



Quod

**Response to
Hounslow
Stage 1 Post-
Hearing Notes
and
Modifications**

**Hounslow
Local Plan**

St James Group Ltd

APRIL 2026

1 Introduction & Update

- 1.1 As required by the Framework, St James (part of the Berkeley Group) has invested time in early, proportionate and effective engagement with the Hounslow Local Plan Review to help ensure the Plan is positively prepared, deliverable and clearly written.
- 1.2 Quod, on behalf of St James, prepared and submitted hearing statements for Stage 1 Matters 1 (Legal Compliance), 2 (Spatial Strategy), 3 (Housing Need), 4 (Employment and Retail), 6 (Viability), 7 (Green Infrastructure) and 8 (Design and Tall Buildings).
- 1.3 Quod and St James attended the examination hearings and supplemented our written evidence with oral representations. We welcomed the Inspector's requests for further engagement.
- 1.4 We raised the following strategic points with the Inspectors:
 - 1.4.1 The UK faces severe economic headwinds and a well-documented housing emergency, with housing starts and completions falling sharply. The Government and the Mayor of London have responded through ministerial statements that promote delivery and, more recently, through the emergency Support for Housebuilding London Plan Guidance (LPG) measures.
 - 1.4.2 The Plan contains recognised limitations that can be addressed through clarification and embedded flexibility.
 - 1.4.3 The limitations of the Whole Plan Viability Assessment (EBV1) mean the Plan must embed flexibility to ensure policies are deliverable.
 - 1.4.4 The Berkeley Group is engaged in Local Plan reviews across London and has and will continue to assist the examination by sharing relevant examples of agreed best practice.
 - 1.4.5 To be positively prepared, the Plan should promote and facilitate development to meet objectively assessed needs, rather than seek to '*control*' development.
- 1.5 Despite this engagement, and notwithstanding representations at Regulation 18 and Regulation 19 by both Berkeley and Sainsbury's, we remain concerned that further representations are still required to secure effective and deliverable policies, particularly on matters of fact.
- 1.6 We also note that, while the Plan has been consolidated, additional controls have been introduced. This appears to shift the balance towards development control rather than development facilitation.
- 1.7 St James' primary interest relates to the successful redevelopment of the Sainsbury's Chiswick site, which benefits from a draft site allocation (Allocation 107). Despite its strategic importance

to the Borough and our consistent representations, we have not been invited to enter into a Statement of Common Ground with the Council.

- 1.8 For oversight, pre-application engagement with Hounslow officers is ongoing, and the first public consultation has taken place with a planning application expected to be submitted later this year.

Support for Housebuilding LPG (March 2026)

- 1.9 On 25 March 2026, the Government and the Mayor of London announced a package of Support for Housebuilding in London.
- 1.10 The Support for Housebuilding LPG is now a material consideration in the examination, and its fixed timescales will affect the Plan period.
- 1.11 Recognising that the 35% and 50% thresholds in London Plan Policy H5 affect viability and have contributed to the housing delivery crisis, the thresholds have been reduced to 20% and 35%.
- 1.12 This applies to applications validated on or before 31 March 2028 and to schemes that commence within 30 months of permission being granted, influencing schemes well into the Plan's five-year period.
- 1.13 We consider it necessary for the Plan to refer to the LPG.

Wandsworth Inspector's Report

- 1.14 On 20th February 2026, Inspector Graham Wyatt BA (Hons) MRTPI issued his report on the Wandsworth Local Plan Review.
- 1.15 Inspector Wyatt found the plan *unsound without modification*. He concluded that a proposed increase in the affordable housing threshold from 35% to 45% was not justified, for the reasons set out at paragraphs 22 and 23 of his report.

22. To inform the WLPPR, the Council prepared a Whole Plan Viability Assessment (SD022) which tested a range of affordable housing requirements against 48 site typologies. In response to concerns regarding general conformity, the Council provided a Whole Plan Viability Assessment Addendum (SD043) which tested a further six sites across the borough. These assessments found that a number of sites, including those with lower existing land values and those in higher sales value areas, can viably deliver 45% affordable housing. Conversely, sites with very high existing land values cannot meet even the 35% threshold.

23. However, the Greater London Authority (GLA) provided its own assessment of past housing delivery across the Borough and concluded that it only achieved an average of some 30% of affordable housing between 2020 - 2025. Therefore, requiring 45% affordable housing on private, non-industrial land would serve to discourage applicants from following the Fast Track Route (FTR) and would in many cases be unachievable. Moreover, the higher threshold set out within the submitted plan could in turn impact on the delivery of affordable housing and therefore, the effectiveness of the plan. (our emphasis)

- 1.16 Inspector Wyatt’s conclusions are sound and reasonable. Where a local authority proposes an affordable housing policy threshold, in excess of what affordable housing has been delivered year on year, he rightly found that it:
- 1.16.1 “would serve to discourage applicants from following the Fast Track Route (FTR)”;
 - 1.16.2 “would in many cases be unachievable”;
 - 1.16.3 “could in turn impact on the delivery of affordable housing”; and
 - 1.16.4 “therefore, the effectiveness of the plan”.
- 1.17 These matters are fundamental to the *soundness* of a plan, and apply to Hounslow.
- 1.18 Hounslow’s evidence base lacks an up-to-date AMR, as required by the Section 113 of the Localism Act 2011, which sets out net-affordable housing completions year on year.
- 1.19 The most recently published AMR includes data for 2021/2022, albeit we note that the Council’s additional evidence document EX44h (1.15, Table 1) confirms errors accounting for completions between 2019/20 and 2024/25, culminating in a further shortfall of 2,334 homes.
- 1.20 The proportion of affordable homes is not given as part of EX44h, and we would welcome the Council confirming actual affordable housing delivery in that period.
- 1.21 In absence of this information, we have had to rely on the GLA datahub for affordable completions for 2022 onwards. On this, we note that the overall housing completions reported by the GLA differ from those shown at EX44h, and therefore the affordable housing delivery percentages may be overly-optimistic, particularly given the Council’s previous overreporting of completions between 2019-2022.
- 1.22 As shown in Table 1-1, the Council has failed to meet either the 35% or 50% affordable housing thresholds between 2019/20 and 2024/25, achieving an average of 27% per annum. The average reflects a blend of ‘normal’ sites subject to the minimum 35% target and public sector and industrial land where a 50% target applies.
- 1.23 The overall average is likely to reduce further once the dataset for 2025/26 has been published.

Table 1-1 - Hounslow Total Housing and Affordable Housing Completions (2019-2025)

	Total	Affordable	Affordable %	Data Source
2024/25	1682	734	44%	EX44h / London Datahub
2023/24	1175	520	44%	
2022/23	1238	415	33%	
2021/22	1724 [1674]	237	14%	AMR 2021/22 [EX44h]
2020/21	1405 [1497]	331	4%	AMR 2021/22 [EX44h]
2019/20	1412 [1130]	338	24%	AMR 2021/22 [EX44h]

			27%	
--	--	--	-----	--

- 1.24 We consider that the conclusions drawn for the Wandsworth Local Plan apply to Hounslow, and by adopting a 35%/50% threshold will in many cases be unachievable, impact on the delivery of affordable housing, and the effectiveness of the plan. This is demonstrated within the Council’s Whole Plan Viability Assessment (EBV1), which confirms that there is no clear level of affordable housing that the majority of development typologies can viably deliver.
- 1.25 It may be suggested by the Council that the 35%/50% thresholds are required to be in general conformity with London Plan Policy H5. However:-
- 1.25.1 Adopted on 2nd March 2021, the London Plan is now out of date, older than 5 years, without review (Framework; Paragraph 33).
 - 1.25.2 Policy H5 must be read in the context of the LPG Support for Housebuilding which adopts a reduced threshold of 20% and 35% (and a 60:40 tenure split).
 - 1.25.3 The Hounslow Whole Plan Viability Assessment does not, in most cases, support the 35% and 50% thresholds and excludes abnormal costs and other inputs that affect viability.
 - 1.25.4 An adoption of *the presumption in favour of sustainable development* should be at the heart of the Plan, and a review to reflect the new London Plan housing requirement.
- 1.26 It appears therefore that the Hounslow Plan should follow the threshold approach set out in the Support for Housebuilding LPG to ensure soundness, and support the delivery of private and affordable housing.

Newham Local Plan Review

- 1.27 On behalf of the Berkeley Group, Quod attended the Newham Local Plan review, working closely with the Council and Inspector Fieldhouse. The examination has recently concluded.
- 1.28 At that examination, Inspector Fieldhouse raised concerns over Plan viability and requested that the Council undertake further viability analysis to reflect the 20% threshold. We suggested that Hounslow take a similar approach on 16th February 2026.
- 1.29 Notably, the Council agreed to modify the Plan modifications in response to representations submitted, similar to those proposed to Hounslow. The Plan was modified to reflect the housing emergency and the importance of viability in decision making. Three examples are set out below.

Policy H1

As part of the London Plan (2021), Newham has been set a strategic housing target of 47,600 homes to deliver between 2019 and 2029. However, in the years preceding the Local Plan housing target, Newham has delivered a shortfall of housing delivery against this target. Between 2019/20 and 2024/25 17,594 units were delivered in the borough, resulting in a shortfall of delivery of 10,966 units against the London Plan target. This has been a result of macro-economic factors such high interest rates and inflation as well as the time it has taken

for the industry to adjust to new policy and legislative requirements (for example, around building safety). Projected completion figures for the period 2025/26 to 2026/27 indicate that 3,916 further units will be delivered, meaning a total predicted shortfall of 16,570 homes against the London Plan target between 2019/20 and 2026/27.

BFN4 Part 3, Developer contributions and infrastructure delivery

*BFN 4(3) Where substantiated financial viability constraints remain, applicants should deliver the maximum viable level of obligations, **taking account of site specific considerations and the need to provide any new or improved infrastructure or other mitigation necessary to make the proposal acceptable in planning terms.** It is expected that the Plan's objectives will be prioritised as follows...*

Part 2 Site Allocations, Paragraph 4.3

When determining an application, flexibility may be applied to the site allocation requirements based on an up-to-date assessment of need and the agreed viability position of the scheme. This approach ensures that the site allocations remain deliverable within the context of sustainable development.

2 Main Modifications EX57

- 2.1 The Council has undertaken the following actions which we welcome and support:
- 2.1.1 Introduce wording to the housing mix policy supporting text to reflect London Plan Policy H10 A(6) *“the nature and location of the site, with a higher proportion of one and two bed units generally more appropriate in locations which are closer to a town centre or station or with higher public transport access and connectivity”*;
 - 2.1.2 Issued an updated housing trajectory for the anticipated plan period, which removes erroneously shown completion projections; and,
 - 2.1.3 Updated the start point of their 5YHLS to 2025/26.
- 2.2 However, our notes from the Stage 1 hearing sessions identified that the Council, following instruction by the Inspectors, were due to undertake two other tasks, which do not appear to have been undertaken:
- 2.2.1 Set out those matters excluded from the WPVA to ensure clarity and transparency. This would avoid *“possibly misleading”*¹ statements that the plan policies were more viable than they are in practice.
 - 2.2.2 Removal of site specific *“tall building dots”* located on the Tall Building Maps (Fig CC 3.3).
- 2.3 We also understood that the Council would unequivocally recognise the Viability Tested Route in policy, as a legitimate policy route of equal importance to deliver the maximum reasonable amount of affordable housing.
- 2.4 We have reviewed the material produced by the Council, and the proposed modifications relating to these matters and comment on them below.
- 2.5 We comment on the proposed MM produced by the Council (EX57) in the following sections below, with proposed wording by Quod in [blue](#).

¹ Inspector statement to the Council

3 EX44 Housing

EX44a (Housing targets for the borough's ten districts)

- 3.1 St James' Matter 2 Hearing Statement (WS2.8) states that Figure SS1 of the Regulation 22 Local Plan (S1) does not appear to align with the spatially defined locations endorsed by SPD1.
- 3.2 Despite being the borough's second-largest settlement and only Major Town Centre (2nd largest centre in the borough hierarchy), Chiswick is planned for "*modest growth*" (approximately 1.3% of the housing across the Plan period) resulting in a spatial strategy that does not optimise development in sustainable locations. In this context, it is difficult to characterise Chiswick's contribution as "*modest*" in planning terms.
- 3.3 Further documents requested by the Inspectors in Week 1 (EX30A) required that the Council propose a methodology to demonstrate how existing targets are to be shared across the Borough's ten districts, including housing targets for each. The Council have subsequently prepared a main modification to Policy SC1 (EiP_C5_02) to include a new table (SC1.1) showing housing capacities across each district.
- 3.4 Table SC1.1 suggests that the minimum number of homes expected in Chiswick (2025-2041) is 1,192. This demonstrates that the housing planned for Chiswick is significantly lower than Brentford (11,268), Central Hounslow (3,636), Feltham (3,216) and Hounslow West (1,553) despite its Major Town Centre status.
- 3.5 There appears to be ambiguity with regards the spatial strategy to optimise housing delivery in one of the most sustainable locations in the borough, and the minimal housing growth anticipated.

EX44d Affordable Housing

- 3.6 St James' Matter 3 Hearing Statement (WS3.4) stated that Policy SC2 is inconsistent with LP2021 Policy H5 because it does not set out the 3 policy routes to maximising affordable housing ('AH') delivery.
 - Fastrack: 50% threshold and 35% threshold
 - Viability Tested Route: 'maximum reasonable' via FVA
- 3.7 It also fails to provide equal weight to the Viability Tested Route, despite the Council's own viability evidence suggesting there is no clear level of affordable housing which most schemes can viably deliver.
- 3.8 We suggested, and we thought the Inspector agreed, to supporting text to Policy SC2 qualifying the limitations of the EBV1 WPVA namely (1) there may not be a precise correlation between the outputs of this study and scheme-specific viability when applications are

submitted²; (2) exceptional costs have been excluded³; (3) flexibility may be required for the tenure mix (60:40)⁴; (4) flexibility may be considered with regards to tenure, overall % and CIL⁵ (5) it is recognised that the Viability Tested route is likely to be followed with a degree of flexibility for applications⁶.

3.9 Include at SC2 or IMP2⁷/3 text used in Tower Hamlets Local Plan Policy D.SG5⁸ or Newham Local Plan “*When determining an application, flexibility may be applied to the site allocation requirements based on an up-to-date assessment of need and the agreed viability position of the scheme. This approach ensures that the site allocations remain deliverable within the context of sustainable development*”.

3.10 The Council’s own response (WS6.1⁹) updates the following.

EVB1 adopts standard residual valuation approaches to test the viability of development typologies and identified strategic development sites, with particular reference to the impact on viability of the Plan’s policies alongside adopted rates of CIL (after indexation). Due to the extent and range of financial variables involved in residual valuations, the Council acknowledges they only serve as a guide. EVB1 therefore finds that as a result of individual site characteristics, the conclusions of the assessment may need to be moderated by a level of flexibility in application of policy requirements at the development management stage, which as explained above, is achievable as the flexibility is built into the policy approach in the Plan.

3.11 Overall, we advised that the EBV1 WPVA underestimates the following.

- BLV
- BSL (c.£30-£60/sqm of private residential floorspace (affordable exempt))
- BS9991 (impacts 75% net to gross ratio and increases build costs)
- Carbon offset (£360/tonne)
- CIL indexation (c.£100/sqm additional cost due to indexation)
- S.106 (c.£5,500 additional cost per home)

² WPVA para 1.6 *..will mean that there may not be a precise correlation between the outputs of this study and scheme-specific viability when applications are submitted*

³ WPVA para 4.39

⁴ WPVA para 1.7 bullet 1 and 4 *... The alternative tenure mix of 60% / 40% could be deployed where viability is under pressure as an alternative to reducing the overall percentage of affordable housing... applying a varied tenure mix can assist on a case-by-case basis at the development management stage to help improve viability where application schemes are on the margins of viability.*

⁵ WPVA para 6.29 *In practice, if such situations emerged on live applications, there are several potential solutions, including applying CIL exceptional circumstances relief; CIL in Kind; provision of grant funding; or variations to the affordable housing tenure or overall percentage; to achieve a viable position.*

⁶ WPVA para 7.5 *There may be instances when viability issues emerge on individual developments, even when the land has been purchased at an appropriate price (e.g. due to extensive decontamination requirements). In these cases, some flexibility may be required subject to submission of a robust site-specific viability assessment.*

⁷ Quod R19 para 7.4-7.6 (IMP2(F))

⁸ Matter 6 Hearing Statement 1.7.5; 1.53 *“For site allocations, the policies set out in this plan may be applied flexibly to ensure that the sites are viable and deliverable”.*

⁹ Paragraph 7

- Abnormal costs (possible c.8% to 15% build cost increase from examples)

3.12 The Council's Main Modifications (EX57) do not propose changes to SC2.

3.13 Some changes [EiP_C5_05 / 06] have occurred to the supporting text (which we discuss in Chapter 2 of this submission), but these sit outside of the policy, which fails to recognise the Viability Tested Route.

3.14 Our concerns therefore remain and have not been addressed.

EX44g & EX44h (Housing Trajectory & 5YHLS)

3.15 St James' Matter 3 Hearing Statement (WS3.4) considered the Council's stated Five Year Housing Land Supply (5YHLS). We address this further in our Matter 10 statement.

Housing Mix (Policy SC3)

3.16 St James' Matter 3 Hearing Statement (WS3.4) stated that Policy SC3 applies a rigid, needs-based housing mix without clear criteria or flexibility to respond to site characteristics, viability or LP2021 Policy H10(6) requirements which identifies that sites within or adjacent to town centres and stations would expect a higher proportion of one and two bed units.

3.17 We welcome the Council's proposed modification [EiP_C5_08], providing additional text to paragraphs 5.23 & 5.24 of Policy SC3 in giving certainty for applicants seeking to depart from the housing mix specified. This includes cross-referencing London Plan Policy H10(6) relating to higher proportion of 1 and 2 beds, and the requirement to provide evidence for departure.

Proposed Revisions to Main Modifications EX57

EiP_C5_05; SC2 Maximising the Provision of Affordable Housing; 5.11; page 106

3.18 We **OBJECT** to this modification as it does not accurately reflect the submissions and discussion at the hearing; and remains *possibly misleading* and not supported by evidence.

3.19 Quod proposes revised wording below:

*5.11. This policy seeks to maximise the provision of affordable housing on all sites. **However** The Council is aware that the on-site provision of affordable housing will be limited by overall development viability and other policy objectives. **Factors that may impact the amount of affordable housing that is viable** ~~viablely achievable to deliver~~ **will include abnormal costs, Building Safety Levy, BS9991 Fire Safety, Carbon Offset Levy, inflation (build costs and CIL), private sales values, sales rates, rate of return, interest rates, s.106 legal obligations, Registered Provider engagement and funding, scheme composition and benchmark land value.** The Council's Whole Plan Viability Assessment evidence has tested the affordable housing requirements in the policy ~~and demonstrates that in most cases schemes can accommodate an affordable housing requirement that is policy compliant, showing that the affordable housing target is broadly deliverable over the plan period.~~ **Where following the viability tested route is followed, the maximum viable proportion of affordable housing will be secured** ~~should be applied on a 'maximum viable proportion' basis~~ **taking site-specific circumstances into account.***

EiP_C5_08 SC3 Meeting the Need for a Mix of Housing Size and Type; 5.22; Page 110

3.20 We consider that proposed text at 5.23 should include the following:-

- *Local demographic or socioeconomic data, where this indicates an atypical need or demand profile relevant to the proposal or its location.*
- *Development viability*

4 EX46 Area Based Approach

- 4.1 Further documents requested by Inspectors in Week 1 (EX30A) required that the Council explain the approach taken to the area-based sections of the Plan in the Spatial Strategy Chapter.
- 4.2 The Council have proposed a number of modifications to the Spatial Strategy of the Plan to elevate content from supporting text to policy, including Policy P3 'Chiswick' with the further additions to the text:
- EIP_C2_23X: addition of Part B to P3 Chiswick 'delivering 1,192 homes' to clarify the quantum expected in development plan period for Chiswick.
 - EIP_C2_26: addition of Parts L-O to P3 Chiswick which clarifies development requirements within Chiswick.
- 4.3 Part A of Policy P3 continues to support the '*sensitive*' redevelopment of allocated sites including Sainsbury's Chiswick, which is identified as a suitable location for tall buildings (circa 14 storeys) under Policy CC3 and Table CC3.2, and has been informed by the supporting Design Code.
- 4.4 We **OBJECT** to a number of amendments to Policy P3, specifically Part L which requires development to: "*respond to the historic, well established character of two to four-storey mixed-use buildings along the high road and the low to medium-rise Victorian and Edwardian townscape of two to three storey terraced housing elsewhere in Chiswick*".
- 4.5 This is duplicated at Part F, which requires development to conserve and enhance "*the much-loved low to medium-rise Victorian and Edwardian townscape of two to three storey terraced housing and promoting this type as a cue for future developments*".
- 4.6 In respect of the Sainsbury's Site, it should be clearly signposted that the site is set back from Chiswick High Road, and benefits from a site allocation that expressly supports building heights significantly above the 2 to 4 storey context.
- 4.7 We note this approach does not appear to have been applied to other low-density districts across the Borough that share comparable heritage sensitivities, such as Osterley and Isleworth. This reads as protectionist.
- 4.8 Clarification should therefore be added to Part F to clearly define that this consideration only applies to development within established residential areas within Chiswick, and not edge of town centre, retail parks, or site allocations that support tall buildings.

Proposed Revisions to Main Modifications EX57

[EIP_C2_23X; P3: Chiswick; B \(New Criteria\); page 36](#)

- 4.9 We consider that this housing target for Chiswick should represent a "minimum" requirement:

B. Delivering a minimum 1192 homes in Chiswick (To clarify the quantum of new homes, as instructed by Inspectors.).

EIP_C2_26; P3: Chiswick; L-O (new criteria); page 37

L. Outside of site allocations and town centre locations, new development should respond to the historic, well-established character of two to four- storey mixed-use buildings along the High Road and the low to medium-rise Victorian and Edwardian townscape of two to three storey terraced housing elsewhere in Chiswick;

*O. Consider incorporating opportunities for micro, small and medium-sized enterprises into new retail or mixed-use developments to help contribute to and support the vitality and vibrancy of the town centres and encourage a diverse retail offering, **subject to viability**.*

5 EX50 Retail and Main Town Centres

- 5.1 St James' Matter 4 Hearing Statement (WS4.6) stated the Plan's incorrect figure of 5,300sqm Class E(a) floorspace at Site Allocation 107 understates the existing retail provision of 7,100sqm, and risks undermining both development viability and the delivery of Chiswick's future retail capacity needs.
- 5.2 Further documents requested by Inspectors in Week 2 (EX41) required the Council to revisit the consistency of the evidence base within the minimum development quantum identified for Site Allocation 107 for retail and main town centres uses.
- 5.3 In response, the Council relies on a figure of 5,300 sqm (50,000 sqft sales area) derived from information submitted by Sainsbury's at the 2016 Call for Sites stage. This figure relates to net sales area only and therefore excludes all back-of-house (BoH) space that is essential to the operation of a modern supermarket.
- 5.4 This approach contradicts the Council's own evidence base, to which the Hounslow Retail Needs Study Update 2024 (EBED2a) identifies the existing store as having a gross floorspace of 6,931 sqm.
- 5.5 This discrepancy has been identified and corrected on multiple occasions¹⁰. It is therefore disappointing that the Council continues to rely on an outdated and inaccurate figure, particularly in light of the Inspectors' request for this floorspace to be reviewed following sustained concerns being raised by both St James and Sainsbury's.
- 5.6 Furthermore, elements of the current BoH provision such as plant and servicing areas, which are presently located externally, will need to be internalised as part of any comprehensive redevelopment. This would result in an increase of retail floorspace associated with the superstore beyond the net sales area referenced in the 2016 Call for Sites and subsequently carried through into the Site Allocation.
- 5.7 This matter is addressed further in our Matter 9 Hearing Statement Site Allocations.
- 5.8 In this hearing statement, we also raise concern with text included in the Council's Retail and Main Town Centre Uses Note EX50 (March 2026), paragraph 5.2 (page 12) replicated in full below.

5.2 The Council has, through the capacity calculation and assessment, optimised the capacity of residential use on the site, and this is reflected in the site allocation quanta. This calculation uses a design led approach to optimise the density of residential uses in this highly accessible town centre location, whilst maintaining a successful retail store. As such, the capacity calculation has taken into account all relevant planning constraints, including potential impacts on nearby heritage assets, impacts on wider townscape effects, and the appropriate building heights that could reasonably be utilised on the site. The resulting capacity minimises potential

¹⁰ Sainsbury's Regulation 19 Representation (28th October 2024); Quod Hearing Statement St James' Matter 4 Hearing Statement (WS4.6)

harm to heritage assets and addresses other site-specific constraints through appropriate building heights. Any increase in floor area to the retail element of this allocation would therefore have a knock on effect on the development quantum for the residential element of the allocation and vice versa. The Council therefore considers that despite the evidence suggesting that the store is performing well, the development quantum in the Site Allocation represent the optimal capacity for an allocation for both housing and retail on the site. Given the importance of conserving nearby heritage assets, any increase in one land-use component would necessitate a corresponding reduction in the other.

- 5.9 Contrary to the Plan as a whole, and specific policies within the Plan, this suggests that the Council is applying a development ‘cap’ on Site Allocation 107, and a maximum development envelope as the primacy function of Site Allocation 107. This approach is not sound and is in conflict with the Plan as a whole, the site allocation and the Framework. It should be withdrawn.

6 EX52 Viability

- 6.1 St James' Matter 6 Hearing Statement (WS6.3) states that the Council's Whole Plan Viability Assessment (EBV1) relies on outdated assumptions and does not sufficiently account for cumulative or abnormal costs and therefore fails to demonstrate that the cumulative impact of policy requirements will not undermine the Plan's deliverability.
- 6.2 As explained in Section 1, the Government and Mayor of London have adopted the Support for Housebuilding LPG and associated measures in response to London's housebuilding and viability emergency.
- 6.3 Further documents requested by Inspectors in Week 2 (EX41) required the Council to clarify the extent to which all policies are addressed and accounted for within EBV1, and explain their intended approach to applying flexibility to development proposals demonstrating deliverability challenges.
- 6.4 We have not identified any proposed policy (as seen in Tower Hamlets or Newham) that explicitly links site allocation requirements with viability considerations. If such a policy is proposed, it must be clearly signposted.
- 6.5 Quintic Advisory (formerly BNPP) has prepared a Viability Note (EX52) and Appendix (EX52A) which sets out how obligations for Policy ED4 (Enhancing Local Skills) and Policy CI1 (Providing and Protecting Community Facilities) are accounted for in EBV1.
- 6.6 This study confirms that EBV1 makes an allowance for construction and employment training of £10.21 per sqm. This has produced an indicative employment and training levy of £222,912 for Sainsbury's Chiswick site based on a compliant Site Allocation scheme (i.e. 300u/5,300sqm).
- 6.7 EX52 confirms at Paragraph 3.1 that a figure of £95 per tonne for carbon offsetting was incorrectly reported in EBV1 but should have been shown at £0 per tonne.
- 6.8 The explanation provided by Quintic Advisory at the Stage 1 EiP suggests that no carbon offset contribution should be assumed on the basis that a 5% uplift in construction costs has been applied to reflect achieving net zero carbon. This appears to misinterpret the evidence base (EBEQ5), which cited cost uplift relates to achieving a 65% reduction in carbon emissions over Part L 2021 standards, rather than delivering a fully net zero carbon development.
- 6.9 Page 139 of EBEQ5 sets out a range of options for achieving carbon reduction improvements over Buildings Regulations Part L; no scenario for mid-rise or high-rise apartments show a 100% reduction, and therefore an element of off-setting would always be required.
- 6.10 Notwithstanding, Inspectors will note that Policy EQ1 promotes a rate of £370/tCO₂ for major residential development, and that the viability effect of this significantly higher rate than London Plan standard (£90/tCO₂) has not been robustly tested.

- 6.11 The explanation provided by Quintic Advisory is also overly simplistic, as it does not factor in limitation of bringing forward complex, higher density development which are often physically limited in their ability to deliver net-zero standard infrastructure. For example sufficient roof area to deliver photovoltaics to achieve net-zero.
- 6.12 The Council considers that the Plan's general approach to flexibility for viability for proposals that demonstrate deliverability challenges is in general conformity with the London Plan Policy DF1 and Policy H5. However, this is not set out within draft Plan policies despite our repeated request.
- 6.13 The Council refer to MM EiP_C5_05 which it considers clarifies the results of EBV1 in relation to affordable housing, and that developments that follow the viability tested route will only be expected to deliver a maximum reasonable level of viability. We have made representations about this above.
- 6.14 A further modification (EiP_C11_06) is proposed to cross reference the approach set out London Plan Policy DF1 in relation to localised CIL.
- 6.15 EX52A provides an appendix to the Viability Note justifying the approach taken by Quintic in testing typologies for Section 106 contributions at £2,000 per unit and also a higher figure of £6,000 per unit to illustrate what impact there would be if higher cost Section 106 contributions were to be negotiated.
- 6.16 Whilst the higher figure of £6,000 per unit has been tested to account for any possible future cases involving higher obligations, the Council considers it unlikely that contributions will generate this per unit rate. Quod collated information from recently determined Mayoral referable scheme (150+ Unit) that showed S106/unit cost have exceeded this benchmark with a range between £3,400-£9,700.
- 6.17 Mayoral referable schemes are expected to deliver the majority of the Council's housing need over the plan-period, and given their size and complexity, they often generate greater infrastructure needs and associated financial contributions secured via Section 106 agreement.
- 6.18 In this respect, we note that EX52 indicates an average headline cost of £1,955 per residential unit. Notwithstanding, the evidence base indicates that application of a higher S106 contributions (£6,000) would have a negligible impact on the maximum viable affordable housing percentage of tested typologies.
- 6.19 Whilst this is acknowledged, it must be recognised that no single policy initiative (except affordable housing) is shown as unviable in isolation, however when combined, the cumulative effect will undermine development viability and suppress housing delivery.
- 6.20 Quod requests that Hounslow (Quintic Advisory) elaborate on the purpose and effect the additional viability testing under EX52A, and corroborate that the additional testing should be considered alongside the other cumulative viability costs that inform EBV1.
- 6.21 The reason for seeking clarity is that Table 1 of EX52 and EX52A appear to indicate that 50% affordable housing is viable for Site Allocation 107. We **OBJECT** to this conclusion as it is

misleading, and inconsistent with EBV1, and does not appear to consider policies of the Plan cumulatively.

Description	No of units	RLV 35% AH £2k S106	RLV 35% AH £6k s106	Max AH% £2k S106	Max AH% £6k S106	Change
48 Sainsburys Chiswick	300	£26,694,096	£25,719,609	50%	50%	0%

As can be noted, the impact on the maximum viable affordable housing percentage is either nil or negligible. Furthermore, as obligations are negotiable, the Council will be able to consider the potential impact of its requirements on affordable housing delivery at the development management stage. Even if Section 106 obligations are sought at the level tested above, the outputs confirm that there is little impact on affordable housing and consequently the policies remain viable.

6.22 We note Quintic Advisory's reliance on the viability tested route (see footnote to Table 1) supporting our representations on Policy SC2 and delivery, albeit this has not yet translated through into policy, despite our representations at the Stage 1 EIP.

7 EX56 Design, Tall Buildings & Heritage

Design

- 7.1 St James' Matter 8 Hearing Statement (WS8.5) sought consolidation of Policies CC1 and CC2, which cumulatively proposed multiple limbs.
- 7.2 We welcome consolidation as part of Policy CC1 (EIP_C6_04 to 39 CC1 Context and Character; page 146) albeit we believe that further consolidation is required to ensure it is effective and avoid the unnecessary duplication per Paragraph 16(f) of the NPPF.

Tall Buildings

- 7.3 St James' Matter 8 Hearing Statement (WS8.5) states that Policy CC3 is unduly rigid regarding tall building definitions, heights, and locations and wording should allow site-specific flexibility to propose “*appropriate*” heights and for tall buildings to come forward outside identified zones where robustly assessed against London Plan Policy D9(C).
- 7.4 Further documents requested by the Inspectors in Week 2 (EX41) required the Council to propose changes to Policy CC3 including amendments to Parts K and L to align with London Plan Policy D9(B), and revisions to Parts M and N to align more closely with London Plan Policy D9 and High Court judgements.
- 7.5 Amendments to existing figures and an additional map showing constraints to tall buildings were also requested.
- 7.6 The Council have made a number of minor modifications (EX57) which are welcomed by St James, including:
- EIP_C6_13 / EIP_C6_42: amendment of Table CC3.2 to read ‘appropriate’ heights subject to detailed, site specific assessments of impacts.
 - EIP_C6_52 / EIP_C6_53: amendment to Part J of Policy CC3 stating “tall buildings may be appropriate in the locations identified as having potential for tall buildings” and removal of “not exceed the maximum building heights” indicated by Table CC3.2 at Part K.
- 7.7 The amendment of Figure CC3.3 (EIP_C6_43) to provide a map of the borough applying the two tall building definitions (lower and higher scale) is generally welcomed, and we support CH1 / Site Allocation 107 remaining identified as an area that has the potential for tall buildings.
- 7.8 Notwithstanding, we note that table CC3.2 continues to refer to building heights of ‘up to’. This phrasing infers a maximum height rather than an indication of heights that may be appropriate. This should be removed.
- 7.9 However, we **OBJECT** to the Council’s retention of two singular tall building blocks for CH1.
- 7.10 We understood that the Inspectors had recommended removal of these dots.

- 7.11 The PDF issued by the Council pixelates when zooming in, but it does appear that the Council has retained very specific 'dots' to identify district scale and local scale tall buildings.
- 7.12 From review of other tall building appropriate Site Allocations, these dots could be read to indicate specific preferred location of tall buildings upon the Site rather than a principle where district and local scale buildings are considered appropriate.
- 7.13 We **OBJECT** to this approach, as the borough-wide design and tall building assessments are not capable of prescribing specific locations taking all other matters into account (as we explain in Matter 9 Hearing Statement Site Allocation).



- 7.14 This overly prescriptive approach was opposed by the GLA in its Regulation 19 Local Plan response; appears at odds with the Statement of Common Ground (EX5E) between the Council and the Mayor of London (Paragraph 4.8.11 “*LBH therefore agree to present a modification to amend the height annotations on the maps, keeping only the cluster/site codes, which cross reference with the table*”); and is contrary to the London Plan Policy D9 which expects appropriate locations to be identified, not specific and precise building locations (in this case informed by prescriptive individual building heights based upon the Council’s own (and flawed) scheme (SPD1).
- 7.15 We remain unclear as to what “*and associated cluster/site codes*” means in the title to CC3.3, and this does not appear effective.
- 7.16 The Council have also proposed a modification (EIP_C6_56) to Policy CC3 to align with High Court Judgement confirming that London Policy D9, Part C can be applied independently.
- 7.17 This includes clarification at Part N of Policy CC3 for proposals to conform with London Plan Policy D9(C). However, further local requirements not covered by D9 remain under Part O (I-XXII) alongside some unnecessary duplication of assessment already required under Policy D9(C).
- 7.18 Indeed, Part P introduces text that requires tall building proposals to comply with specific design principles set for adopted Site Allocations, and have regard to the Design Code SPD, Tall Building Study, and Masterplan for guidance on local character and tall building design. This adds more duplication and ambiguity for decision makers and practitioners.
- 7.19 Modifications (EIP_C6_54) to Part L to Policy CC3 now aligns with the new constraints map (Figure CC3.4) states: “*proposals for tall buildings in these areas as well as proposals that adversely impact Local Views will be resisted*”.

- 7.20 This wording requires correction to make it clear that “as well as” is cumulative, relating to proposals outside tall building zones e.g “proposals for tall buildings in these areas *which as well as proposals that adversely impact Local Views may will be resisted*”. This addition is much stronger policy wording than Part BB of Policy CC4, which only expects proposals to “consider local views... and conserve and enhance local views identified”.
- 7.21 By contrast, Policy CC4, Part BB only expects local views to be considered when developing proposals and to conserve and enhance local views.

Heritage

- 7.22 St James’ Matter 8 Hearing Statement (WS8.5) states Policy CC4 is excessively long and prescriptive and lacks clarity on which “local views” and heritage assets should be prioritised and how they should be assessed.
- 7.23 Further documents requested by Inspectors in Week 2 (EX41) required the Council to explain and justify the proposed changes to Policy CC4. The Council have indicated that a number of amendments to Policy CC4 have been formalised following agreed SoCGs with the Mayor (EX5e), Historic England (EX5h), London Borough of Richmond upon Thames (LBRuT) and Royal Botanical Gardens, Kew (EX5i).
- 7.24 We welcome the Council’s clarification (EIP_C6_64) at Part K of Policy CC4 that “*great weight should be given to the conservation of designated heritage assets (and the more important the asset, the greater the weight should be)*”, albeit this is a duplication of Framework paragraph 205.