.
5. To delegate to the Assistant Director, Environment and Community Services (Planning and Transport) to seek approval to agree both the content of any minor or main modifications recommended by the Planning Inspectorate and their public consultation during the Examination of the Richmond Local Plan, in consultation with the Chair of the Environment, Sustainability, Culture and Sports Committee.
6. To delegate to the Assistant Director, Environment and Community Services (Planning and Transport) to exercise all Examination procedural matters as prescribed by the Planning and Compulsory Purchase Act 2004 and associated Regulations following submission of the Plan to the Secretary of State for Levelling Up, Housing and Communities for independent Examination by an Inspector appointed by him, in consultation with the Chair of the Environment, Sustainability, Culture and Sports Committee.
7. To agree the adoption and use of the Regulation 19 Local Plan for development management purposes and determining planning applications, with

the exception of Policy 39 in relation to biodiversity net gain and Policy 4 in relation to the increase in the carbon offset rate, with appropriate weight given in accordance with paragraph 48 of the National Planning Policy Framework.

The meeting ended at 7.50 pm.