

**Chief Executive  
Charlie Adan**



The Mayor of London - Sadiq Khan

By email; [londonplan@london.gov.uk](mailto:londonplan@london.gov.uk)

Royal Borough of Kingston upon Thames  
Guildhall  
High Street  
Kingston upon Thames  
KT1 1EU

[charlie.adan@kingston.gov.uk](mailto:charlie.adan@kingston.gov.uk)  
[www.kingston.gov.uk](http://www.kingston.gov.uk)

2nd March 2018

Dear Sadiq Khan,

Thank you for the opportunity for the Royal Borough of Kingston upon Thames Council (RBK) to comment on the draft new London Plan. This response takes into account views provided at a public engagement event with members of our community and local stakeholders, and is supported by the current administration and both minority parties.

While there are elements of the plan that are supported, RBK has significant concerns about the prescriptive and detailed nature of much of the document, the deliverability of housing targets, the lack of support for local businesses and enterprise, the ability for infrastructure to match projected levels of growth, and the lack of flexibility and inconsistencies relating to Green Belt and Metropolitan Open Land. More detailed comments and concerns are set out in Appendix 1 to this response.

It is noted that paragraph 0.0.20 appears to state that inconsistency with national policy is justified to meet manifesto promises. RBK queries this approach and maintains that consistency with national policy remains a key legal test for the plan.

## **1.0 The strategic nature of the document**

1.1 The Greater London Authority Act 1999 (as amended) sets out that the London Plan “*must only deal with matters which are of strategic importance to Greater London*” (para 334(5)). This is consistent with the relevant tiers of governance in London, at regional, local and neighbourhood level, each of which have powers to prepare statutory planning documents appropriate to their own tier of governance. It is considered that the draft London Plan expands considerably beyond strategic matters and includes detailed planning policies on a number of issues, such as design, housing mix and parking standards. The plan as currently drafted is an unacceptable intrusion into local governance. It does not allow boroughs to respond to the strategic matters in a locally

distinctive way through Local Plans. As such, it is considered that the document as currently drafted exceeds the powers set out in the GLA Act. It is also noted that the blanket, city wide policies proposed in the document will negatively impact on the distinctive character of its boroughs and neighbourhoods, and reduce local distinctiveness and opportunities for bespoke responses for local communities. The plan also fails to deal adequately with neighbourhood planning.

1.2 It is noted that this could be rectified by clearly identifying the strategic elements of the plan, and making all other elements optional. This would provide the benefits described by the Deputy Mayors of boroughs not having to each write their own detailed policies, but also including 'opt in' elements which respect the powers and governance of local authorities and their local plans.

## **2.0 Housing Growth**

2.1 RBK recognises the significant challenges of meeting London's housing need within an often dense urban form and constrained by the Green Belt. RBK supports good growth, and jointly published Kingston's Direction of Travel with the Mayor. However, the reliance on the small sites approach to, in the case of RBK, double the housing target is flawed and undeliverable, with severe consequences for the borough which will undermine the delivery of growth. The addition of the small sites effectively doubles the borough's housing target, and well above the current average annual delivery by 300%.

2.2 Delivery of new homes through the small sites approach makes up a very large proportion of the new homes targets, particularly in Outer London boroughs. This is a very significant increase on windfall sites, most of which will not deliver affordable housing. The overall strategic approach will impair the borough's ability to secure affordable housing alongside market housing and significantly lower the overall proportion of new homes that come forward in affordable tenures. In Kingston, for example, almost half of the housing target would come from sites that are not delivering affordable housing.

2.3 The number of small sites anticipated represents a 90% increase on current delivery. It is accepted that there may be a latent demand for this type of intensification which is currently hidden due to discouraging local policies. However, evidence from Croydon, which has strong policies and local agencies to promote intensification suggests that the levels of intensification assumed in the London Plan are unrealistic.

2.4 The plan directs significant growth to local town centres and suburbs, which will alter the character of these areas significantly. The small sites approach, which covers approximately 90% of the developable land in Kingston, would drive a significant shift from houses to flats. This is accompanied by strengthened Green Belt and Metropolitan Open Land (MOL) policy protections. Alternative approaches have not been properly considered and there has been no meaningful engagement with local communities at a grassroots level. This includes consideration of whether there are any areas of Metropolitan Open Land or Green Belt across London where development could be realised in a way which minimises harm and at the same time reduces the scale of impact on London's town centres and suburbs. The IIA considers 'options' in a shallow and binary way which does not suggest proper consideration of a *range* of approaches to deliver housing - rather a mechanistic application of the small sites approach to make up the shortfall between the capacity identified through the London Development Database and London's housing need. It is clear that

communities place immense value on their Green Belt and Metropolitan Open Land. However, they also value their suburbs, gardens and town centres.

2.5 The small sites approach is premised on good public transport accessibility. However, this suggests a flawed understanding of Outer London. Appendix 2 shows that in Kingston, much of the areas subject to the small sites presumption have relatively poor public transport accessibility. If retained, the policy should be amended to only include those areas with a PTAL of 3 or more. The criteria for refusal under the presumption is also limited to a very narrow set of criteria, but excludes design quality, overshadowing, access to outdoor amenity space, noise, energy efficiency, internal layout and space standards and transport issues. It is considered that the exclusion of significant sections of the London Plan and local plans is unacceptable and exceeds the legislative powers of a Spatial Development Strategy. Moreover, it would result in poor quality accommodation, giving rise to detrimental health and well-being outcomes and the erosion of the quality of neighbourhoods. It is entirely unacceptable to suggest that a poor development would not be able to be refused on grounds of poor design. It is also noted that flat conversions are often the least satisfactory type of home in terms of the quality of the living accommodation, and such developments should therefore be subject to more rigorous assessment, rather than less.

2.6 Rather than make housing available, this approach may in reality drive up house prices as the market value of a family home is re-assessed as the value of a development site with multiple housing units. There does not appear to include any assessment of the impact this approach may have on the affordability of family housing in the Integrated Impact Assessment.

2.7 The outcome of undeliverable housing targets is that boroughs will fail to deliver the required numbers of homes, as assessed through the Housing Delivery Test, and fail to adopt new local plans to plan for growth due to the soundness test of 'deliverability'. This will be exacerbated by the significant windfall reliance, sites which are unlikely to contribute to the 5 - 15 year housing land supply. Both of these outcomes will diminish local authorities' ability to deliver good growth (through the 'tilted balance' set out in the NPPF and the lack of up to date policies), enabling poorer developments to proceed, and further eroding public confidence in the planning system to deliver good growth. These outcomes are the antithesis of what the new London Plan should, and needs to, deliver. RBK is also concerned that, depending on the outcome of national changes, these targets could impact on local authority finance in relation to the New Homes Bonus and planning fee increase, further reducing the availability of funding to deliver planning services. It is currently unclear whether or not this income will be linked to a local authorities' housing target, or different measures.

### **3.0 Economic Growth**

3.1 The aim of Policy GG5 (B), to share more equitably the economic success of London is supported. However, RBK does not consider this ambition to be expressed in other sections of the document and it is noted that the IIA rejects the option of a polycentric city. Instead the London Plan seeks to strengthen the economic offer of central parts of London without looking to increase employment capacity across London alongside significant increases in housing. Without explicit London Plan policy support, RBK will struggle to deliver new local employment floorspace to counterbalance the housing growth, increasing pressure on transport networks, reducing quality of life and failing to meet the needs of local businesses and potential businesses. The equalities impact of this approach is also poorly addressed. This approach will mean that outer London areas

increasingly operate as dormitories by providing the workforce for a very centralised employment offer, but not providing the necessary local capacity for enterprise and employment. RBK suggests amendments to the approach to enable District town centres to secure new office and employment floorspace for a local/borough level catchment, rather than just small office protections. For larger town centres such as Kingston, this should be growth to support a sub-regional catchment, and should not be constrained by delivery of Crossrail 2.

3.2 RBK is also very concerned about protection of identified industrial locations. For successful areas such as those in Kingston, the policy should continue to protect the total amount of land, not merely *capacity*, to support future intensification and therefore *increased* future employment and economic benefits. This again would support local employment and enterprise alongside housing growth, to create a more sustainable city.

## 4.0 Infrastructure

4.1 RBK has concerns that the expected growth is anticipated before, or without provision of the infrastructure to support it. This is evident in relation to the Kingston Opportunity Area (OA) which relies on Crossrail 2, an as yet uncommitted scheme. It is also noted that the transport modelling being jointly developed by TfL and RBK, together with projected PTALs for 2041 suggest that the improvements to public transport associated with this infrastructure are not necessarily transformative within the borough (see Appendix 3). For example, much of the benefit may be to other areas by reducing pressure on other, over-subscribed routes such as Epsom and Ewell rather than benefiting directly around the stations involved. Therefore other as yet undetermined investment would also be required alongside CR2.

4.2 Additionally, the small sites approach would result in almost half of the borough's housing from windfalls, and therefore not brought forward in a plan-led way. Notwithstanding concerns about deliverability, the impact of this approach on existing infrastructure (and the existing communities who rely on that infrastructure) would be severe due to the *ad hoc* nature of housing delivery.

4.3 The borough also notes that some of the key themes from the Mayor's Transport Strategy (MTS) are not fully reflected in the London Plan. The focus on the small sites approach is unlikely to deliver the modal shifts required to meet the targets set within the MTS. Furthermore, the public transport requirements set out in the MTS are to prioritise better and more affordable public transport, and to have good public transport links for longer journeys.

4.4 The Mayor's 50 year infrastructure plan needs to be quickly updated to reflect the emerging London Plan, and this infrastructure needs to be delivered before, or at the same time as, the housing and other growth it is supporting.

## 5.0 Protection of the Green Belt and Metropolitan Open Land (MOL)

5.1 The new plan designates a 'nascent' Opportunity Area for Kingston to bring forward 9,000 homes and 5,000 jobs over the next 15+ years. The text for this Opportunity Area is inconsistent with the stronger Green Belt and MOL protections as it identifies Chessington and the Hogsmill as areas where there "*may be potential to accommodate growth... in line with the opening of Crossrail*

2 in 2033". These are areas with significant Green Belt and MOL designations which is inconsistent with accommodating growth as per London Plan policy.

5.2 The Green Belt policy is inconsistent with national policy as it is more restrictive. It does not allow any de-designation of Green Belt through a local plan, whereas national policy allows for de-designation in exceptional circumstances. Similarly it requires development that causes harm to be refused, whereas national policy allows such development to be approved in very special circumstances when the harm is clearly outweighed by the benefits.

5.3 The policy on Metropolitan Open Land (MOL) has different criteria than the policy on Green Belt in relation to alterations to the boundary through the local plan process. There is ambiguity regarding the reference to applying "the principles of" national Green Belt policy in the supporting text, because the MOL policy does not allow planning permissions which harm the MOL to be granted in very special circumstances which national Green Belt policy does.

5.4 RBK considers these policies to be internally inconsistent and, in the case of Green Belt, inconsistent with national policy.

## **6.0 Other matters**

6.1 Given the length and detail of the plan, it is considered that the distinction between strategic, local plan and development management elements of policies should be re-introduced. This would ensure that only genuinely strategic matters are mandatory.

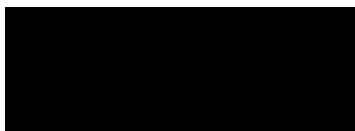
6.2 Matters that cannot and should not be controlled through the planning process and powers should be removed or 'supported'/'encouraged' to ensure that local planning authorities are not challenged for failing to deliver through the planning application process. For example, fire safety is appropriately managed by Building Regulations rather than planning.

## **7.0 Examination in Public**

7.1 The Council would like to participate in future consultations and the independent examination of the London Plan in relation to the matters raised in this response.

We trust that the comments are useful and help inform the next version of the London Plan. Please note that RBK would be happy to meet with representatives of the GLA to discuss and explore solutions to the matters raised.

Yours sincerely,



**Charlie Adan**  
**Chief Executive**

# Appendix 1 Detailed Matters

## Chapter 1: Planning London's Future

RBK broadly supports the intent of the Good Growth policies. However, there are concerns regarding their expression and delivery in relation to the individual policies that flow from the aims in this chapter.

Policy (GG)	Comment
1	RBK agrees with the key aim that planning should build strong and inclusive communities.
2	RBK supports the overall intent of the policy.  <b>Part A</b> as noted in relation to policy H2, RBK has concerns over the reliance on small-site housing delivery.  <b>Part E</b> as noted in relation to the Transport Chapter set out below, RBK has concerns about achieving 80% of all trips can be made by sustainable modes of transport, and consider the proposed parking standards likely to lead to serious parking problems in parts of the borough, and undermining good growth.
3	RBK supports the ambition to create a healthy city by improving health and reducing health inequalities.
4	RBK agrees with the need to deliver the homes that London needs but as noted in relation to policy H2, the scale of small-site delivery is considered unrealistic.
5	RBK agrees with the desire to grow a good economy and strongly support measures to diversify London's economy so that economic success is shared across the city. RBK considers that this ambition is not carried through into other plan policies, which continue and exacerbate the CAZ centric approach (SD4, SD5 and E1) that currently exists.
6	RBK supports the aim to increase efficiency and resilience to the identified threats.

## Chapter 2: Spatial Development Patterns

RBK is broadly supportive of the policy direction expressed in this chapter of the plan, although it is considered to overly focussed economic development on the Central Activities Zone. There are particular concerns regarding some of the wording of the Opportunity Area.

Policy (SD)	Comment
1	<p><b>See also paragraphs 5.1 to 5.4 above</b></p> <p>RBK supports the designation of the Kingston Opportunity Area (OA) and looks forward to working with partners, including the GLA, to delivering this growth.</p> <p>It would be useful for short and medium term to be defined.</p> <p>Reference to the “Cambridge Estate” (paragraph 2.1.22), should be read “Cambridge <u>Road</u> Estate”.</p> <p>As noted above, paragraph 2.1.24 identifies Berrylands and Hogsmill Valley, and Chessington as areas that may accommodate growth in the longer term following the opening of Crossrail 2. It is noted that these areas are considerably constrained by Green Belt and MOL designations. In order to deliver significant growth in these locations, development would probably need to be accommodated within the Green Belt and Metropolitan Open Land (MOL). There is a clear inconsistency with policies GG2, G2 and G3. It is noted that the provision of improved transport infrastructure is not included as a consideration in assessing the retention of the Green Belt or Metropolitan Open Land in either the London Plan or National Planning Policy Guidance, and the relevance of train frequency to these stations to the release of protected land for housing needs to be properly explained if this text is to remain. The text should also clarify that it is the Council, not the Mayor, that will decide any changes to these designations through the Local Plan process.</p> <p>If these matters are resolved, it is requested that the reference is amended from “Berrylands and Hogsmill Valley” to “Berrylands Station/Hogsmill Valley”.</p>
2 & 3	<p>RBK agrees that there is a clear relationship between London and the wider south east (WSE) and this is clearly explained in the figures related to policies SD2 and SD3. However, there is concern that there has not been any tangible agreements made with the Mayor’s WSE partners, in particular with regard to meeting development needs. It is RBK’s view that the London Plan should have further explored the ability for the WSE to meet some of London’s need.</p>
4 & 5	<p>RBK considers that the spatial strategy should be less reliant on the CAZ to deliver economic growth, to allow for economic success to be better shared across the city as whole (as stated by Policy <b>GG5, part B</b>).</p>

6-9	<p>In general, RBK supports the policies on Town Centres (SD6-SD9) identified in the chapter and agrees with their classification.</p> <p>As noted in relation to the policies within chapter 6, RBK is concerned about the loss of employment and economic land to other uses, such as housing, and consider that the policies undermine the aim of growing the borough's economic offer. RBK suggests the approach is amended to identify the potential of town centres to provide housing, whilst also recognising that individual boroughs may take a more restrictive approach in order to protect and enhance a Town Centre's economic function.</p>
10	<p>Support.</p> <p>It is noted that the map is difficult to read due to scaling issues, and seek clarification that the Cambridge Road Estate is identified in Kingston.</p> <p>The areas should be kept under review as pockets of deprivation can change over time.</p>

### Chapter 3: Design

RBK is supportive of a number of elements within this chapter, but consider some of the policies to be too prescriptive, and inappropriately cover areas that should be addressed in local plans, including by more bespoke and locally responsive approaches. This, in turn, impairs good growth which reflects local character and communities.

Policy (D)	Comment
1	Support.
2	The policy is overly prescriptive and includes a level of detail which is not genuinely strategic. It introduces a city-wide approach to the determination of design quality, and limits local distinctiveness and approaches. Whilst some elements of the policy have clear merit, application of these detailed policies should be at the discretion of the local authority through their local plan process and in consultation with their communities.
3	Support.
4	Support. There should not be exceptions to the minimum space standards.



	<p><b>Parts A-C</b> could be moved to the supporting text without impact on policy implementation.</p>
5	Support.
6	<p>RBK recognises the shortcomings of the density matrix in the current London Plan, which could only be applied in general terms, raised false expectations for some members of the community where it was interpreted as a ‘cap’, and that it gave no reassurance of design quality. However, it is crucial that the policy framework which replaces it is fit for purpose. RBK currently has concerns with the policy as drafted.</p> <p>The ‘optimisation’ approach fails to recognise the value of London’s suburban form and character, and the importance of this to London’s heritage, identity and quality of life. Read alongside the small sites policy, the plan will result in an irrevocable change to very large parts of the city which do not merit national listing as Conservation Areas, but nonetheless contribute to the unique character of particular places.</p> <p>The grounds for refusal of planning permission are unclear under this policy which is clumsy and possibly result in unintended consequences. For example, it appears that replacement of a single dwelling house with another single dwelling house would be refused for failing to optimise the site? Similarly, would development in the prevailing, historic character be unacceptable for not embracing a more modern and denser architectural style?</p> <p>There is also a lack of clarity as to how the ‘optimal’ development capacity would be determined. Exemplary architecture can increase development capacity, through clever design and attention to detail in the design <i>and</i>, crucially the build. The <i>amount</i> of development a site is capable of accommodating is inseparable from the quality of the design, and is not simply a function of the size of the plot as the policy suggests. It will therefore be very difficult for officers to provide clear advice on how this policy applies particularly at pre-application stage, and therefore the scale of development that might be appropriate.</p> <p><b>Part E</b> refers to information but it is not clear what the purpose of this information is or how it should be applied. Guidance would be useful on this.</p>
7	<p>General support.</p> <p><b>Part H</b> “heat” should be replaced by “urban heat island effect”.</p>
8	<p>Given the identified housing requirements, the Council accepts that tall buildings will have a role to play in accommodating growth.</p> <p>RBK supports the flexibility for the boroughs to identify where tall buildings are</p>

	appropriate. However, the policy should also allow boroughs to identify areas where tall buildings will not be appropriate should they wish to.
9	Support.
10	Support.
11	The policy should clarify that this lies outside the planning system. There should also be provision for the costs for this additional work to be met by the development industry.
12	Support.  There is recognition that the planning system and licensing regime will need to work alongside each other in order that the aims of this are achieved.  The policy should reiterate that mitigating noise should not be used to reduce the developer's financial obligations to matters such as affordable housing and other infrastructure necessary to make development acceptable.
13	Support.

#### Chapter 4: Housing

RBK's community engagement highlights this as a key issue for the community. While a wide range of views on the topic were expressed, most appeared to agree that there is a great need for housing. The Council echoes this and is committed to increasing housing delivery in the borough.

Policy (H)	Comment
1	<p>RBK acknowledges the significant shortage of housing across London and the south east, and the need to build 66,000 new homes per year for the next 10 years to address this issue. As noted in the foreword to the London Plan, this is a marathon, not a sprint.</p> <p><b>See also paragraph 2.1 to 2.6 above</b></p> <p>It is considered that the overall strategy for growth across London should be</p>

	<p>considerably more detailed, nuanced and draw housing from a much broader range of sources, including a strategic review of London's Green Belt and Metropolitan Open Land to identify any sites that could appropriately contribute to meeting housing need in a way that is consistent with the aims and purpose of the Green Belt designation, and in preference to the approach taken in the plan which will have a considerable and far-reaching impact, particularly in Outer London.</p> <p>Additionally, RBK considers that housing targets should be phased to reflect infrastructure investment, and the need to build a development pipeline. Failure by boroughs to meet the national Housing Delivery Test as a result of very substantial increases to housing targets will erode community support for the planning system and faith in their local authority. However, it is that relationship which will be crucial to deliver good growth and therefore achieve the step-change in development delivery the Mayor is seeking.</p> <p>It is noted that there is a significant degree of uncertainty associated with Brexit and its potential impact on migration and population growth. It is requested that a robust programme of monitoring is implemented to ensure that, if there is a substantially reduced need for housing coupled with strong delivery in the early years of the plan, housing targets are reduced quickly through a partial plan revision to reflect the changed circumstances.</p>
2	<p><b>See also paragraph 2.1 to 2.6 above</b></p> <p>RBK questions the evidence for delivery of housing from small sites at the rate set out in the SHLAA. There is also no clear evidence from industry that housing is deliverable at this scale in terms of capacity within the construction industry, resources and materials and the desire of the industry to release new homes at this rate and impact on viability.</p> <p>If the application of the small sites policy is not restricted to those areas with a PTAL of 3 or more as set out in paragraph 2.4 above, parking should be included as one of the criteria for refusal in those areas to ensure this planning consideration can be properly taken into account in determining these applications.</p>
3	<p>Support with exception: Non-self contained (NSC) housing should be counted at a 1:1 ratio rather than 3:1. Single people within NSC housing are a household for the purposes of meeting need, and such housing solutions may become increasingly part of the solution going forward to address the significant shortage of home. Therefore this should depend on the type of NSC accommodation and the need it is displacing.</p>
4	<p>Support.</p> <p>Guidance is sought as to how these are monitored, their loss (and a clear</p>

	<p>exemption from the protection of housing policy regardless of how long they are in use) and whether they contribute to achievement of supply/delivery tests during their lifetime.</p>
5	<p>Generally supportive. However the achievement of such a target is highly aspirational and that it will be well beyond the end of the plan period, if ever, for this to be achieved. This is especially so, because of the reliance on small-sites to deliver the strategic housing target. Such sites are not likely to bring forward affordable housing (AH).</p> <p>RBK also has concerns about the inclusion of a 50% AH requirement from public land. The duty to tackle homelessness and cost of temporary accommodation and other costs associated with homelessness and insecure/inadequate housing are strong drivers for local authorities to maximise delivery of AH where possible on their own sites. However, residential development is often used by public services to fund other community benefits which may not be viable with a 50% AH requirement. In such circumstances, this approach will force local authorities to transfer site ownership to the private sector before developing, which may result in poorer outcomes for the community overall. Flexibility should be provided where there are demonstrable community benefits which would otherwise not be able to be delivered.</p> <p>RBK supports the intent to ensure that affordable housing is delivered on site, but seek further guidance regarding what circumstances would be appropriate for off-site delivery.</p>
6	<p>Support the threshold approach and have adopted in Kingston's SPD (Financial Viability and Planning).</p> <p><b>Part A</b> clarification sought regarding the reference to "more than 10" which is unclear whether this is gross or net.</p>
7	<p>Support, the flexibility in the tenure split is welcome.</p> <p>However, it is noted that this is a localised issue, with different circumstances and need in different parts of London. The policy should also allow for boroughs to set their own tenure mix through an up to date Local Plan where there is sound evidence to justify this.</p>
8	<p>Monitoring will be undertaken by RBK as described in this policy.</p>
9	<p>Support, Vacant Building Credit is rarely applicable in London and the criteria are appropriate to determine where it should be applied.</p>
10	<p>RBK welcomes proposals regarding estate regeneration, including ensuring the overall floor space remains equivalent and the standard of the accommodation</p>

	<p>remains equivalent or of better quality. However, regarding General Needs Rents remaining the same, this does not allow for Kingston to increase the rents from historically low rents to more sustainable levels. The redevelopment restrictions could also reduce the interest from developers when considering estate regeneration, as it may be perceived as less viable.</p>
11	Support.
12	<p>There is general recognition of, and encouragement for smaller units, which reflects evidence from the London-wide SHMA and also Kingston's shared SHMA with neighbouring Surrey Boroughs. However, it is noted that the policy both supports (<b>Part A6</b>) and resists (<b>Part B</b>) the provision of smaller units. This can cause ambiguity, and flexibility should allow for boroughs to assess applications on their appropriateness on a site-by-site basis. The resistance of one-bed units is at odds with the council's own experience: 82.5% of applicants to the housing register between 2012 and 2017 would have their needs met by a one-bed unit, and projections suggest this will rise to 89% by 2035. Therefore the restriction on schemes which are predominantly one-bed would not be helpful in meeting Kingston's housing need. This also clearly illustrates the counter-productive impact of such detailed policies in the London Plan which would be better addressed at a local level.</p> <p>The restriction on local authorities including housing mix requirements in their local plans for market and intermediate housing is inappropriate and inconsistent with national policy which requires local plans to include policies to meet local housing needs. This is also reflected in the Inspector's Report on the Further Alterations to the London Plan as stated in paragraph 23. This reference should be deleted.</p> <p>Further, the reference to intermediate housing in <b>Part C</b> is ambiguous in relation to <b>Part D</b> which makes clear that affordable housing size mixes should be identified by boroughs (affordable housing includes intermediate housing). This requires clarification.</p>
13	No objection.
14	<p>RBK welcomes the commitment for supported and specialised accommodation. However, with regards to a borough wide audit of this accommodation, RBK would welcome further clarification on how providers will work together to do this and details of any funding available to meet this.</p> <p>Further, it is noted that the approach seeks for London Boroughs to work together to assess need when this work could have been undertaken at a regional level such work to avoid repetition of such work across boroughs.</p>

15	<p>The intent of the policy is supported. However, there is confusion within the supporting text paragraph 4.15.4 which states that the 105 figure is a requirement and then states that it is an indicative benchmark. Similarly, it is not explicitly stated whether the figure is in addition to the overall housing target or not. This requires clarification.</p> <p>RBK is supportive of the desire to secure affordable units in C3 uses, such as care homes. However, it is noted that these types of application are often the subject of viability considerations and guidance on this issue would be required to fully implement the policy.</p>
16	<p>Support the proposed definition for Gypsies and Travellers. Councils should assess the needs for pitches from all members of the community - not just those who currently lead a nomadic lifestyle.</p> <p>Given the strategic, cross-boundary nature of this issues affecting the Gypsy and Traveller community, it is disappointing that the GLA has not undertaken a GTANA, in a London-wide manner, to ensure consistency across the city.</p> <p>While the policy sets out a solid basis for assessing needs, it does not make clear how Councils should meet those needs. RBK has one public site that has recently been redeveloped to increase the capacity of the site to 18 pitches. It is not capable of being extended further. All of the other current private sites (either authorised or unauthorised), lie within the Green Belt and realistically, it is only Green Belt/MOL that could provide further land for pitches to meet assessed needs. However, the Mayor has made it very clear in policy G2 that any harm to the Green Belt should be avoided and that any alteration of the Green Belt boundary would not be supported. For this reason, further guidance is sought regarding how the needs of the Gypsy and Traveller community can be met, consistent with other policies in the plan.</p>
17	<p>The policy is supported in principle and explicitly stating that student bedrooms count as part of the housing target is welcomed. In relation to student housing (Policy H17), as noted above, RBK does not agree that student bedrooms should be counted on a 3:1 ratio. Each student bedroom is capable of meeting the needs of a household (i.e. a single student) and therefore each bedroom should be considered as a home for monitoring purposes.</p>
18	<p>The policy provides a clear way of determining applications for large-scale purpose-built shared living developments and the guidance is welcomed. However, boroughs should be allowed to develop its own policies and this should be set out in the policy.</p>

## Chapter 5: Social Infrastructure

RBK supports the general intent of the policies. However, there are significant concerns about the ability to deliver appropriate infrastructure due to the over-reliance on smaller windfall sites. Although there are concerns about the deliverability of the overall numbers, should the housing growth come forward as suggested by the plan, a plan-led approach to infrastructure delivery would not be possible.

Policy (S)	Comment
1	Support, particularly identification of the need for social infrastructure and widening the definition of social infrastructure.
2	Support.
3	General support.  Clarification is sought on whether development for new school buildings is appropriate on school playing fields, as such locations may be the best option for the provision of extended educational facilities, including those needed to support growth.
4	General support.  Guidance is sought to provide an appropriate basis for determining the anticipated child population in a new development to accompany the new London Plan. RBK acknowledges the reference to an accompanying SPG but seek its timely provision to avoid a policy gap.
5	Support.
6	No objection to the principle. Reference to specific building regulations should be removed as they could change over time and the reference could therefore cause some confusion.  The policy should clarify that alternative provision needs to be made for the funding to pay for or maintain such facilities as RBK would not be able to meet these costs.
7	RBK is disappointed that the need for boroughs to work together has not been addressed directly by the Mayor through the London Plan as a strategic matter. The GLA could have undertaken some work to set out current and future requirements for provision.

	<p>Whilst the difficulties of meeting this land use in inner and central London are acknowledged, it is also noted that Outer London is equally constrained by MOL or Green Belt designations. The policy should make it clear whether such locations are appropriate for this type of development.</p>
--	---

## Chapter 6: Economy

RBK views a successful economy as crucial to enable good growth. Though supportive of what appears to be a shared ambition in this respect, RBK questions whether the policy approaches align with the stated ambition in the detailed policies.

Policy (E)	Comment
1	<p><b>See also paragraph 3.1 and 3.2 above</b></p> <p>The policy to do more to encourage a polycentric city, with stronger local economic development and greater provision for increases in local offices and other workspaces consistent with the catchment of the town centre. Job creation, economic development and workspaces should increase alongside housing growth to ensure local opportunities for employment and enterprise. The 2011 Census commuter flows data showed a third of Kingston's residents' commutes were within the borough. London prides itself on its enterprise and small businesses: failure to provide a range of workplaces in appropriate locations across London harms London's competitiveness and economy.</p> <p>There is a particular inconsistency between the jobs target in the Opportunity Area designation, and the reference to solely protection of small offices in Tolworth and New Malden.</p> <p>E1 is not a clearly expressed policy. The identification of town centre locations refers to a map in the appendix, which then leads to a link on the GLA's webpage to London Office Policy Reviews which did not include the relevant information. Though the map includes Tolworth and New Malden, these towns are not mentioned in the review itself.</p> <p>Although there is useful explanation for the encouragement of different sizes of business, it would be helpful for the sizes to be defined.</p>
2 & 3	<p>General support providing that this is not at the expense of affordable housing and transport infrastructure.</p>
4 - 7	<p><b>See also paragraph 3.1 and 3.2 above</b></p>



	<p>RBK agrees that any loss of employment land should come through as part of a plan-led approach and not through ad-hoc applications. However, residential use should not be included as one of the potential uses for intensification unless there is a planned release as set out in the London Plan. Intensification for other uses are supported except where this can hinder legitimate industrial activity.</p> <p>RBK seeks assurances that sufficient industrial land is protected for current use and future growth, including logistics and distribution to support transport objectives such as freight consolidation, green industries, maker-space and relevant creative industries. For this reason, it is considered that the total land should be protected, not the current capacity which fails to support future growth.</p> <p>RBK supports the deletion of the sub-categories of SIL (<b>Policy E5</b>), given that it can add much needed flexibility of uses in these locations and will better allow increases in job density and co-location of different employment uses.</p>
8	Support.
9	<p>RBK is generally supportive of the measures detailed in this policy.</p> <p>With regards to <b>Part C</b>, RBK supports the position on hot food takeaways, but it should be clear as to how the 400m is measured - whether it is from entrances or whether it is assumed that circular buffers should be used.</p> <p>It is not also not clear what would constitute an over-concentration of such uses, however, and RBK requests for the policy to clarify that this should be locally determined. Equally, in reference to over-concentration it is curious that there there is no mention of Metropolitan Centres but 'other town centres' are mentioned. If it is the case that Metropolitan Centres are not meant to be considered in respect of this policy, then the wording does need tightening.</p>
10	<p>RBK is concerned that the policy is too focussed on central London, with a lack of reference to the visitor attractions of outer London areas.</p> <p>The policy lacks references to general visitor accommodation such as hotels, B&amp;Bs etc, and leisure facilities.</p>
11	Support.

## Chapter 7: Heritage and Culture

RBK welcomes recognition of the importance of heritage and culture both within this chapter and others (e.g. chapters 1,5 and 6) and is therefore generally supportive. RBK recognises the benefits of its cultural and heritage offer and for culture and creativity to be a driver for positive growth.

Policy (HC)	Comment
1	Support, particularly for enhancement of the historic environment rather than just conservation and the recognition of harm to the historic environment through cumulative impact and incremental change.
2	N/A
3 & 4	<p>Support including the importance of strategic views and recognition of the importance of local views. In this regard, policies HC3 and HC4 closely relate to, and support, Kingston's Local Views Study which will be used for both decision making and plan making processes.</p> <p>Whilst RBK agrees that, as per policy <b>HC3(G)</b>, the principles of the London View Management Framework policy is relevant to local views, it would be useful if this was also stated in either the policy or accompanying text for HC4 to provide clarity and to ensure that the importance of local views is taken into account in development proposals.</p>
5	Support, and welcome the ability to develop locally specific policies, which RBK will do in the new Kingston Local Plan. Removal of reference to an impact assessment and sequential test is noted.
6	Support, and share the ambition to grow the night-time economy in particular in Kingston Town Centre which is identified as an area of regional or sub-regional significance.
7	<p>Support.</p> <p>It is noted that some of the measures are relevant to licensing rather than planning and this should be clarified in the text.</p>

## Chapter 8: Green Infrastructure and Natural Environment

RBK supports the general intent of the chapter and measures proposed and is similarly passionate about its green spaces, its Metropolitan Open Land and Green Belt and the benefits that such land brings to the borough and the wider city.

Policy (G)	Comment
1	<p>Though the Council does not oppose this policy, it would appear to be unnecessary, with the various other policies contained within this chapter covering the matters that this policy deals with. It therefore could be deleted without any noticeable impact.</p>
2 & 3	<p><b>See also paragraphs 5.1- 5.4 above</b></p> <p>The proposed policy G2 is inconsistent with national policy as set out in paras 79-92 of the NPPF.</p> <p>The inconsistency results from the binary approach to the determination of applications in the Green Belt - a scheme that causes any harm in the Green Belt must be refused. This is inconsistent with national policy which allows developments to cause Green Belt harm in very special circumstances when the harm (Green Belt and/or otherwise) is clearly outweighed by the benefits of a scheme.</p> <p>Ambiguity is created by support for “appropriate multi-functional uses”, which is a reference to national policy which recognises that Green Belt should be enhanced through beneficial uses. However, the ambiguity arises as uses which enhance the Green Belt in terms of some of its purposes may still cause harm as measured against other Green Belt purposes. Conflict is very likely to arise between the different elements: it is evidently possible that a proposal for multi-functional uses could cause Green Belt harm. For example, enhancing the use of Green Belt by providing greater access or facilities for outdoor recreation may harm biodiversity, for example. The flexibility of national policy allows the relative harm to be weighed against benefits to provide the outcome which optimises the enhancement of the Green Belt overall: but the removal of this flexibility from the proposed London Plan policy does not allow such balancing to take place.</p> <p>Further, it is noted that the supporting text refers to some of the useful functions that exist within the Green Belt, which does not reflect the role of the Green Belt, which is not designated for such useful functions.</p> <p>A similar conflict exists with this policy in relation to de-designation of Green Belt land, which the policy is clear would not be supported by the Mayor. However, national policy allows this in exceptional circumstances, through the preparation of a Local Plan. Again, this creates an unacceptable inconsistency between</p>

national policy and the proposed London Plan. It is noted that failing to allow for appropriate Green Belt review and, in exceptional circumstances, its release through the Local Plan process, removes one option which communities may want to explore as an alternative to very large-scale growth in urban and suburban areas which will otherwise be necessary.

Policy G3 MOL gives rise to similar issues. The current London Plan policy clearly applies national Green Belt policy to MOL, as reflected in the Court of Appeal decision *Lensbury Ltd v Richmond-upon-Thames*. This makes it very clear that MOL should be afforded the same weight as Green Belt and that national policies on Green Belt should be applied to this designation. The proposed MOL policy relegates this to supporting text, introduces significant ambiguity by not fully applying national Green Belt policy tests but rather the “principles”, and creates an internally inconsistent relationship with the main body of the policy. This is likely to reduce the protection afforded by the policy and requires clarification.

As with Green Belt, MOL policy states that harm to the MOL would result in refusal. This is inconsistent with the requirements of national policy on Green Belt (the ‘principles’ of which will be applied) which allow for very special circumstances and a planning balance of a proposal.

The same inconsistency relating to enhancing MOL also arises due to the lack of flexibility regarding development in MOL which may cause harm may conflict with enhancements (which could have significant benefits for some MOL purposes but result in harm against other purposes).

RBK requests that these policies are comprehensively reviewed to create a clear, useable framework for determining planning applications and developing local plans, consistent with national policy. Where the Mayor considers the approach to be different to, but not inconsistent with, national policy, this should be explained, together with the appropriate approach where conflicts arise. Given significance of these concerns and the degree of change necessary to resolve the issues set out, RBK reserves the right to raise additional matters in relation to the redrafted policy as it is considered necessary for the policy to be substantially altered in meaning and application.

Further ambiguity arises when policies G2 and G3 are considered in the context of the ‘nascent’ Kingston Opportunity Area where, in paragraph 2.1.14 it is stated that after the opening of CR2 “*there may be potential to accommodate growth in... Berrylands and Hogsmill Valley [and] Chessington.*” Given the extensive Green Belt and MOL designations in these areas, this appears to suggest that this growth would, at least in part, be accommodated in MOL and/or Green Belt. It is accepted that the OA is subject to a much longer timescale than the London Plan, and particularly than the housing target which is only 10 years. However, this gives rise to internal inconsistency within the document. RBK would be prohibited from reviewing its Green Belt and MOL designations through its local plan process (policies G2 and G3) while

	simultaneously being required to do so in order to have an appropriate policy framework in place to deliver the OA over the next 15+ years.
4	Support.
5	<p>Generally support.</p> <p>However, note that it is unclear whether the achievement of the Urban Greening Factor (UGF) is a target or requirement, as different wording is evident in the policy. It is also unclear whether the boroughs can set a UGF policy for all developments or just major development. Clarification is sought on both matters.</p> <p>It is not known how individual boroughs could establish a specific UGF and guidance would be welcomed.</p>
6	Support.
7	Support.
8	Support.
9	Support.

## Chapter 9: Sustainable Infrastructure

RBK recognises the importance of many of the issues raised and generally agree.

Policy (SI)	Comment
1	<p>RBK accepts the prescriptive nature of the policy because there is recognition that air quality does not take into account administrative boundaries and is a strategic issue. The policy will assist RBK in addressing air quality.</p> <p>Support designation of the borough as an Air Quality Management Area. Given the changing nature of areas and the pressures for increased development, there is a recommendation that Air Quality Focus Areas be reviewed. As monitoring data in Tolworth shows exceedances, this should be considered as a future Air Quality Focus Area. It is noted that Tolworth has not been identified as an air quality focus area. This area suffers considerable air pollution and significant annual exceedances. However, it is understood that it has not been identified because there are relatively few people exposed to these levels of air</p>

	<p>pollution. It is requested that this is kept under review given the identification of Tolworth within Kingston's Opportunity Area and expectations for growth.</p>
2	<p>RBK supports the intent to minimise greenhouse gas emissions through standards that go beyond those set out in building regulations. However, clarification is sought as to how this relates to NPPF paragraph 95 which states that standards should be set in "a way consistent with Government's zero carbon buildings policy and adopt national described standards."</p>
3	<p>Support.</p>
4	<p>Generally support.</p> <p>Given the close relationship with SI3, it can be merged with the previous policy without detriment.</p>
5	<p>Support.</p>
6	<p>Support.</p> <p>This reflects RBK's ambitions to improve digital connectivity in the borough. Though there is a shared ambition, because internet line speed is controlled by the building regulations, RBK is unclear how planning policy can require greater levels of digital connectivity than that set out in such regulations. Clarification is sought.</p>
7	<p>RBK is generally supportive of the measures to limit waste and work towards being net self-sufficient in London.</p>
8	<p>Along with Croydon, Merton and Sutton, RBK intends to produce a new South London Waste Plan, based upon targets set out in the new London Plan.</p> <p>RBK notes that the waste arising for the four boroughs in 2041 is expected to be 845,000 tonnes, while the apportionment is 944,000 tonnes - and therefore RBK will need to find sites to manage 12% more waste than the borough will produce. Given that Table 6.2 of the document notes that industrial land is in short supply across the four boroughs, RBK considers that there would be more justification to divert the additional 12% of waste to boroughs which have excess industrial land capacity and are categorised for limited release - such as Barking &amp; Dagenham, Havering and Newham.</p>
9	<p>Support.</p>

10	Support.
11	<p>The policy seeks to prohibit a certain type of legal land operation, in direct conflict with chapter 13 of the NPPF which encourages energy from minerals and the regulatory framework which controls the licensing of fracking.</p> <p>RBK considers that the policy should focus on how such applications should be considered if they were forthcoming.</p>
12	Support.
13	Generally support, and particularly support <b>SI13, Part C</b> which seeks to prevent impermeable surfacing.
14-17	<p>Generally support.</p> <p>It is considered that a single policy would have reduced repetition.</p> <p>RBK would welcome guidance on how to assess the 'need' for water sport centres.</p>

## Chapter 10: Transport

RBK supports a number of policies in this chapter including the Healthy Streets approach, the promotion of cycling, and that improved transport infrastructure is necessary for a successful global city. RBK continues to support Crossrail 2 (CR2) and this is necessary to deliver the growth anticipated in the borough through the new Opportunity Area designation.

However, RBK remains concerned about the application of parking standards and achieving the modal shift to sustainable transport modes.

Policy (T)	Comment
1	<p>The intention of the policy is supported and the benefits of modal shift recognised. However, there are questions as to whether the 80% sustainable transport mode target can be met in outer London areas with poor public transport accessibility. In these areas, there are fewer options and a high reliance on the bus network which can suffer congestion (unlike rail, tube and trams); additionally there are limited direct routes to neighbouring areas. It is also noted that while Crossrail 2 is a vital and welcomed improvement, supplementary enhancements to public transport services are therefore necessary to benefit the</p>

	<p>full range of commuting requirements.</p> <p>In areas of poor public transport accessibility or where journey times to key destinations such as employment are not well served by available public transport, there are challenges in attempting to reduce car use and ownership. Consequently, there is generally high car ownership in Kingston (compared to the London average) and the parking standards that flow from this strategic target may require some reassessment for areas of poor accessibility (please see response to Policy T6 and sub policies).</p>
2	Support.
3	Support, particularly the reference to securing Crossrail 2 in <b>part D</b> .
4	Support
5	Support.
6	As noted for T1 above, RBK considers that the modal shift targets will be challenging in areas with poor public transport accessibility and that the currently proposed parking standards for these areas do not fully reflect the nature of the borough. This includes the lack of alternative options for some journeys, and also the ability to secure an increase in car-free households where residents rely on private vehicles for work purposes.
6.1	<p>RBK considers that the residential parking standards require some reassessment as they do not fully account for the characteristics of outer London Boroughs. This is particularly relevant where the designation, such as Opportunity Area status, is not matched by public transport accessibility. Parts of the Kingston Opportunity Area are poorly served (PTAL 0-2) by public transport, which the introduction of CR2 will not fully resolve (see Appendix 3).</p> <p>It is also noted that there are differences between a PTAL 5-6 in Outer London boroughs such as Kingston, compared to Central London where there is a dense network of transport routes, rather than a single line with limited destinations and lower frequency of services. This also applies in relation to key Outer London transport nodes such as East Croydon, Richmond and Stratford. It is recommended that these differences should be taken into account when setting parking standards to ensure that the standards reflect a more nuanced understanding of public transport accessibility.</p> <p>RBK requests flexibility to set locally-specific standards as appropriate to ensure these matters can be addressed through the Local Plan.</p>
6.2 &	RBK is aware of the impact of office and retail parking standards on its town



6.3	<p>centres, including Kingston Metropolitan Town Centre, the third largest town centre in London after the West End and Shepherds Bush. These town centres, particularly Kingston, have a broad catchment from across London and into Surrey and other neighbouring Home Counties. However, public transport accessibility is relatively poor in comparison with other town centres across London, particularly those of equivalent Metropolitan status. Limiting car parking in the way proposed could make RBK's town centres less competitive, with implications for economic performance; parking is already cited as one of the main issues in Kingston town centre. The approach, which is more appropriate to CAZ, may have implications for RBK's town centres which are competing with Surrey neighbours where less stringent parking provision apply.</p> <p>If policy T6.2 is taken forward, clarification is sought whether higher parking levels can be set in a DPD in the Kingston Opportunity Area. This is not clear within Table 10.4 and could usefully be detailed within the policy or the supporting text.</p>
6.4	Support. RBK recognises the flexibility of this policy, which will allow locally specific approaches to be developed - something that RBK considers could usefully be applied with other parking standards.
6.5	Support, except the reference to the building standard given that this can change over the plan period.
7	Support.
8	Support.
9	Support the reference to Crossrail 2, but seek clarity on the introduction of this crucial infrastructure investment.

## Chapter 11: Funding the London Plan

RBK agrees strongly with the intent of the policy in respect of ensuring that developers take into account development plan policies when progressing proposals. As written in response to the recent government consultation, *Planning for the right homes in the right places*, RBK has significant concerns about the failure in many cases for developments to meet the costs of delivering the necessary infrastructure due to viability.

However, clarification is sought on the following matters: Firstly, the policy requires evidence of viability issues in a development to be provided prior to the submission of an application. This

requires pre application discussions. Further guidance is sought on the enforceability of this as pre-application discussions are best practice but, as we understand, not mandatory.

Secondly, and linked to the above, the policy requires boroughs to accept viability assessments prior to the submission of applications. In those instances where agreement is not reached on viability issues, should boroughs be refusing to validate applications? RBK has concerns about this approach, but seek further guidance about the actual mechanisms intended.

The hierarchy which prioritises obligations is unwelcome. RBK maintains that boroughs should determine their own priorities. However, should this policy come into force, further clarity is needed in relation to the tests which govern planning obligations (necessary to make a development acceptable, directly related to the development and fair and reasonable relative to a development's scale). These tests may suggest a different hierarchy, with other requirements prioritised over, for example, affordable housing. It is not clear whether the proposed policy provides sufficient flexibility to deal with these instances, and it may therefore not be consistent with current legislation.

The policy also states that the hierarchy should be taken into account when in drawing up a Regulation 123 list. However, it is not clear if this means that councils should prioritise CIL in the same order of hierarchy, or whether they should do the opposite as they can expect development itself to bring forward the higher priority development types through planning obligations. Clarification is sought on this.

Overall, although RBK do not oppose the intent of this policy, it would benefit from additional supporting text or policy wording to explain and overcome the identified issues, above.

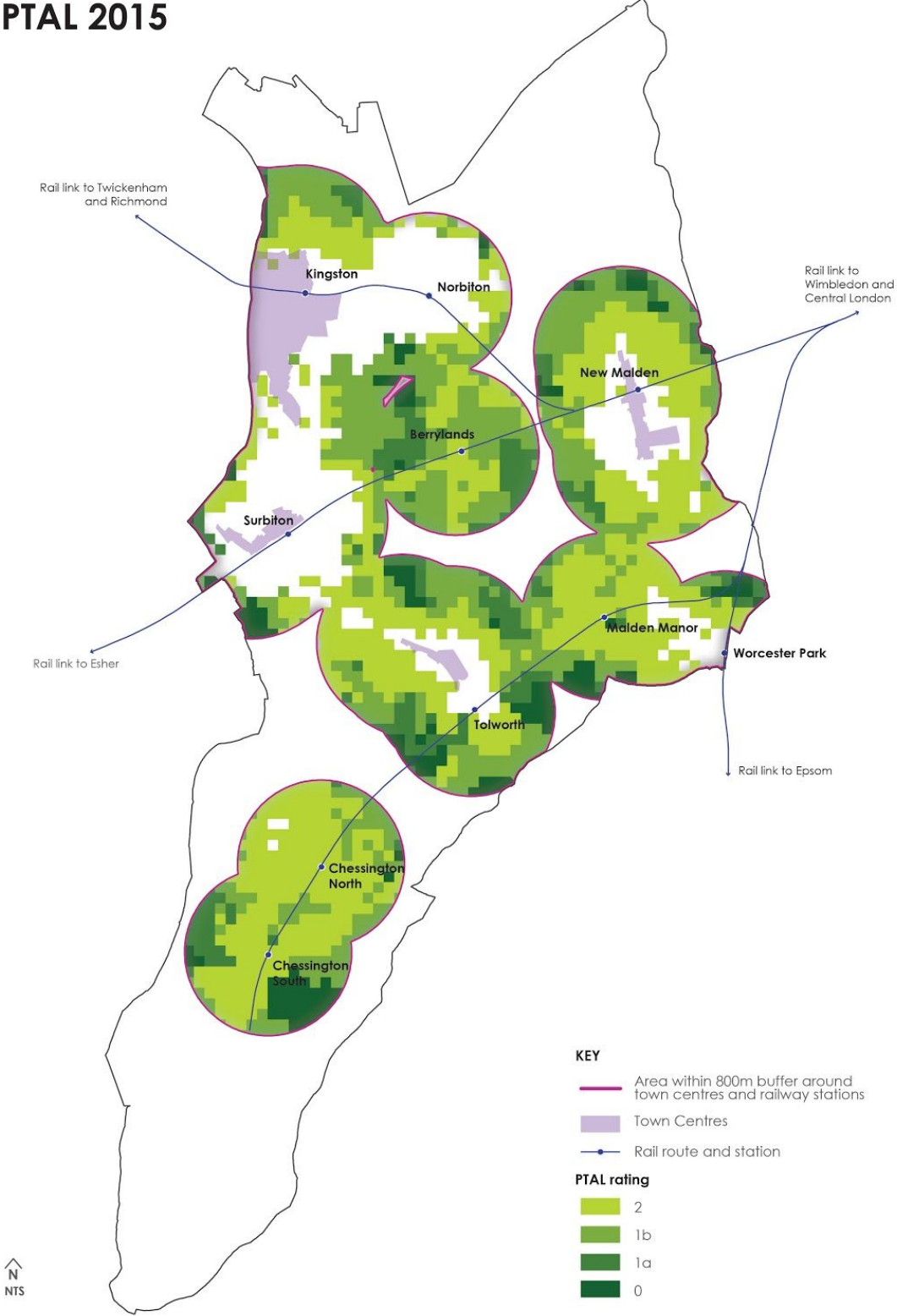
## **Chapter 12: Monitoring**

It is considered that this chapter should include contingency options for any failure to deliver, such as the small sites policy.

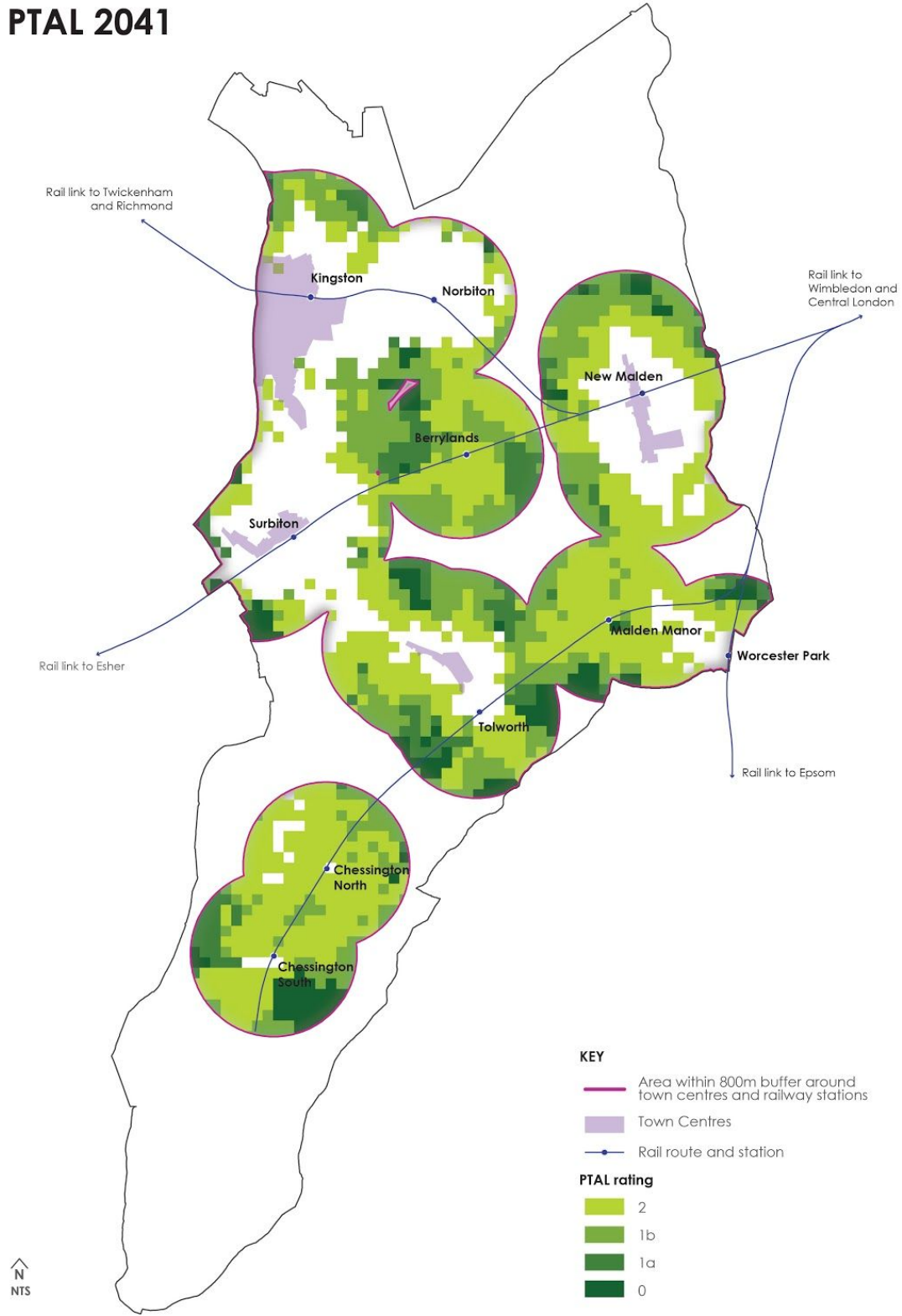
Given that the housing targets run until 2029, RBK believes the reference to the year 2030 in the first KPI measure is an error and should be rectified.

# Appendix 2 Small sites policy + PTALs

## PTAL 2015



# PTAL 2041



# Appendix 3 Current + Future PTALs

