



## **Hounslow Local Plan Examination**

**Response to Matter 8 - Design, Tall  
Buildings and Heritage**

**Representations on behalf of  
Sainsbury's Supermarkets Ltd (SSL)**

## **Matter 8: Design, Tall Buildings and Heritage**

### **Independent Examination of the Hounslow Local Plan - Inspectors Matters, Issues and Questions (MIQs) for Examination**

#### **Introduction**

1. On behalf of our client, Sainsbury's Supermarkets Ltd (SSL), we welcome the opportunity to respond to Matter 8 of the Inspectors MIQs relating to the current independent examination of the Hounslow Local Plan.
2. SSL has been involved in the London Borough of Hounslow (LBH) Local Plan Review process since 2016. In December 2023, SSL submitted representations to the Regulation 18 consultation on the emerging Hounslow Local Plan following the Council's decision to combine several draft Volumes into a single consolidated document, within which their store in Chiswick town centre (the site) has been allocated for redevelopment to provide a mixed-use residential development including a reprovisioned foodstore. Most recently SSL submitted representations to the Regulation 19 consultation on the consolidated Hounslow Local Plan in October 2024.
3. SSL's store in Chiswick is located within the designated town centre and provides an important opportunity to deliver a town centre mixed-use redevelopment, providing new homes, new retail space and contributing to the revitalisation of Chiswick High Road.
4. We do not propose repeating the points made within previous representations, but recommend that the Inspector reviews our representations which specifically deal with the proposed allocation of SSL's Chiswick store. The following response to the Inspectors MIQs is made within the context of the preceding representations and does not supersede these, but rather emphasises and adds to important factors that the Council and Inspector should consider to find the new Local Plan sound.

#### **Issue: Whether the Plan is positively prepared, justified, effective, consistent with national policy and in general conformity with the London Plan in relation to design, tall buildings and heritage?**

**Q1: Policies CC1 and CC2 relate to context and character, and urban design and architecture respectively; are they positively prepared, justified, effective, consistent with national policy and in general conformity with the London Plan 2021? Responses should address:**

- a) Whether the intended approach in Policy CC1 that all new development 'conserves' and takes opportunities to 'enhance' is justified and consistent with national policy, or should the approach be more closely linked to London Plan Policies D1 to D6, and different for development proposals that may affect the historic environment?
5. Policy CC1 and CC2 do not reflect the need to deliver housing to address the acknowledged the 'housing emergency' in London. The policies are drafted to restrict the delivery of housing rather than support its development.
6. The Plan is seeking to release Green Belt and greenfield land to meet its development needs because the Plan as drafted (including Policy CC1, CC2, CC3 and CC4), restricts development of brownfield land and on allocated development sites. Framework paragraph 147 confirms that land should not be released from the Green Belt unless the policy strategy optimises the density of development in town centres and locations well served by public transport.

7. The housing allocation on the Sainsbury's site in Chiswick (Site Allocation 107) has been reduced by 20% from 390 to 300 units for no apparent reason. The Council must optimise housing delivery from sites such as this which are within the town centre and close to excellent public transport links.
8. The inclusion of the word 'conserve' should be removed from the first paragraph. The need to conserve should only apply to locations where development will impact upon heritage assets.
9. Policy CC1 should recognise that housing delivery must be optimised on allocated sites to help meet the Council and London's housing needs in a sustainable manner.

**b) Whether the individual and cumulative policy requirements of development proposals in Policies CC1 and CC2 reflect the design-led approach in London Plan Policy D3 and are they sufficiently clear to be justified and effective, insofar as being evident how a decision maker should react to development proposals?**

10. Policies CC1 and CC2 are overly long, complex and overly restrictive. They are not succinct or positively prepared. They should be rationalised to avoid duplication.
11. Policy SC4 Part C) of the Local Plan references the design-led approach in the context of development density, Policy CC2 sets out a checklist of urban design and architectural principles (criteria K-HH) that development proposals must respond to. This 'tick-box' approach, and prescriptive design criteria will hinder a genuine design-led process, which requires flexibility to respond to site-specific context, form, and opportunity. The rigid checklist constrains this process and will prevent the optimisation of sites.
12. In short, Policies CC1 and CC2 do not reflect the design and approach in London Plan Policy D3, or Local Plan Policy SC4 Part C). The fundamental principle behind the design and approach is to optimise the amount of development that can be delivered on a site. It appears that the aim of Policies CC1 and CC2 is to restrict development.
13. Both policies should be redrafted to seek to optimise the development capacity of sites and promote a genuine design-led approach, particularly allocated sites, in accordance with paragraph 130 of the Framework and the London Plan.

**Q2: Policy CC3 relates to tall buildings; is it positively prepared, effective, justified and consistent with national policy and in general conformity with the London Plan 2021? Responses should address.**

14. Policy CC3 is not positively prepared, effective, justified and consistent with the Framework and the London Plan. The policy is overly prescriptive and inflexible. It will not help to optimise housing delivery from suitable sites, and it will not make an appropriate contribution to addressing London's housing crisis.
15. Although we welcome that the Sainsbury's site in Chiswick (Site Allocation 107), is identified in Table CC3.2, the heights are too prescriptive. It is imperative that housing delivery is optimised on accessible town centre sites such as this, in accordance with the aims of the Framework. The building heights and associated storey equivalents are not reflective of floor to ceiling heights for the Sainsbury's store which must be reprovided at ground floor level. We support modification HLP\_C6\_12 to replace 'appropriate' with 'maximum'. For consistency, Policy 33 Part L) should also be changed to state 'appropriate' rather than 'maximum'.

**b) Is the approach of identifying two definitions of tall buildings (higher scale areas - above 30m from ground level to the top of the building, excluding rooftop plant, and lower scale areas - above 21m from ground level to the top of the building, excluding rooftop plant) as given in Policy CC3, justified?**

16. Figure CC 3.1, the map showing the tall building definitions by locale should be amended to show the Sainsbury's Chiswick site (Site Allocation 107) as being suitable for Higher Scale Tall Buildings to accord with Table CC 3.2.

17. Most commonly in measuring buildings, the height is defined by measuring from the ground level to the top of the floor surface, excluding rooftop plant rooms. This includes definitions of heights for fire safety. For consistency, in the definition of tall buildings, rooftop plant should be excluded from the measurement of height. This would also be consistent with the London Policy D9(A) which defines a tall building as one that is "not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey".
18. The Site Allocation for Sainsbury's Chiswick site does also not account for the floor to ceiling heights required to accommodate the replacement Sainsbury's foodstore, which will be taller than a residential storey.
19. For clarification, Part J) should exclude rooftop plant from the definition of tall buildings as this is inconsistent with London Plan Policy D9 and widespread practice.

**c) Is the identification of the locations in Figure CC3.1 that are considered suitable for higher scale tall buildings and lower scale tall buildings appropriate, informed and justified by robust evidence, and are the locations sufficiently precise?**

20. The approach pursued with Figure CC3.1 is too restrictive and inflexible. It is not informed and justified by robust evidence. The Hounslow Tall Buildings Study is too broadbrush and is inferior to a site-specific townscape and heritage assessment that would be undertaken at the planning application stage. It should be made clear that Figure CC3.1 provides only broad guidance that provides a starting point for assessment under the tests in London Plan D9 and Policy CC3 Part N) criteria I to XV.
21. We address the inadequacy of the Hounslow Tall Buildings Study in respect of the Sainsbury's Chiswick site (Site Allocation 107) in more detail below.
22. At the very least, Figure CC 3.1 should be amended to show the Sainsbury's Chiswick site (Site Allocation 107) as being suitable for Higher Scale Tall Buildings to accord with Table CC 3.2.
23. Figure CC3.8 of Policy CC3 indicates the specific location of two tall buildings within CH1. One of Local Scale CH1c (up to 9 storeys or 37m AOD); and one of District Scale CH1b up to 14 storeys or 52.0m AOD. This is too restrictive and inflexible. However, Modification HLP\_C6\_15 indicates a variation to Figure 3.8 but it is unclear what the changes are as this has yet to be provided by the Council.

**d) Whether Policy CC3 Park K is sufficiently clear to be effective in guiding development proposals to the respective locations identified in Figure CC3.1?**

24. Figure CC3.1 and Policy CC3 Part K) are too restrictive and inflexible. The Policy and supporting text should be amended to allow tall buildings to come forward in locations not identified as tall building zones, where it can be suitably evidenced using the tests in London Plan Policy D9 and Policy CC3 Part N) criteria I to XV.
25. We support modification HLP\_C6\_12 to replace 'appropriate' with 'maximum'. For consistency, Policy 33 Part L) should also be changed to state 'appropriate' rather than 'maximum'.
26. For clarification, Parts K) and L) are inflexible and inconsistent with London Plan Policy D9. Buildings higher than the thresholds should be acceptable where it can be suitably evidenced using the tests in London Plan Policy D9 and Policy CC3 Part N) criteria I to XV. As noted, at the very least, for consistency with Modification HLP\_C6\_12, Part L) should also be changed to state 'appropriate' rather than 'maximum'.

**e) Are the maximum permissible heights set out in Table CC3.2 and referred to in Policy CC3 for sites, areas and existing tall building clusters, justified by evidence and in general conformity with London Plan Policies D3 and D9 - particularly in terms of the design-led approach and consideration of impacts arising from development proposals?**

27. We support the Council's suggested modification HLP\_C6\_12 to replace 'appropriate' with 'maximum', and note that Policy CC3 Part L) should also be changed to state 'appropriate' rather than 'maximum'.
28. The use of prescribed maximum heights is inflexible conflicts with London Plan Policies D3 and D9, and Local Plan Policy SC4 Part C). It will prevent the optimisation of sites such as Sainsbury's in Chiswick (Site Allocation 107).
29. Policy CC3 must allow proposals to be assessed on a case-by-case basis in accordance with London Plan Policies D3 and D9. The overly prescriptive and restrictive approach will prevent acceptable development coming forward through a design led approach that can demonstrate that greater heights are appropriate. Sainsbury's appeared at the Lewisham Examination and made similar points. The Lewisham Plan includes a recognition that building over the height parameters identified by the Borough-wide assessment can be supported if it can be demonstrated through the design-led approach that it is acceptable in townscape terms, and will deliver wider planning benefits.
30. In the case of Sainsbury's Chiswick (Site Allocation 107), the evidence base, the Hounslow Tall Buildings Study confirms that the modelled building heights are directly informed by the site-specific Design Code in the Hounslow Characterisation and Growth Study.
31. It goes on to state that the proposals for the Sainsbury's Site have been modelled and incorporated into the VuCity model following the principles set within the Design Code for the site set out in the Hounslow Characterisation and Growth Study. This is despite the fact that the Design Code scheme did not include a replacement foodstore for Sainsbury's, and did not make the best use of the site. In short, the starting point for the evidence base is flawed.
32. Notwithstanding this, it assesses the building heights on whether using the VuCity model, the tall buildings are visible from Chiswick town centre and wider area.
33. It is clear that being able to see a tall building does not necessarily mean that it is harmful. If the height has an impact on the setting of heritage assets, the degree of harm must be weighed against the benefits of the proposal.
34. The assessment of Impacts on Townscape and Views at paragraph 7.9.35 and Table 7.18 addresses visibility, limiting visibility and concealment. This is not a robust or balanced assessment, and clearly does not optimise the use of the site.
35. The visibility of a tall building from a townscape perspective and in the setting of a heritage asset does not necessarily equate to harm. Where harm does occur to the setting of a heritage assets, the Framework provide a clear process for decision makers to follow when considering the degree of harm against the benefits of the proposal.
36. In summary, the Hounslow Tall Buildings Study started with, and assessed, a flawed scheme, and then produced a superficial analysis that unduly restricts the development potential of the Sainsbury's site.
37. These failings reinforce the need to incorporate flexibility within Policy CC3 to ensure that a design-led approach can be applied to ensure that housing delivery is optimised on accessible sites, such as the Sainsbury's site in Chiswick.

**h) Whether the definitions of metropolitan scale, district scale and local scale tall buildings relating to context height ratio as set out in paragraph 6.15 are justified? If so, is the influence of those definitions on the suitability of a development proposal for a tall building sufficiently clear in Policy CC3 to be effective, insofar as being evident how a decision maker should react?**

38. Paragraph 6.15 appears to relate to Policy C33 Part O). The definitions 'Local Scale', 'District Scale', and 'Metropolitan Scale' come from the Tall Buildings Study, but are too crude to provide a genuine insight as to whether a proposal is acceptable. The definitions will be used to oppose

development that is acceptable and seeks to optimise the use of land. They should be removed.

**Q3: Is the approach in Policy CC4 relating to heritage; positively prepared, effective, justified and consistent with national policy and in general conformity with the London Plan 2021? Responses should address:**

**a) Whether the approach is consistent with national policy which seeks to conserve and enhance the historic environment; particularly the approaches to proposals affecting heritage assets, the significance of heritage assets, substantial or less than substantial harm, heritage at risk and sites of archaeological importance?**

39. Policies CC4 is unwieldy, repetitive and overly restrictive. It is not succinct or positively prepared.
40. Policy CC4 Parts H) and CC) refers to local views being identified within the Hounslow Characterisation and Growth Study, the Tall Buildings Study, and the Character, Sustainability and Design Code SPD, but these documents do not provide a clear schedule of local views that are valued and that developers should consider.
41. With no clear definition of what valued viewpoints the Council is seeking to enhance or preserve, the references to local views should be deleted.
42. Policy CC4 Part O) addressing non-designated heritage assets should refer to a 'balanced judgement' as required by Framework in Paragraph 216.
43. The reference to the 'image of the borough' in Policy CC4 Part Q) should be deleted as the borough's image is not defined.
44. Policy CC4 Part U) deals with Conservation Areas goes beyond, and is significantly more onerous than the Framework guidance in paragraphs 213 and 215. There is no justification as to why Conservation Areas in Hounslow need additional protection over and above Conservation Areas elsewhere. Part U) should be re-drafted to reflect the Framework.

**Q4: Policy CC5, which addresses advertisements is too complex and detailed and does not recognise the needs of businesses. The draft Plan needs to allow for flexibility in signage types and design that fits the needs of the business and that is proportionate to the scale of store and its context. In SSLs experience, LPAs are unnecessarily stringent on considering Sainsbury's advertisements. Sainsbury's orange signage, which is synonymous to their brand and name, can be unpopular for no good planning reason.**

45. Policy CC5 is overly long, complex and overly restrictive. It is not succinct or positively prepared, and it does not reflect guidance in the Framework.
46. Policy CC5 conflicts with paragraph 141 of the Framework, which states that controls of advertisements should be operated in a way which is simple, efficient and effective.
47. Policy CC5 should be shortened and simplified to reflect the paragraph 141 Framework that confirms that advertisements should be subject to control: "Only in the interests of amenity and public safety, taking account of cumulative impacts."