

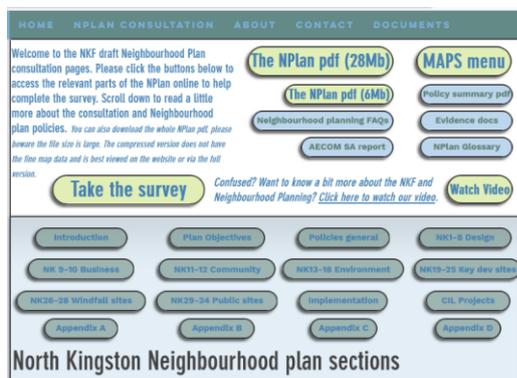
North Kingston Forum

Draft neighbourhood plan – Resident response to consultation

Caroline Shah, Park Road, Canbury Ward

I believe that the draft North Kingston Forum (“The Forum”) neighbourhood plan (“the Plan”) is not fit for purpose. It breaches consultation, policy and legal requirements and is not accompanied by a Strategic Environmental Assessment and Habitats Regulations Assessment as required for a Regulation 14 Consultation under the The Neighbourhood Planning (General) Regulations 2012.

The Plan is too long, is written in “policy” language that is not easily accessible to residents and is not written clearly using consistently applied and defined terms. It is presented in a way that makes it almost impossible to read and understand in the detail necessary to make sense of it. The home page for the consultation alone is enough to put off some people from embarking on the survey.



Given that the Plan’s policies will “carry full weight in the decision-making process once the neighbourhood plan is made”, it is of paramount importance that the Plan is started again and that its policies are sound, consistently applied, reflect residents’ opinions, portray a realistic picture of the development and protections to which specific policies will give rise, and is compliant with legal and policy requirements.

I would like to make the following specific observations and recommendations:

Opportunity Area

The Introduction to the Neighbourhood Plan states in section 1.3 that a “proposed Opportunity Area in our area has been identified by the Greater London Authority”. This is a material misrepresentation that undermines the entire neighbourhood plan. Similarly, the statement in Point 5.6 of the Plan accepting that the Kingston Town “opportunity area” boundary will cover most of Canbury Ward is unacceptable given the Council has not even published the responses to the 2019 Early Engagement consultation on the Local Plan.

The Greater London Authority has not identified Canbury Ward and Tudor Wards in any document as being part of a so-called “opportunity area” in Kingston.

There is not yet any "opportunity area" in Kingston and no boundary for any Kingston Opportunity Area has been agreed. The basis and extent of any such an opportunity area has not yet been established. This is evidenced on the Opportunity Area pages on the Mayor of London's website ,

where only the 2016 Direction of Travel growth strategy for Kingston appears with the following statement:

"The Direction of Travel for the Royal Borough of Kingston upon Thames (Kingston DoT) provides supplementary planning advice to the London Plan policies to support the development and intensification of areas within the borough to provide new homes, jobs and investment. The Kingston DoT is a joint statement of intent by the Royal Borough of Kingston upon Thames and the Mayor of London. Its purpose is to provide clarity to residents, developers and landowners on the process being undertaken to produce a growth strategy for Kingston and the associated statutory planning framework."

The "process" of defining a local growth strategy for Kingston has stalled. There was a first consultation on a draft Local Plan in 2019, following a challenge of an earlier draft. I have asserted to the council that that consultation was not fit for purpose and breached legal requirements for such a consultation and should be restarted. The responses from residents to that consultation have never been shared with respondents

The Mayor of London's office has clarified in writing that the boundaries of any Opportunity Area in Kingston will only be established when the council does its new Local Plan or through an Opportunity Area Planning Framework or similar document at Borough level. Neither of these processes is currently taking place

Kingston Council has not conducted a Strategic Environmental Assessment, Habitats Regulations Assessment, Equalities Impact Assessment or Health Impact Assessment of the growth strategy laid out in the Direction of Travel or of the housing targets that the council agreed in principle with the Greater London Authority to deliver as part of the new London Plan. No overriding growth strategy for Kingston, including for the area covered by the North Kingston Forum, can be agreed in the absence of such assessments, and the cumulative effect of growth plans can only be assessed by means of such legally-required processes. The lack of SEA, HRA, EqIA and HIA on a growth plan of the magnitude taking place in Kingston breaches legal requirements

Misrepresentation of Extent of Growth Required in the Kingston "opportunity area"

The Forum wrongly states that 9000 homes and 5000 jobs are expected to be delivered around Kingston Town Centre over the next decade.

Firstly, the figures given for Kingston in the London Plan are for the whole Borough and not just for around Kingston Town Centre. Secondly, the figures cover the period 2019 to 2041 and are predicated on improvements in transport accessibility across the Borough.

The statement made by The Forum therefore undermines the Plan and makes it unsound. How can any resident make sense of the policy proposals when overarching statements about plans for growth in Kingston are wrong?

Public Transport Accessibility Levels - PTALS

The Plan misrepresents the density of development that will inevitably occur on sites advocated for development by the Forum by assessing the density that the Forum supports on the basis of Public Transport Accessibility Level density levels that were used in defining appropriate densities in the 2013 Strategic Housing Land Availability Assessment for the 2016 London Plan. PTALs are no longer used in the new London Plan when deciding the density that any planning application can support. The use of PTALs to indicate density is misleading to the reader. The Forum even states

when referring to the Sury Basin Site in NK19 “there is nothing to suggest its approach (of using PTALS to decide density of a site)

Densities on any site in the area and to which is not offered specific policy protection by the Forum through its policies , for example any development on the Park Road “Key Corridor” will therefore be significantly higher than those given as approximations in the Plan’s policies. This is unjust, inconsistent and unacceptable.

The Forum misrepresents the Sury Basin site’s excellent connectivity to public transport, saying it has a PTAL of 4 when the PTAL is the highest possible at 6a. This also undermines the trust that residents can put in the policies proposed by the Forum which are not robust and prevents intelligent and informed response to the consultation.

Inconsistency of application of policies across Sites in terms of scale, layout and density

The Forum has applied its policies in an inconsistent manner across sites to arrive at acceptable locations, forms and scale of development. The assumptions made are therefore misleading and cannot be relied upon by residents to give informed and intelligent comment to the proposals and conclusions reached are unacceptable. The Forum describes North Kingston as a whole in **Policy NK 14 Climate Resilience** as having a “**relatively dense urban character**”. Based on 2013 London PTALS and current perceptions of what comprises urban and suburban development, this statement is misplaced and misleading, supporting urban densification in an area that is not suited to it. Urban densification in Canbury and Tudor Wards will have a significant harmful effect on the character and setting of the whole area.

For example, the Intensification Zone advocated in Policy NK1 advocates development of between 6 and 12 storeys on sites within 400 metres from Kingston Town Centre as outlined in the 2016 North Kingston Development Brief. However, the Forum is advocating that development on the very large Sury Basin site in Policy NK19 is only between 3 and 6 storeys high which results in a maximum of 250 homes on the site. Other sites within 400 m of Kingston Town Centre are however earmarked for much higher density development:

Policy	Location	Height	Number of units using OLD lower density assumptions	NKF consider likely to be in “Opportunity Area”?
NK20	Canbury Place Car Park	Up to 8 storeys	300	YES
NK21	Canbury Business Park	4 to 8 storeys	300	
NK22	Cowleaze Road	Up to 5 storeys	100 on irregular site	
NK27	Seven Kings Car Park	Same height	150	
NK 30	Elm Grove	Up to 4 storeys	100	
NK31	Acre Road	Up to 3 Storeys	50	
NK19	Sury Basin (Sainsbury’s)	3-6 storeys	250	

In contrast, the Forum considers it appropriate that a handful of small sites (Policies NK24 and NK25) on Park Road by the roundabout with Kingston Hill, including Clifton Road, Manorgate Road and on Kingston Hill in the Park Road Conservation Area which is a long-established residential area and Conservation Area should be redeveloped at a height of **3 to 5 storeys and in a dense form** which is

completely out of character with the surrounding development, especially Victorian residences, particularly on Clifton Road and Park Road and the Victorian cottages on Burnham Street.

There is NO requirement at all for developments on and near the Park Road Conservation Area “to conserve and enhance the significance of the Park Road Conservation Area and its setting”.

However, main policy wording exists to conserve and enhance the significance of the Riverside North Conservation Area and its setting in the redevelopment of Richmond Road Petrol Station in Policy NK28 and Canbury Court Garages in Policy NK32. This inconsistency of protection offered to different sites in different locations with similar characteristics as Conservation Areas is unacceptable and I believe the Plan is flawed on this basis. It also results in vastly increased development densities on the sites on and near the Park Road Conservation Area compared with those near the Riverside North Conservation Area:

Policy	Location	No of Units and Height (using OLD lower PTAL assumptions)	Protection offered by NKF?	NKF consider likely to be in “opportunity area”?
On or near the Park Road Conservation Area				
NK24	Park Road Roundabout	100 – up to 5 storeys	No, despite being Conservation Area	YES
NK25	Manorgate Road	200 – up to 4 storeys	No, but established Victorian neighbourhood	YES
Near the Riverside North Conservation Area				
NK28	Richmond Road Petrol Station	30 - Up to 3 storeys on Richmond Road	YES – “Redevelopment will be expected to conserve and enhance the significance of the Riverside North Conservation Area and its setting”	YES
NK32	Canbury Court Garages	10	YES – As in NK28	NO – but are within 800 metres of Kingston Town Centre

Point 5.68 of Policy NK13 – Climate Change Mitigation states that, outside of Conservation Areas for which there is an appraisal defining its character, the applicant may define the “character area” in which the planning application is coming forward is based. This is not acceptable. The character area of an area needs to be defined by local people in conjunction with an independent design panel and conservation specialists such as people from the Kingston Society, not by a developer whose interest it is to push through whatever development he can.

The likelihood of inappropriate density occurring on sites that are not specified in the Forum Plan and not offered specific protection by its policies is increased further in **Policy NK13 – Climate Change Mitigation** where the Forum states that development with different forms of “plot size, plot coverage and layout that are different to those of the character area within the proposed location...will be supported” as long as they will not have a “significant” harmful effect on the character area.

Scout hut and grounds should not be put forward as a Windfall Site

It is completely inappropriate that the Forum should suggest a policy whereby a community asset as valuable as the Scout should be considered a Windfall Site for development of housing. This is not an asset in “leisure” use but a vital community asset. It is hard to see how the scout hut on its own could provide enough land for 15 new homes, yet policy NK16 claims that the grounds of the Scout Hut will be proposed for protection as Local Green Space. This does not make sense.

There is a huge lack of community facilities for young people and other residents in North Kingston and this site should be protected in its entirety. The Scout Hut and grounds should also be protected under Policy NK11 Community Facilities which state that the loss of a community facility will be resisted unless authoritative evidence that demonstrates that the present use is no longer needed and the

Heritage buildings due protection

No mention is made of the Sopwith Aviation Factory and Hawker building on Canbury Park Road and the need for these listed buildings to be protected from development around them. This should be explicit in Forum policies for all development on sites near Kingston Town Centre, alongside the Gala Bingo Hall and any other assets with a Listing from Historic England

Concentration of school provision on a single site will cause significant harm to existing communities on Dinton, Bockhampton, Wyndham, Kings and Park Roads

The Forum supports in **Policy NK33 – St Luke’s Primary School** the possible relocation of St Luke’s school to another site and the conversion of the existing site to housing. Similarly, the Forum supports the conversion of some of The Keep in **Policy 29 – The Keep** as extensions to St Agatha’s and Latchmere Schools (and maybe as the location for a relocated St Luke’s School. These policies are so sketchy that they leave a real risk of immeasurable harm to communities around the area. The narrow roads and lack of parking as well as poor public transport in the area mean that congestion will increase to an unacceptable level if all primary schools in the area are concentrated on a single site.

The basis of designating Park Road as a “Key Corridor” is flawed and it should be removed

I believe that the basis on which Park Road has been defined as a “Key Corridor” is completely flawed as no weight has been given to the significance of the character of the area and its setting, its Conservation Area and adjoining Liverpool Road Conservation Area, as well as its Local Areas of Special Character, and its significant role in bringing people together from across the community in a suburban and relaxed setting. In addition, the Forum advocates that development should take the form of *“medium rise blocks or larger buildings with continuous street frontage”*. This is completely out of character for the area and would cause significant damage to the Conservation Area and its setting.

Point 5.18 of the Plan states that there are *“a number of potential opportunity sites for redevelopment”* on Park Road but none are put forward in Policies NK19 forward on Key Development Sites and therefore the basis of designating Park Road as a Key Corridor is unjustified and unsound.

I do not support policies that are put forward with no detail of what is expected from them and no protection for existing communities and neighbourhoods other than a generic “maintain essential character and be in scale with surroundings” and similar weak protection in the form of design standards. Sury Basin for some reason is offered much stronger and specific protection. This is wrong.

The statement in **Point 5.16 of the Plan** that the “existing character” of Park Road is “less well defined” than that at Richmond Road is unsubstantiated and highlights the unsoundness of the policies of the Plan.

The proposal in **Policy NK 12- Access and Movement** that only “*smaller local roads*” should be enhanced and made in to an area with “safe and attractive” places for all ages and in which “*residents and visitors drive through with care and respect*” is highly discriminatory and must be amended to cover all roads in Kingston. Tudor Drive has already had measure implemented to slow down traffic and make it pedestrian friendly. It is time the same was done the length of Park Road and to all other roads in the area.

Park Road should be removed as a key corridor from the Plan.

The advocated density of development on Park Road by the Forum at 300 habitable rooms per hectare is unacceptably high. If the Forum considers the 2016 now out of date London Plan PTAL chart, it will see that a predominantly Victorian suburban neighbourhood with a PTAL rating outside of the Conservation Area on the roundabout of between 1b and 3 and such as exists on Park Road used to be expected to develop at densities of a **maximum of 95 units per hectare**. **I do not believe that an uplift of over three times can be justified by the new London Plan policies in this location and I oppose the policies for development density along Park Road**

Setting	Public Transport Accessibility Level (PTAL)		
	0 to 1	2 to 3	4 to 6
Suburban	150-200 hr/ha	150-250 hr/ha	200-350 hr/ha
3.8-4.6 hr/unit	35-55 u/ha	35-65 u/ha	45-90 u/ha
3.1-3.7 hr/unit	40-65 u/ha	40-80 u/ha	55-115 u/ha
2.7-3.0 hr/unit	50-75 u/ha	50-95 u/ha	70-130 u/ha
Urban	150-250 hr/ha	200-450 hr/ha	200-700 hr/ha
3.8-4.6 hr/unit	35-65 u/ha	45-120 u/ha	45-185 u/ha
3.1-3.7 hr/unit	40-80 u/ha	55-145 u/ha	55-225 u/ha
2.7-3.0 hr/unit	50-95 u/ha	70-170 u/ha	70-260 u/ha
Central	150-300 hr/ha	300-650 hr/ha	650-1100 hr/ha
3.8-4.6 hr/unit	35-80 u/ha	65-170 u/ha	140-290 u/ha
3.1-3.7 hr/unit	40-100 u/ha	80-210 u/ha	175-355 u/ha
2.7-3.0 hr/unit	50-110 u/hr	100-240 u/ha	215-405 u/ha

Notes to Table 3.2

Appropriate density ranges are related to setting in terms of location, existing building form and massing, and the index of public transport accessibility (PTAL). The settings can be defined as:

- central – areas with very dense development, a mix of different uses, large building footprints and typically buildings of four to six storeys, located within 800 metres walking distance of an International, Metropolitan or Major town centre.
- urban – areas with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys, located within 800 metres walking distance of a District centre or, along main arterial routes
- suburban – areas with predominantly lower density development such as, for example, detached and semi-detached houses, predominantly residential, small building footprints and typically buildings of two to three storeys.

The Forum needs to reconsider its list of proposed locally listed buildings and other protections offered

I do not agree with the proposal to locally list the Cardinal Pub or the Tudor Drive shopping Parade. These are not attractive buildings and do not merit listing. They could better be redeveloped for more meaningful and expanded community use as the local population expands. I believe that the Tudor Drive Hall and Library could also be meaningfully expanded for better community use and with no adverse impact on the surrounding neighbourhood, given their location and the fact that they are currently single storey buildings in open locations.

I believe that the following assets should be included for local listing and protection:

- The Scout Hut and grounds
- The Sheltered housing development and associated land at 79 to 99 Park Road, which is a fine example of a rare architectural style and provides much-needed housing for people in need
- Park Road shopping parade both within the Conservation Area and up to the Sheltered Housing development as core local shops to the Park Road community. This should be protected also as part of Policy NK9 Local Shopping Parades. Policy NK9 should provide automatic protection to shopping parades in Conservation Areas
- Barnfield Stables, The old Youth Centre and the adjoining Recreation Ground which provide much needed community facilities for the local community

Insufficient and lack of meaningful consultation, especially with residents who will be adversely affected by the proposals

I understand that few people have attended North Kingston Forum meetings where arbitrary decisions have been made to include and exclude sites that the Forum will support for development or protection, and similarly arbitrary decisions have been made on the type and scale and density of development that the Forum supports on each site.

Policies have been compiled without meaningful input from the communities who will be affected by them. It is evident that no methodology has been consistently applied in deciding the policies in their plan. The policies are arbitrary and based on the opinions of a handful of people with no evidence to support them

Clause 5.101 of Policies NK19 to 25 states that the site specific policies are considered to be “appropriate development capacities” that have resulted from “a meaningful engagement and collaboration with the local community and other stakeholders”. No changes have been made to the proposals even though I attended **the NKF AGM in 2021** and made substantial comments on the Plan. I was told that a recording and transcript of the meeting would be released but it has not. Some of my comments have been paraphrased by the Forum Committee but it is not possible for the wider community to know exactly what I said at the meeting and to hear the lack of response that I received to my comments

Lack of Strategic Environmental Assessment

This consultation has not been accompanied by a Strategic Environmental Assessment which is a requirement for a Regulation 14 consultation. This precludes me from giving an informed and intelligent response on the environmental impact of the proposed policies. I believe that the consultation is flawed on this basis.

Lack of basis for designating the Co-op's location as a "Neighbourhood Heart". Park Road and Tudor Drive would be more appropriately given such a status

An arbitrary decision has been made in **Policy NK – 15: Green Infrastructure** to call the Co-op location the "Neighbourhood Heart". I strongly disagree with this statement. This is the location of a shop. The term "Neighbourhood Heart" is not defined.

It would be much more appropriate for Park Road and Tudor Drive to be jointly called the Neighbourhood Heart and to be protected as such, given that these roads join Canbury with Tudor Wards and Richmond with Kingston.

Park Road has some of the oldest villas in Kingston on it which are part of a Local Area of Special Character, has a scout hut and grounds that have been here for nearly 100 years, local shops, Dinton Fields, a nursery and primary school, a Conservation Area, runs along the side of the Liverpool Road Conservation Area and is minutes away from St Paul's Church, St Agatha's Church and St Luke's Church. Porter's shop is also still run by the same gentleman who as a young boy used to cross Richmond Park in a horse and cart to collect fruit and vegetables before going to school every morning. The Forum wishes to offer extended protection to Tudor Ward and the shopping parade and pub on Tudor Drive and yet does not recognise Tudor Drive as existing in the heart of the area and does not recognise that the road is an extension of the much older Park Road, the extension of which enabled the Tudor Estate to exist.

There is a fundamental inconsistency in the Forum's desire to protect Tudor Ward from development, whilst making Park Road, the longer established community which contains many of the neighbourhood's community assets into a dense, out-of-character regeneration area. I oppose all the policies that promote the protection of Tudor Ward whilst advocating the redevelopment of the Park Road of Canbury Ward for arbitrary reasons.

Lack of policies to upgrade existing Local Areas of Special Character to Conservation Areas

Policies should be put forward as part of NK7 – Conservation Areas and Local Areas of Special Character, to offer residents an upgrade Existing Local Areas of Special Character to Conservation Areas. This is a major oversight in a plan that is meant to offer protection to the area.

Statements of Knowledge and Authority that are not substantiated in the Plan put before residents

The Forum asserts that it is well-placed to "**identify the potential opportunities for change and for ensuring growth and development is inclusive**". I do not agree with this statement as the policies advocated seem discriminatory and exclusive.

I object to the statements made in Paragraphs 5.98 and 5.99 of the Introduction to policies for Specific Sites NK 19 to NK25. My objection is supported by the misrepresentations, lack of consistent approach to applying policy and arbitrary recommendations made throughout the Plan:

5.98 As the London Plan acknowledges, understanding the existing character and context of North Kingston has been essential in determining how it may best develop in the future. The Forum, on behalf of its local communities, understands the Area very well and how its past social, cultural, physical and environmental influences have shaped it. It is therefore very well placed to identify the potential opportunities change and for ensuring that growth and development is inclusive.

5.99 Conversely, it also is committed to using this knowledge to ensure that those parts of North Kingston that cannot accommodate change without significantly undermining their value as places to live and enjoy, are protected from harmful development.