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New London Plan
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Dear Mr Khan,

Representations to draft London Plan: Chessington World of Adventures Resort

On behalf of our client, Chessington World of Adventures Resort ("CWoAR"), Lichfields is pleased to provide representations to the Greater London Authority ("GLA"), in response to the consultation on the draft London Plan. Owned by Merlin Attractions Operations Ltd ("Merlin"), CWoAR is a regionally significant tourist destination situated in the Royal Borough of Kingston upon Thames ("RBK").

Background

Chessington World of Adventures Resort

Chessington World of Adventures Resort ("CWoAR" or "the Resort") is one of the country's leading family visitor attractions, and an integral component of the tourism offer in the Kingston area, London and the wider south east of England.

Located in the southern part of RBK (see Annex 1), the site was first opened to the public as a zoo in 1931. Significant growth has occurred since then, guided in part by a planning brief and accompanying landscape brief produced with RBK in the mid-1980s. The Resort was officially opened as a 'theme park' in 1987, the first of its kind in Britain. Since the acquisition of the site by Merlin in 2007, there has been continued investment in the Resort's facilities and visitor infrastructure, including various phases of further land acquisition as well as the diversification and expansion of rides and attractions, and substantial landscape planting (see Annex 2 for further background).

CWoAR is currently home to over 1,000 animals, includes 10 themed 'Lands', has over 40 rides and attractions, and provides overnight hotel accommodation. The Resort currently employs 1,500 people on either a permanent or seasonal basis, with 35% of employees coming from the local area. Annually it attracts around £93 million of visitor spending into the Royal Borough.

By any measure, the Resort is a locally and regionally important business. Its ability to maintain and grow its visitor numbers is a key contributor to the success or otherwise of the area. But despite its history and long-standing role as a key visitor attraction, the CWoAR site remains within, or 'washed over', by the Green Belt, although much of the central part of the site is identified within RBK's Core Strategy (2012) as a 'Major Developed Site' ("MDS").

Executive Summary

The key points that are raised in this representation are as follows:

1 Consistency with National Policy

The draft London Plan should be consistent with national policy, in accordance with the requirements of The Greater London Authority Act (1999) (as amended).

2 Green Belt policy

The draft London Plan should incorporate (at policy G2) the potential for inappropriate development in the green belt, where this can be justified by very special circumstances, as set out in the NPPF. The new Plan should allow alterations to Green Belt boundaries in exceptional circumstances through the local plan preparation and review process, as detailed by the NPPF. Finally, it should ensure that developments other than those deemed 'inappropriate' in the NPPF are not unduly restricted. This will both ensure consistency with national policy, and allow developments where the benefits clearly outweigh any harm to the Green Belt.

3 Visitor Infrastructure

The strengthening of London's visitor economy, and the enhancement and extension of its attractions, is supported, along with the recognised need to develop visitor accommodation. The draft London Plan should include specific reference to promoting the provision of serviced visitor accommodation at existing visitor destinations to meet growing demand.

4 Kingston Opportunity Area

The growth strategy for Kingston is supported, although should include specific reference to the role that is played by the tourism and leisure sectors in the visitor economy of the area.

Representations to the draft London Plan

It is vital to the future of CWoAR that the draft London Plan, when published, does not stifle the investment needed to maintain and grow visitor numbers, and sustain CWoAR's competitiveness in the leisure destination market. Given the Green Belt location of the Resort, it is particularly important that policy tests for proposed development in the Green Belt are not tightened beyond national planning policy for the Green Belt.

Introducing the Plan

CWoAR objects to the approach set out in paragraph 0.0.20 of the draft London Plan. This paragraph states that elements of the Plan can be inconsistent with national policy, mainly where these relates to a specific mayoral commitment. The draft London Plan should be consistent with national policy and/or guidance. CWoAR's primary concern is where this incorrect approach relates to green belt policy (discussed later in this letter).

Suggested supporting textwording I approach

[strikethrough = suggested omissions]

0.0.20. The policies in the Plan have been developed over a number of months and are supported by a proportionate evidence base. In their development, the Mayor has had regard to the need to ensure consistency with national policies, but does not seek to repeat them. Instead the London Plan seeks to develop an approach tailored for London, and act as the key document shaping planning decisions across the capital. Gn some oeeasioRs, the PlaR det iarosfrom existing natioo liey and gHidanee; this is meffil.y whePe the Plan is delivering oR a speeiji:eMayol'al commitment aRd reflects the partie1:1la1· ei1·eumstanees of l:,e.Rdon. The seale oftheMaye-14eketieR-vieknyprovides a signifieaffi:-peli#eal maRdar to use-ERe p/afmNg system to delivel• his man&festo eomm:ifmffi&.

[note: while paragraph 0.0.20 should be altered in the manner set out above, the key point is that the policies throughout the draft London Plan should be consistent with national policy and supported by a robust evidence base].

Lichfields' Commentary

The Mayor of London has to prepare and publish a spatial development strategy, under S334 of the Greater London Authority Act (1999) (as amended) ("the GLA Act"). Section 41 of the GLA Act makes clear that in preparing or revising the spatial development strategy for London (i.e. iterations of the London Plan), the Mayor "*shall have regard to[...] the need to ensure that the strategy is consistent with national policies*". These national policies are primarily included in the National Planning Policy Framework ("NPPF"). Section 337 of the GLA Act is clear that inconsistency with current national policy is sufficient justification for the Secretary of State to direct the Mayor not to publish a spatial development strategy (i.e. an iteration of the London Plan), unless these inconsistencies are addressed.

There is in effect a statutory requirement therefore for the London Plan to be consistent with national policy. This requirement is reflected at paragraph 2.5 of the GLA document '*London Planning Statement Supplementary Planning Guidance*' (2014) ("LPS SPG"). It is also recognised in the current London Plan (2016), which directly references "*the need to ensure consistency with national policies*" (paragraph 0.5).

A political mandate can influence the Mayor's development planning strategy (and his other strategies) and the policy approach taken in a draft development planning document, although such a mandate is insufficient justification, without an appropriate evidence base, for the inconsistency with national policy noted above.

PolicyG2

London's Green Belt

CWoAR objects to the draft Green Belt policy insofar as it is inconsistent with national planning policy, particularly the omission of the 'very special circumstances' (relating to green belt development) and the 'exceptional circumstances' (relating to green belt boundary alterations) elements. These clauses are long-

established and are an important part of planning for Green Belt locations, and must be reflected in the draft London Plan's Green Belt policy. It is also important that green belt development that is considered 'appropriate' in NPPF terms is not unduly restricted beyond the requirements of national policy.

Suggested policy wording

[strikethrough= suggested omissions, bold= suggested additions]

A) The Green Belt should be protected from inappropriate development:

- 1 Development proposals **for inappropriate development in that 'No development should harm the Green Belt should be refused except in very special circumstances.'**
- 2 the enhancement of the Green Belt to provide appropriate multi-functional uses for Londoners should be supported.

B) The extension or alteration of Green Belt boundaries will be supported, where appropriate. Its designation will not occur only in exceptional circumstances, through the preparation or review of a Local Plan.

Lichfields' Commentary

Both Parts A and B of draft London Plan Policy G2 currently contain significant inconsistencies against national policy. This is despite supporting text at paragraph 8.2.1 of the draft London Plan stating that "*the NPPF provides a clear direction for the management of development within the Green Belt*".

While the first part of draft policy G2(A) refers to protecting green belt from inappropriate development (reflecting the NPPF), part (A)(1) seeks to restrict "*development that would harm the green belt*". Paragraph 89 of the NPPF is clear on what comprises 'inappropriate development', and the draft London Plan should not introduce additional subjectivity. The NPPF is clear that (inter alia) provision for appropriate facilities for outdoor recreation and sport, and limited infilling or the partial or complete redevelopment of previously developed sites, can be 'appropriate' development in the green belt.

As an existing, long-established development that is 'washed-over' by green belt, the CWoAR site comprises '*previously developed land*' in the context of Annex 2 of the NPPF. Away from the main developed core of the Resort, it also provides facilities for outdoor recreation (including an existing high-ropes course and a woodland Segway route that benefits from planning permission from RBK).

Accordingly, many of the development elements at CWoAR are not 'inappropriate' development in NPPF policy terms. Other examples include small new rides/ attractions, the re-theming and re-structuring of animal enclosures, and modestly sized new resort buildings. CWoAR relies on having the capacity to renew and refresh elements of its offer on an annual basis, via this type of smaller scale development that are not considered under NPPF paragraph 87. Part (A)(1) of draft policy G2 should therefore reflect the NPPF wording and restrict only 'inappropriate' development.

Notwithstanding the above, it is also vital that there is scope in the draft London Plan for larger development to be brought forward in the Green Belt, where harm is clearly outweighed by other considerations (i.e. very special circumstances). Without this criterion, the policy effectively suggests that harm to the Green Belt caused by inappropriate development cannot be outweighed, and that Green Belt land effectively should not be developed in this manner irrespective of the specific circumstances. The Green Belt is not intended to

impose a blanket 'ban' on new development. Instead it is a stringent policy constraint, which sets a very high bar but nonetheless allows for justifiable new development to proceed in very special circumstances.

Draft policy G2(B) seeks to prevent any 'de-designation' of green belt land. It is important however that the ability to amend green belt boundaries through the local plan process is retained, where 'exceptional circumstances' are demonstrated. To be inconsistent with paragraph 83 of the NPPF would effectively render redundant the scope for 'Green Belt review' through the plan-making process. Not only is this approach inconsistent with national policy, it also leads to a lack of certainty for local planning authorities such as RBK which have already commenced a Local Plan / Green Belt review in line with the NPPF and the current London Plan.

Paragraph 0.0.20 of the draft London Plan states that deviation from national policy occurs partly where it "*reflects the particular circumstances of London*". Notwithstanding that consistency with national policy is required by the GLAAct 1999, it is considered that NPPF Green Belt policy remains fit for purpose and relevant to London and its Green Belt. It does not require refining in the draft London Plan, nor is it appropriate for the Mayor to do so.

PolicyE1o

Visitor Infrastructure

CWoAR welcomes the support in policy *Ew(A)* for the strengthening of London's visitor economy, and the enhancement and extension of its attractions. The delivery of apart-hotels, short-term lets and serviced accommodation that is promoted in E1o(E) and (F) is supported by CWoAR. Specific policy support should also be included however for the development of visitor accommodation in Outer London, where this is directly related to existing tourist destinations.

Suggested policy wording

[bold = suggested additions]

E.In outer London and those parts of inner London outside the CAZ, serviced accommodation should be promoted in town centres and within Opportunity Areas where they are well-connected by public transport, particularly to central London. **Serviced accommodation should also be promoted where it is directly related to existing major visitor destinations of sub-regional or greater significance where there is a clear link in scale, nature and location between the proposed accommodation and the attraction being served.**

Lichfields' Commentary

CWoAR welcomes the supporting text at paragraph 6.10.1 of the draft London Plan, which reflects the Mayor's ambition to spread economic and regeneration benefits and to promote tourism across the whole of the city, including outside Central London. Indeed, Outer London boroughs can make a significant contribution to the visitor economy of London.

RBK for example benefits from a mix of historic and modern attractions, including its location close to the River Thames, Hampton Court and Richmond Park, and a long history of Royal connections. CWoAR

represents a long-established tourist destination in the Chessington area of RBK, and makes a significant contribution to the value of the tourist economy in RBK.

The recognition, in paragraph 6.10.2 of the draft London Plan, of the significant accommodation demands of tourists is also welcomed. The requirement to deliver an additional 58,000 bedrooms of serviced accommodation by 2041 will require a pragmatic approach to the location of new accommodation, and will need to be responsive to local needs and circumstances. Consumer demands and expectations of leisure and tourism attractions are evolving. These are being influenced by visitor experiences abroad where the likes of Disney and Paramount are able to accommodate guests on site for extended periods, to enable visitors to fully immerse themselves in the experience of the themed areas and attractions on offer. American and European theme parks incorporated accommodation at an early stage of their development whereas UK theme parks are a late entrant in supplying on-site, highly-themed, bespoke accommodation.

The growth of the short break market in the UK over about 20 years – which is now a firmly established part of the tourism industry- has been significant and has influenced investment strategies in leisure and theme park attractions. There has been a rapid rise in the 'staycation' market since 2010.

This 'short break' phenomena and tourists experience of theme parks abroad have raised the expectations of guests wanting a choice of different types of options to undertake a short break and often in a unique, or different type of accommodation. This makes a short break 'special'.

Merlin's business strategy to diversify and reinforce its theme parks as resorts, by the range of accommodation offered over recent years, has meant that it has been able to increase its share of the short breaks market, thus ensuring the resorts achieve two or more visits from the same guest. This strategy is also enabling it to create a novel experience for its guests that is not offered (and cannot be replicated) elsewhere. The design ('theming') and family focus creates unique accommodation that interacts with, and supports the wider resorts, enhancing its overall attractiveness to visitors and contributing to its success.

In this regard, further recognition should be included in the draft London Plan of where new accommodation might be feasible at existing visitor destinations of sub-regional or greater significance.

PolicySD1

Opportunity Areas

CWoAR welcomes the recognition of the growth potential of the Chessington area, following the development of Crossrail 2 after 2030, as part of the Kingston Opportunity Area (discussed at paragraph 2.1.22- 2.1.24). However, the role of Chessington (and specifically the long-established tourism role played by CWoAR) should be acknowledged throughout the draft wording. Policy SD1 should also provide specific policy support for tourism and leisure developments (via a new sub-heading 'B.n'), in recognition of the economic and cultural role that they can play. This should encourage Boroughs to work with leisure operators, where necessary, recognising the often unique characteristics of leisure destinations (such as CWoAR).

Suggested additional sub-category -policy SD1

- n. support and enhance tourism and leisure developments, working with operators where necessary.

Suggested supporting text wording

[bold = suggested additions]

2.1.23. (following existing text]...The economic and cultural contribution of the tourism and leisure sectors to the area should be supported and enhanced where appropriate.

Lichfields' Commentary

The Draft policy SD1 recognises the strategic importance of the Kingston OA, particularly in terms of the network of town centres and their capacity to deliver (inter alia) leisure and cultural activity. CWoAR plays an established and significant role, both culturally and economically, in Chessington and the wider RBK area. Accordingly, it is considered appropriate for the policy wording to include explicit recognition of the role of the tourism and leisure sectors.

CWoAR can continue to make a significant contribution to the leisure and tourism sector and the growth ambitions for the Borough and Chessington area by developing and improving its offer through further investment in its attractions and supporting infrastructure. Indeed, the Kingston Direction of Travel document (October 2016), produced jointly by RBK and the GLA, establishes a 'statement of intent' for future growth in the Borough, and specifically identifies development opportunities at CWoAR, to support the long-term ambitions of the Resort. It is important that the draft London Plan recognises the Resort's strategic role, which will help it to attract visitors and spending to the area, and to create (and then maintain) a range of new jobs for local people across different skills and skill levels for local people.

Furthermore, CWoAR welcomes the continued acknowledgement of the future Crossrail2 South West Branch extension between Malden Manor and Chessington South. Visitors to CWoAR are drawn from a large catchment around London and the South East and the proposed extension would provide improved connectivity and increased frequency of trains through Central London, thereby encouraging not only a modal shift but also more people to visit the Resort.

It is noteworthy however that subject to funding being agreed, the ability to implement Crossrail 2 will be dependent, to a degree, on development of Green Belt land. The current draft London Plan's emerging policies on Green Belt protection appear to conflict with the strategic aim of Crossrail. It is therefore important to the achievement of the wider strategic objectives of the London Plan, including in the Kingston OA, that the draft Green Belt policies are amended to conform with National Policy and allow for exceptional /very special circumstances to justify Green Belt review (through the Local Plan process) and inappropriate development.

Summary

This letter sets out representations to the draft London Plan on behalf of CWoAR, a well-known and regionally significant tourist destination in the Chessington area of RBK.

CWoAR considers that elements of the draft London Plan, particularly the policy on Green Belt development, are clearly inconsistent with the requirements of national planning policy. As a long-established and regionally important business situated in the Green Belt, any undue and unjustified constraints on Green Belt policy could have significant repercussions for CWoAR. The Resort depends on the ability to renew and

refresh its visitor offer each year, and it could not keep pace with leisure market competitors if London Plan policy restricted this ability beyond the requirements in the NPPF. It is paramount that this is addressed, via changes to draft Policy G2, in the way proposed in this letter.

The policy support in the London Plan for the enhancement and extension of London's visitor attractions is welcomed, although should be strengthened, including where this relates to the role of Opportunity Areas. As a regionally important 'destination' Resort with an integrated accommodation offer, CWoAR wishes to see specific support for visitor accommodation at existing destinations in draft Policy E10, alongside recognition of the role of the leisure and tourism sector in the Kingston OA at draft Policy SD1. CWoAR would welcome further opportunities to engage in the draft London Plan process, including possible involvement in the Examination in Public.

Should you require any clarification, or additional information, relating to any of the matters raised in this letter, please do not hesitate to contact me.

Ian York
Associate Director

Annex 1: CWoAR Site Location Plan