

Spatial Planning and Design
Richmond upon Thames Council
Civic Centre
44 York Street
Twickenham
TW1 3BZ

By email: localplan@richmond.gov.uk

Date: 24 July 2023

Dear Sir / Madam

Richmond-upon-Thames Local Plan: Regulation 19

Thank you for consulting upon the new Richmond-upon-Thames Local Plan, Regulation 19 consultation version. James Stevens, the HBF's Director for Cities, has prepared this response and he is the lead contact for all things in relation to the Local Plan.

The Home Builders Federation (HBF) is the principal representative body of the house building industry in England and Wales and our representations reflect the views of discussions with our membership of national and multinational plc's, through regional developers to small, local builders. Our members account for over 80% of all new housing built in England and Wales in any one year. Recent research by the Government has estimated that housebuilders have made a significant contribution to the nation's infrastructure, providing some £21 billion towards infrastructure of all types including affordable housing since 2005.

We would like to submit the following representations on the draft Plan. We also would like to register our wish to be involved in subsequent examination of the new Local Plan.

Local Plan period

Paragraph 2.21 states that the new Local Plan will cover a period of 15 years from the date of its adoption. Assuming that adoption will be at some point in 2025, we assume that plan period will be 2025 to 2040? It would be helpful if eventually the plan period could be stated on the front cover of the Local Plan.

The Council must clarify the plan period.

Policy 3: Tackling the Climate Emergency (Strategic Policy)

Part B of the policy is unsound because it is imprecise and so it is ineffective.

Part B, 1 of the policy states, that climate objectives will, in part, be met in the following way:

reduce greenhouse gas emissions in accordance with the London Plan's Energy Hierarchy and support the transition to a low carbon society by maximising energy efficiency, zero and low carbon heat and local renewable energy generation;

It is not clear what this means for new residential development. We note, however, supporting para. 16.3 which states at the end that:

all new development proposals coming forward within the borough should be zero carbon.

It is not clear when this expected, although we suspect that it is a requirement from the date the Plan is adopted. The Council should clarify this. This seems confirmed by Policy 4.

Policy 4: Minimising Greenhouse Gas Emissions and Promoting Energy Efficiency (Strategic Policy)

The policy is unsound because it is ineffective and unjustified.

We recommend that the Council does not insist on development being net zero carbon from the date the plan is adopted. Instead, the Council should adhere to the government's agreed programme of moving towards net zero carbon from 2025 onwards. They will be 'zero carbon ready' from 2030 onwards.

It is not feasible technically at present to build to net zero owing to a combination of the lack of deployable and cost-efficient technologies and skills shortages. The Government has established a stepped pathway via the Building Regulations towards new homes being net zero by 2038. This timetable takes into account the lead-in times associated with developing, testing and manufacturing new technologies and the time required to train the skilled workforce needed. Consequently, the Government, through the Building Regulations has stepped targets for homes to become increasingly energy efficient – with steps in 2022 and 2025 and to be 'zero carbon ready' – but not zero carbon from 2030 onwards.

A pathway to zero carbon homes has been devised by the Future Homes Hub and agreed with government departments, and bodies such as the RTPI and the RSPB. This aims for homes to be zero carbon ready from 2030.

Accelerating this timetable will have serious cost implications and consequently, serious implications for housing delivery.

But not only that, there may be serious safety issues. As we have already seen with Class 0 of the Building Regulations, it is uncertain whether many of the building technologies proposed to help move towards zero carbon, are safe. Many of these technologies will need to be tested rigorously before they are deployed. While there is much 'boosterism' around modern methods of construction, some are raising doubts about the wisdom of accelerating the deployment of untested methods. The National Fire Chiefs Council (NFCC) released on 6 December 2022 a Position Statement on Modern Methods of Construction (MMC). They have commented that the ambition to

build homes quickly and sustainably, should not be prioritised at the expense of building safety. The NFCC is calling on the Government for tightened rules for the testing of MMC. The NFCC has commented:

“NFCC is concerned that MMC buildings are being designed, approved and built despite a lack of understanding about their performance. Given the current regulatory system has already been described and accepted by Government as ‘not fit for purpose’ even for traditional construction techniques, this adds additional uncertainty in the built environment.”

In view of these concerns, we advise that the Council adheres to the national timetable for moving towards zero carbon homes, delivered through the Building Regulations, and avoids encouraging the deployment of untested technologies in the borough.

Expecting net zero homes earlier than the national timetable agreed will have consequences for affordable housing supply. The supply of affordable housing should be the foremost priority for the Council. Its Local Housing Market Assessment report, 2021, concluded that the need for affordable housing – social rent and affordable rent - could be as high as 1,123 dwellings per year (para. 5.55). As the report observes in para.5.60:

the analysis identifies a notable need for affordable housing, and it is clear that provision of new affordable housing is an important and pressing issue in the Borough. The need identified in this report provides a starting point for setting policy which should be tested against the amount of affordable housing that can viably be provided. The evidence does however suggest that affordable housing delivery should be maximised where opportunities arise.

By contrast, requiring net zero for homes now, would militate against housing supply generally, thereby reducing the supply of affordable homes and it is unlikely to be achievable in any case. Paragraphs 6.13 and 6.14 of the Local Plan Viability Assessment provide sober reading. I have reproduced both paragraphs below:

6.13 Where sales values are at the lower end of the tested range (£7,130 per square metre), many schemes are unviable at zero affordable housing when tested against existing residential and secondary office benchmark land values. This is not an issue caused by policy, but simply a function of the relationship between the residual land values generated by development and the existing use value of certain types of building. In lower value areas, the extent of uplift above existing use values is significantly lower than in higher value areas and consequently there is less scope to meet policy requirements. These results indicate that in lower value areas, sites with these benchmark land values are more likely to stay in those existing uses, rather than come forward for development. However, when considered against secondary industrial and backland/garden benchmark land values, schemes of all sizes can viably provide up to 50% affordable housing and some of the larger schemes can deliver varying percentages of affordable housing.

6.14 As sales values increase, the extent to which schemes can provide affordable housing increases, but to varying degrees, with a range of outcomes at the highest sales values in the range (£9,880 per square metre). Even at the highest sales values in the range, the viable level of affordable housing does not exceed 35% when schemes are tested against existing residential sites. However, maximum viable percentages increase when the secondary office benchmark land value is used.

In summary, it will be a struggle for residential schemes to achieve 50% affordable housing especially on existing residential land. The development of industrial land will be unlikely given the restrictions in the London Plan on the redevelopment of such sites. Requiring net zero homes in 2025 would make the prospect of 50% affordable housing even less likely.

We note paras. 4.18 and 4.19 of the viability assessment. It estimates that the cost of complying with the Council’s zero carbon could add 5% to residential build-costs for

operational carbon and 15% for operational and embodied carbon – the latter reflecting the approach of the London Plan and the Council. Para. 6.51 of the viability assessment observes later that the cost of trying to address the embodied carbon requirement causes a number of viable schemes to become unviable. In the same paragraph the report observes:

This is unsurprising, given that the additional cost equates to 15% of base constructions costs, compared to a 5% cost uplift for operational carbon only. The costs of addressing embodied carbon are likely to reduce over time as developers invest more in technical solutions. Furthermore, some specialists in this area are already arguing that the costs of addressing embodied carbon may be cost neutral.

The cost could well go down, although they are unlikely to be neutral (the specialists employed by the housebuilding industry would disagree with the specialists advising the council, but then that is to be expected), but the Council has to base its decision on its viability report rather than speculating on possible scenarios. If its assessment of viability is raising potential issues, then the Council should take heed.

The panel examining the last London Plan also acknowledged that it could not be assumed that all the policies in the London Plan were necessarily viable. Although the Panel recognised that the London Plan had been informed by a viability study, it recognised that this was a very high-level study that had to rely on some very generalised assumptions about a range of factors for a very wide geographic area with varying circumstances and market conditions. The Panel concluded that it would be difficult to conclude that every policy in the London Plan would be deliverable, and deliverability (and viability therefore) would have to be tested at the level of local plans. See paragraphs. 84-89 of the Panel Report.

Specifically, as the Panel observed at para.84:

Whilst the LPVS (London Plan Viability Study) is proportionate evidence for the Plan, local plans in London will also be subject to viability testing. Furthermore, both local plans and development proposals will be prepared in the context of current national policy and guidance about viability. Proportionate viability assessments at local plan level will almost certainly need to go into considerably more detail than the LPVS, including where necessary about key sites, taking account of locally specific evidence. The Plan needs to reflect this fact, and the inevitable limitations of a strategic-level viability assessment.

From this, the Panel recommended changes were made to London Plan policy DF1: Delivery of the plan and planning obligations, so that it is clear that the local plans prepared by the London boroughs, should prioritise certain obligations, especially affordable housing and public transport, where viability was an issue (para. 89). Changes to London Plan policy DF1 were made to this effect.

As London Plan Policy DF1 states at part D:

D When setting policies seeking planning obligations in local Development Plan Documents and in situations where it has been demonstrated that planning obligations cannot viably be supported by a specific development, applicants and decision-makers should firstly apply priority to affordable housing and necessary public transport improvements, and following this:

1) recognise the role large sites can play in delivering necessary health and education infrastructure; and

2) recognise the importance of affordable workspace, and culture and leisure facilities in delivering good growth.

The Council should reconsider the requirement for zero carbon homes so it can prioritise affordable housing supply.

Policy 9: Water Resources and Infrastructure (Strategic Policy)

Part D of the Policy is unsound because it is unjustified. The Council has made policy that is unsupported by evidence. It requires applicants for residential development to rectify matters that are outside of its control. The policy is unreasonable.

Part D of the policy states:

D. New major residential and major non-residential development will need to provide information that shows there is adequate water supply, surface water, foul drainage and sewerage treatment capacity to serve the development.

Parts E, F and G stipulate more specific requirements.

The policy raises fundamental issues regarding the soundness of the plan as a whole and whether it can be delivered. Applicants for development are not providers of water services, and therefore the requirement of this policy cannot be delivered by applicants. Consequently, the plan as a whole could be unsound if Thames Water is unable to provide developments with water services.

It is necessary to examine whether the evidence supports the requirements of this policy.

Thames Water is required to publish a Water Resources Management Plan (WRMP) for its area of operation. This is a statutory document, that is approved by the Environment Agency and then by Defra. The last WRMP was published in 2019 and has been approved by government. These plans cover a period of five years but are reviewed annually. The need for these plans to be published is a requirement of legislation. As the Government guidance states, the duty to prepare and maintain a WRMP is set out in sections 37A to 37D of the Water Industry Act 1991. Companies must prepare a plan at least every 5 years and review it annually.

The Government guidance can be read here:

<https://www.gov.uk/government/publications/water-resources-planning-guideline/water-resources-planning-guideline>

The Government guidance continues, saying that in these plans water companies must forecast water supply and demand over at least the statutory minimum period of 25 years. If companies forecast a deficit they should consider:

- supply-side options to increase the amount of water available to the water company
- demand-side options which reduce the amount of water customers require

In the section dealing with forecasting, the guidance states:

A WRMP must set out how you intend to maintain the balance between supply and demand for water during the planning period. The planning period should be appropriate to the risks your company faces, but must cover at least the statutory minimum of 25 years. It may be appropriate, depending on the challenges and risks in the relevant regional plans, for you to plan for the next 50 years. This is to ensure your plan identifies the right solutions to meet future pressures. WRMPs must show how you will manage and develop water resources so that you meet your obligations in relation to supplying water and the environment.

The guidance advises that water companies engage with the makers of regional plans (like the London Plan) and local plans, among other things, to understand future development needs that may create further demands for water services.

The WRMP 2019 identified no issue with the ability of water companies to meet the needs of the planning system. See the Thames Water WRMP 2019. The Executive Summary can be read here:

<https://www.thameswater.co.uk/media-library/home/about-us/regulation/water-resources/technical-report/executive-summary.pdf>

The WRMP 2019 identifies tensions but has planned various measures to ensure an adequate a supply of water. See pages 17-19 of the Executive Summary for the discussion about how Thames Water has considered future housing growth.

Water companies are under a legal duty to provide water and sewerage services to new development. Section 37 of the Water Industry Act 1991, as amended by the Water Act 2014 imposes a general duty to maintain the water supply system. It states:

(1) It shall be the duty of every water undertaker to develop and maintain an efficient and economical system of water supply within its area and to ensure that all such arrangements have been made—

- (a) for providing supplies of water to premises in that area and for making such supplies available to persons who demand them; and
- (b) for maintaining, improving and extending the water undertaker's water mains and other pipes, as are necessary for securing that the undertaker is and continues to be able to meet its obligations under this Part.

(2) The duty of a water undertaker under this section shall be enforceable under section 18 above—

- (a) by the Secretary of State; or
- (b) with the consent of or in accordance with a general authorisation given by the Secretary of State, by the Director.

(3) The obligations imposed on a water undertaker by the following Chapters of this Part, and the remedies available in respect of contraventions of those obligations, shall be in addition to any duty imposed or remedy available by virtue of any

provision of this section or section 38 below and shall not be in any way qualified by any such provision.

The same comments apply in relation to Water Companies being statutory consultees to the local plan process.

Section 37A introduced by the Water Act 2014, requires companies to prepare water resource plans covering a 5-year period. As such, these plans should have regard to land allocations in local plans.

Section 94 Water Industry Act 1991 imposes a duty on all sewerage companies to effectually drain their area and to provide 'effectual' wastewater treatment, including compliant treated effluent quality standards meeting EU Directive and domestic legislation. Moreover, when introducing their charging rules in April 2018 Ofwat confirmed, in unequivocal terms, that house builders are not required to fund improvements at wastewater treatment works. This was taken directly from the statutory guidance issued by Defra to Ofwat and dated January 2016.

Section 94 of the Water Industry Act 1991 (as amended by the Water Act 2003) imposes a general duty to provide a sewerage system. To quote:

- (1) It shall be the duty of every sewerage undertaker—
 - a) to provide, improve and extend such a system of public sewers (whether inside its area or elsewhere) and so to cleanse and maintain those sewers and any lateral drains which belong to or vest in the undertaker as to ensure that that area is and continues to be effectually drained; and
 - b) to make provision for the emptying of those sewers and such further provision (whether inside its area or elsewhere) as is necessary from time to time for effectually dealing, by means of sewage disposal works or otherwise, with the contents of those sewers.
- (2) It shall be the duty of a sewerage undertaker in performing its duty under subsection (1) above to have regard—
 - a) to its existing and likely future obligations to allow for the discharge of trade effluent into its public sewers; and
 - b) to the need to provide for the disposal of trade effluent which is so discharged.
- (3) The duty of a sewerage undertaker under subsection (1) above shall be enforceable under section 18 above—
 - a) by the Secretary of State; or
 - b) with the consent of or in accordance with a general authorisation given by the Secretary of State, by the Director.
- (4) The obligations imposed on a sewerage undertaker by the following Chapters of this Part, and the remedies available in respect of contraventions of those obligations, shall be in addition to any duty imposed or remedy available by virtue of

any provision of this section or section 95 below and shall not be in any way qualified by any such provision.

(5) In this section “trade effluent” has the same meaning as in Chapter III of this Part.

In terms of wastewater, the power to connect to a public sewer is conferred by Section 106 of the WIA 1991. Section 106(1) states that the owner or occupier of any premises or the owner of any private sewer which drains premises, shall be entitled to have its drains or sewer communicate with the public sewer of any sewerage undertaker and therefore discharge foul water and surface water from those premises or that private sewer.

The Council is entering an area governed by a separate statutory regime. It is drawing its own conclusions and making policy on a matter that is contrary to the adopted statutory WRMP. The WRMP 2019 published by Thames Water identifies challenges with water supply (potable water) but the company has identified actions it can take to ensure an adequate supply of water and waste services to support the needs of the planning system. Indeed, if it was unable to do so, it is unlikely the WRMP could have been approved by the Environment Agency and Defra. Indeed, lawfully, the Environment Agency could not have approved the WRMP 2019 if a problem of water supply and sewerage treatment had been identified (see *Harris v The Environment Agency* [2022]) The Council, consequently, is adopting a different view to the one Thames Water reached in 2019 – a conclusion supported by the Environment Agency and Defra.

The policy is also unsound because it is unreasonable. It requires applicants to rectify issues of water services that are beyond their ability to control. Housebuilders and other developers are not, obviously, water companies. They cannot construct new reservoirs, transfer water in from other areas, reduce leaks, improve wastewater treatment works etc. Housebuilders already make payments to water companies to ensure that water companies invest to support the needs of the planning system: three billion pounds have been paid by housebuilders since 1990. This is a requirement of law. To demand that housebuilders make further payments (as Part G could require) is unreasonable.

If the Council considers that there is a question with the adequacy of water supply and wastewater services for development in Richmond-upon-Thames, then that implies that the plan is undeliverable. The question of the deliverability of the allocations is essential. It will not be able to rectify these matters through policy directed at housebuilders requiring them to confirm if there is capacity. This is because if the response from Thames Water is that there is insufficient capacity housebuilders cannot solve the problem of the inadequacy of water infrastructure and services – they cannot build new reservoirs or wastewater treatment works etc. If the development requirements the Council has identified cannot be delivered owing to the inadequacy of water services then the plan must be unsound: the development needs identified cannot be delivered.

Alternatively, the proper weight should be accorded to the statutory WRMP that has been published by Thames Water. This covers a period of 25 years. It identified no major issues of water supply and wastewater treatment. This statutory plan was subsequently approved by the Environment Agency and Defra. The policy should be deleted.

Policy 10: New Housing (Strategic Policy)

The policy is unsound because it is contrary to national and London Plan policy.

The Council has set a housing requirement for only ten years, although the Plan is intended to operate over 15-years according to para. 2.21 in the Local Plan.

Although the London Plan set a total requirement for the ten years covering the period 2019/20 to 2028/29, London Plan policy H1 does expect boroughs to set requirements for plan periods that extend beyond this. Richmond-upon-Thames is required to provide 4,110 homes by 2028/29. For years that extend beyond this date, the London Plan advises drawing upon evidence of land supply, including evidence in the SHLAA that was produced to support the London Plan, and also rolling-forward the small sites assumption.

The Council must clarify its plan period. Assuming the plan will operate for the period 2025 to 2040, it must set a housing requirement for this period. This could be an annual average of 411 homes per year for each year the plan is intended to operate over. This is an approach adopted by several other London boroughs.

The GLA SHLAA 2017 supporting the London Plan identifies the following phases:

Table 4.8 – SHLAA phasing periods

Phase 1	Phase 2	Phase 3	Phase 4	Phase 5
2017/18 to 2018/19	2019/20 to 2023/24	2024/5 to 2028/29	2029/30 to 2033/34	2034/5 to 2040/41

Phases 4 and 5 would cover the plan period after 2028/29 if the plan runs for 15 years from 2025.

Appendix A to the SHLAA 2017 identifies addition large site capacity in London across the five phases that were assessed by the GLA. This capacity is documented in Table 10.1 on page 193 of the SHLAA 2017. The figures for Richmond-upon-Thames for phases 4 and 5 are:

Phase 4 - 701
Phase 5 – 164

With the small site allowance in addition to this of 234 dwellings a year, or 2340 over ten years, this would suggest a total potential supply for the years 2025/26 to 2040/41 of 3,205 homes, or 320 dwellings a year. However, given the strategic scale of the undersupply across London as a whole compared to need – the overall need is for 66,000dpa but London only has capacity of 52,000dpa - we recommend rolling-forward the overall annual average of 411 dpa which will include the small sites target of 234dpa. This may be a temporary option in any case until a new edition of the London Plan is published.

In contrast to this, we note that the Council considers the figure after 2029 to be 3,639 homes or 306dpa – see para. 17.1 of the Plan. Presumably the Council's figure takes into account what has been delivered against the London Plan requirement since 2021/22 – the date the London Plan was adopted. What remains unclear is the length

of the Plan – the years it is intended to operate over. If the plan is to operate until 2040 an annualised requirement of just 306dpa would be too low relative to the extent of London’s housing needs and the increasing problems of affordability. This would not be sound. This is why the annual average figure should be used for every year that the Plan is in operation.

Needless to say, any undersupply accrued since the London Plan target came into effect in 2019/20 should be provided for and delivered by 2028/29 if possible, in line with the expectations of the Mayor of London. It is possible that any housing undersupply could be provided for in the period after 2028/29 although this would not be ideal as this would merely defer addressing very real and urgent housing needs as expected by the London Plan. We understand that the Mayor of London is keen for the full requirement to be delivered by 2028/29 and regards the base date for delivery against the London Plan by the boroughs to have been 2019/20 regardless of when the London Plan was adopted.

What is the annual average housing requirement over the plan period?

This is currently unclear but it is necessary to define this for monitoring purposes and the calculation of the five-year land supply (assuming this is still needed). It may be 411dpa up to 2028/29 and 306dpa thereafter, but it will depend also on the extent of any backlog, or over-delivery.

Housing trajectory

The housing trajectory on page 215 only runs up to 2030 / 31. If the Plan is expected to operate for a longer period than this (as is required by the Framework) then the Council should prepare a trajectory for the full plan period.

Stepped delivery

The stepped trajectory is unsound because it is unjustified and contrary to the London Plan

The proposal to increase delivery gradually, as illustrated in the trajectory, and explained in the text at para. 17.5 is unsound. The London Plan expects the requirement for 4,110 homes to be delivered by 2028/29. However, we recognise that by the time the plan is adopted – probably in early 2025 – the Council anticipates providing more completions than the annual average rate of 411dpa. In 2024/25 completions are expected to reach 552.

Notwithstanding this, a stepped trajectory should not be necessary in the case of Richmond. The housing requirement for Richmond is the second lowest in Greater London (the City of London has the lowest). Delivering these homes in an affluent borough where housing need is high, should not be an obstacle, irrespective of the pandemic (the housing market was extremely active all through the pandemic) and current market uncertainty.

Policy 11: Affordable Housing (Strategic Policy)

The affordable housing policy is unsound because it is unjustified in parts, and conflicts with national policy.

The policy requires 50% affordable housing, or to be more precise, half of all habitable rooms in a development need to be provided as affordable housing.

The Council has chosen not to follow the threshold approach to affordable housing set out in the London Plan. This approach was devised to incentivise the supply of more affordable homes by removing the need for a viability assessment where a minimum of 35% affordable housing was provided (and other policy requirements addressed).

The Council must be in general conformity with the London Plan. While this does not imply conformity in all respects, the decision to depart from the threshold approach as described in Policy H4 of the London Plan could be considered a significant change as the policy is an important strategic device to secure more affordable homes. The consequence for Greater London of Richmond Council not supporting this policy, could be that the pursuit of 50% causes fewer homes to be provided overall as schemes are delayed or prevented by viability issues, and consequently fewer affordable homes are built. If the Council abided by the London Plan approach then this might be avoided. The London Plan threshold approach is generally regarded as a successful device in helping to increase the supply of affordable homes overall across London. House builders operating in London support it.

The viability evidence demonstrates the difficulty of achieving 50% affordable housing – see tables 6.48.1 to 6.48.9 – except on garden and other underdeveloped land. Nevertheless, we recognise that schemes still come forward and completions achieved (documented by the trajectory). However, these are completions achieved against a less stringent policy context, without contending with new challenges like bio-diversity net gain and zero carbon homes (operational and embodied). Also, the time expended by applicants in negotiating a viable scheme, tends to militate against a higher rate of completions. This is supported by the evidence in the trajectory showing completions falling below the London Plan requirement since 2018/19.

The Council will need to do more to support the supply of new homes on small sites. This is a strategic priority for the London Plan. Requiring that half of all habitable rooms are provided as affordable homes on minor developments (nine or fewer homes) is likely to delay or deter more small sites from coming forward.

We recommend that the Council revises the plan to support the threshold approach described in London Plan policy H4.

Policy 12: Housing Needs of Different Groups

The policy is unsound as it is insufficiently supportive of housing for older people.

Part B 3 of the policy refers to the London Plan and policy H13. Table 4.3 of the London Plan sets out indicative benchmarks for the supply of specialist housing for older people which have the characteristics of retirement housing for independent living, as opposed to care home accommodation which should be subject to a separate assessment. This is housing that has the characteristics of C3 use class housing. The definition of the housing to which the London Plan Policy H13 applies is set out at paragraphs 4.13.4 to 4.13.6. The London Plan requires boroughs to plan proactively to meet the identified need for older persons accommodation (para. 4.13.9).

The London Plan sets an indicative benchmark figure of 155 units of housing for older people per year. The Council should include this figure in the policy its local plan. This

is not a mandatory target but a figure that the Council should aim to provide to meet the needs of older people in London.

Policy 15: Infill and Backland Development

Part A 1 is unsound because it is unjustified.

An increase in the supply of housing from small sites of 0.25ha in size or less is a matter of strategic importance for the Mayor of London – see para. 4.2.1 of the London Plan. As the London Plan states:

*For London to deliver more of the housing it needs, small sites (below 0.25 hectares in size) must make a substantially greater contribution to new supply across the city. Therefore, **increasing the rate of housing delivery from small sites is a strategic priority**. Achieving this objective will require positive and proactive planning by boroughs both in terms of planning decisions and plan-making.*

(Emphasis in the London Plan).

Part A 1 of the policy reflects the London Plan is aiming to prioritise the delivery of small sites in PTAL 3-6 areas or areas located within 800m distance of a tube/rail station or town centre boundary. We feel this is too limiting. Most areas of the borough benefit from access to public transport, and the Council's aims for active travel means that confining development to these Areas of Intensification only is unnecessary. All areas of the borough should be considered suitable, subject to addressing design and historic buildings conservation objectives etc. This would be consistent with para. 4.2.5 of the London Plan, which states:

The small sites target represents a small amount of the potential for intensification in existing residential areas, particularly in Outer London, therefore, they should be treated as minimums. To proactively increase housing provision on small sites through incremental development, Boroughs are encouraged to prepare area-wide housing design codes, in particular, for the following forms of development: residential conversions, redevelopment, extensions of houses and/or ancillary residential buildings.

Part A 1 of the Policy should be amended to read:

sites with existing or planned public transport access levels (PTALs) 3-6 or which are located within 800m distance of a tube/rail station or town centre boundary (referred to as Areas for Intensification) are the most appropriate locations for residential development, but all brownfield sites within the borough will be considered favourably, subject to addressing the other requirements of this policy.

Policy 16: Small Sites

The Plan with respect to small sites is unsound because it fails to reflect national and London Plan policy.

An increase in the supply of housing from small sites of 0.25ha in size or less is a matter of strategic importance for the Mayor of London – see para. 4.2.1 of the London Plan. As the London Plan states:

*For London to deliver more of the housing it needs, small sites (below 0.25 hectares in size) must make a substantially greater contribution to new supply across the city. Therefore, **increasing the rate of housing delivery from small sites is a strategic priority**. Achieving*

this objective will require positive and proactive planning by boroughs both in terms of planning decisions and plan-making.

(Emphasis in the London Plan).

To support the delivery of housing via small sites, the London Plan has set indicative figures for the number of homes that should be delivered on small sites. This is set out in Table 4.2. The figure per year for Richmond-upon-Thames Council is 2,340 homes over the ten-year period 2028/29. This figure represents 57% of the overall requirement for new homes in Richmond-upon-Thames to be provided on small sites. This is not an absolute figure; it provides an indication of what the Mayor of London considers could be supplied within Richmond-upon-Thames if certain actions are taken to encourage small sites.

As discussed above and below, we do not consider that the aim for net zero homes and 50% affordable housing is conducive to encouraging an increase in the supply of homes from small sites.

Second, the Council will need to do more to identify and allocate more small sites as expected by London Plan Policy H2, Part B, 3). This would help to ensure that some of the requirement will be delivered. We have considered the Local Housing Availability Assessment, but this dates back to 2008. We believe the Council relies on the GLA SHLAA study from 2017. It is unclear if the Council has been able to identify and allocate any small sites of 0.25ha in size or less, but it should try to do so, to conform to the London Plan.

National policy expects also that 10% of the housing requirement to be provided on small sites.

Part B

Part B of the policy reflects the London Plan, but in view of the generally good public transport communications across the borough we feel that that the need to justify small sites where proposals fall outside of PTAL levels 3-6 or 800 metres of a public transport node, or town centre boundary etc is unnecessary and should be dropped. Any small site proposal should be considered favourably and not discounted based on location.

No area of the borough should be placed off-limits. The objective of increasing active travel - see strategic objective 8 on page 17 of the Plan – will complement this. The 20-minute neighbourhood objective - Policy 1 – would also support this. A 20-minute walk equates, approximately, to 1.5km which is about twice the distance provided in the London Plan. As the Council says in its strategic vision for the Plan on page 12, by 2039

“Everything a local resident needs can now be reached within 20 minutes by foot or bike.”

Reducing the need for travel – another strategic objective – complements also building in locations further away from transport nodes and town and district centres.

Map 17.1 shows the areas suitable for incremental intensification. This would appear to omit some quite sizeable areas of the borough that: a) enjoy public transport connectivity; and b) have district centres providing services. One such area is Ham bounded by the A307.

I hope these comments will help the Council to prepare the next iteration of the Local Plan. The HBF would be happy to speak to the Council to discuss the content of these representations further.

Yours sincerely

James Stevens
Director for Cities

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