

centres, and for our centres to act as gateways and hubs connecting places through active travel. Town centres may be the point where visitors arrive at a station and can then access other cultural attractions by walking or cycling or river transport.

- 18.31** Whilst residential uses can contribute to the overall vitality of a centre, housing on the ground floor contributes less to vitality than most commercial or community uses. Therefore, commercial or community uses will be expected to front the street. There is a growing trend to convert the rear of premises to residential use. Where conversion is acceptable, the access to any residential unit should be from the front rather than the rear where practicable. Any residential proposed will need to address the requirements of other policies in the Plan including Policy 13 Housing Mix and Standards, Policy 46 Amenity and living conditions.

- 18.32** Residential development contributes to the overall health of centres and to meeting the Borough's housing target. London Plan Policy

SD6 part D sets out the suitability of town centres to accommodate a diverse range of housing, including smaller households, Build to Rent, older people's housing, if in accordance with Policy 12 Housing Needs of Different Groups. There is scope to increase housing stock in the centres, such as through increased densities or introducing housing in upper floors, provided that this does not lead to an unacceptable loss of commercial or community space, and that the commercial or community uses on the ground floor remain of a viable size, with adequate facilities and servicing.

- 18.33** Existing markets will be protected and new and expanded markets supported in line with the NPPF and the London Plan (Policy E9). The latter must demonstrate how potential negative impacts are to be appropriately mitigated, including impact on the vitality of nearby centres.

Policy 19

Managing the Impacts of Development on Surroundings

- A. The Council will support proposals which contribute to cultural and creative activities during the day and at night-time to stimulate vibrancy and viability and promote diversity in our centres, and will manage the impacts by ensuring that:
1. new proposals and extensions to existing uses should be of a type and size appropriate to their location, the hours of use proposed, the nature and character of the area; and
 2. where there are proposals for new residential properties and they are located in close proximity to established or planned uses with late night licences or other existing noise or nuisance-generating businesses or community activities, the proposed residential use will need to demonstrate that it is capable of mitigating its impact, on established uses and future occupiers.
- B. Proposals for evening and food and drink uses should be accompanied by a management plan, including mitigation measures for any negative impacts of these uses. Impacts such as noise and light pollution on local wildlife and biodiversity should be considered through appropriate location, design and scheduling. Applications for food and drink uses where home delivery of food is proposed should include a Delivery and Servicing Plan to enable assessment of impacts.
- C. The use of outdoor areas including garden areas, rooftops, forecourts and pavements in association with food and drink uses will be supported only where:

1. this would not cause unacceptable harm to the amenity of adjoining residential property and the area generally, taking into account the size and type of the proposal, the hours of use proposed and the nature and character of the area; and
2. in the case of pavements, the width of the footway is adequate to allow this without obstructing pedestrian flow, and the use is arranged so as not to be a hazard to people with disabilities and older people and families with small children. This may require a suitable means of enclosure or boundary to demarcate the extent of the use. Stopping up of public highway to provide private outdoor seating areas will be resisted, especially in town centres.

D. Over-concentration of uses:

1. The Council will resist proposals that result in an over-concentration of similar uses (~~such as~~ *including for example* betting shops, public houses, bars and take-aways) in any one area and/or that would result in an adverse impact on the amenity of nearby users as well as surrounding residential areas.
2. Proposals for fast food takeaways will be refused within 400m of a school as set out in Policy 51 'Health and Wellbeing (Strategic Policy)'.

18.34 Food and drink uses include cafes and restaurants, public houses, wine bars, drinking establishments and hot food takeaways. Evening economy uses can include food and drink uses, night clubs, live music and/or dance venues and other entertainment activities. Overconcentration of similar uses can have a negative effect on amenity and the general environment, including parking, congestion and safety, and/or affect the vitality and function of a centre. The London Plan encourages boroughs to consider appropriate management strategies and mitigation measures.

18.35 The flexibility introduced by Government through Use Class E (commercial, business and service uses) allows for many changes of use to occur without the need for planning permission. However, some specific uses are classed as Sui Generis, including theatres, pubs and bars, hot food takeaways, cinemas, live music venues, and nightclubs which will require planning permission for new uses or to change to another use. In addition, changes of use to Class E will need to be assessed for the range of potential uses within that class.

18.36 During the COVID-19 pandemic, the Government also introduced temporary measures to boost high streets and hospitality which included flexibility to encourage use of

outdoor spaces and markets. The Government has made these freedoms permanent, meaning that hospitality businesses no longer need planning permission to put up marquees and other moveable structures on their land and councils will no longer need planning permission to hold an outdoor market.

18.37 Where necessary and justified, the Council will use conditions and/or planning obligations to limit uses consented within Class E in order to achieve the objectives of this policy, to manage the impact of food and drink uses on amenity and the centre, and to avoid the proliferation of main town centre uses outside of town centres; in line with the NPPF and PPG to ensure assessment of impact on the vitality and viability of town centres.

18.38 The London Plan's Town Centre Network recognises Richmond's Night-time Economy as NT2, an area of regional/sub-regional significance, with Twickenham and Teddington classed as of more than local significance (NT3). As set out above in Policy 18 Development in Centres the focus is on supporting diversity in our town and local centres, and directing development at an appropriate scale in line with the borough's centre hierarchy. The place-based strategies set out the vision for each area in the borough, including the opportunities to diversify the cultural offer, improve the public

realm and positively provide “spill-out” from restaurants, cafés and pubs for al-fresco dining where it will enhance the vitality and viability of centres, providing the impacts can be managed.

Over-concentration of uses and amenity impacts

18.39 *For clarity, Part D1 of this policy provides examples of uses to which the policy can apply, but this is not an exhaustive list.* The impacts of food, drink and entertainment uses on the surrounding area need to be carefully managed as such the main location for food and drink and entertainment uses will be the main town centres. Too many similar uses and concentrations can have a negative effect on amenity and/or the vitality and function of centres. These impacts will also be felt more strongly within smaller commercial areas, given their role and function, as well as the concentration of uses in proximity.

18.40 Such uses can sometimes cause problems to nearby residents and businesses because of noise, fumes, traffic and other disturbances, especially at night. The Council will therefore seek to control the size and location of such premises, particularly where there is residential accommodation adjacent, close to, or above premises. In addition, these amenity problems are exaggerated when groups of these facilities are located close together and their cumulative and combined impact becomes significant. However, there are opportunities with new development to include measures to manage potential amenity impacts, for example through natural surveillance and inclusive access, and to provide an enhanced mix of uses that will contribute to our centres becoming vibrant at different times of the day.

18.41 The Council’s Licensing Policy may also be taken into account, in particular the Special Policy on Cumulative Impact. A revised Statement of Licencing Policy came into effect on 3 January 2022⁽⁴⁾ which retains Cumulative Impact Areas in Richmond and Twickenham, for all types of licence. A full review of the special policy was carried out in 2021 to take into account the changes brought about by the Policing and Crime Act

2017 which concluded that there was strong evidence to retain such a policy. The highest concentrations of licensed premises lie within Richmond and Twickenham commercial centres. In adopting the special policy, the authority has set down a strong statement of approach to considering applications for the grant or variation of premises licences in both centres. The Statement of Licencing Policy also considers a range of data from various sources including assaults and anti-social behaviour reported to the police, numbers of alcohol-related ambulance callouts and complaints related to licensed premises.

18.42 Where appropriate, conditions and legal agreements will be applied to protect amenity, such as conditions to control the hours of opening, or crime prevention and safety measures.

Agent of Change

18.43 Proposals will be assessed against the ‘agent of change’ principle, as detailed in Policy D13 in the London Plan. For example, if a town centre use is in place before a residential development, as the ‘agent of change’, the residential development is responsible for mitigating the impacts of the existing use. Such impacts can include noise within the premises, smells, light pollution and the impact of those going to and from the facility, such as traffic, car parking and anti-social behaviour. The agent of change principle works both ways. For example, if a new noise-generating use is proposed close to existing noise-sensitive uses the onus is on the new use to ensure it is designed to protect existing users or residents from noise and other impacts.

Extensions to existing uses

18.44 This policy applies to significant extensions of floorspace as well as changes of use applications, whether an extension is considered significant will depend upon the total amount proposed and the proportionate increase in floorspace compared to the size of the existing unit.

Fast food takeaways

- 18.45** The Council will refuse new fast food takeaways within 400 metres of the boundaries of a primary or secondary school,

as set out in Policy 51 Health and Wellbeing and reflecting London Plan Policy E9. The map within Policy 51 Health and Wellbeing shows the extent of this restriction (as of April 2023).

Policy 20

Shops and Services Serving Essential Needs

Essential shops and services

- A. The Council will support and protect essential shops and services which meet the day to day needs of communities, in line with Policy 1 'Living Locally and the 20-minute neighbourhood (Strategic Policy)'.
- B. Applications for planning permission that would result in the loss of essential shops and services as defined, will be permitted only where there is genuine alternative provision within walking distance (defined as 400 metres), unless:
 - 1. the existing use is inappropriate in terms of access or amenity and living conditions
 - 2. it has been demonstrated that there is no demand for the use through the submission of satisfactory marketing evidence in accordance with Appendix 2; and/or
 - 3. the proposed use would provide a social or community service or function which outweighs the loss of the essential shop or service, meeting evidence of a local need.
- C. The provision of new shopping and services may be appropriate, including as part of new residential or residential-led development, where the scale of the provision is justified and appropriate to meet a local need, and it can be demonstrated through a sequential test that the proposal would not harm the vitality and viability of the borough's centre hierarchy.
- D. Where planning permission is granted, conditions may be used in order to control the type of goods sold or activity permitted, including by restricting to a specific use.

Public houses, wine bars and drinking establishments*

- E. The Council will resist the loss of public houses, wine bars or drinking establishments. Such uses which are of historic or architectural interest and/or community value will be protected from demolition and/or change of use, in accordance with London Plan Policy HC7. Before accepting the loss of any public house, wine bar or drinking establishment the Council requires satisfactory evidence of full and proper marketing normally for at least 2 years for a full range of appropriate uses (see Policy 49 'Social and Community Infrastructure (Strategic Policy)'). The applicant will be expected to undertake marketing in line with the requirements set out in Appendix 2.

***Note Section E of this policy applies to public houses, wine bars and drinking establishments**

Essential Shops and Services

- 18.46** Nearby shops and services are especially important to elderly or less mobile shoppers, those with young children, those without cars

and are also useful to everyone for their top-up and emergency shopping. The Council will support such provision to continue to