

Our ref: BF/Q200622
Your ref: Legal and General Property Limited
Email: [REDACTED]
Date: 28th February 2022



Planning Policy
Environment and Community Service
Wandsworth Council
The Town Hall
Wandsworth
London
SW18 2PU

By Email: planningpolicy@wandsworth.gov.uk

Dear Sir or Madam,

Consultation on the Wandsworth Publication Draft Local Plan (Regulation 19) Representations made on behalf of Legal and General Property Limited The Town and Country Planning (Local Planning) (England) Regulations 2012

Quod is instructed by Legal and General Property Limited ('L&G') to submit representations to the Wandsworth Publication Local Plan Regulation 19 (hereby the "Reg 19 Plan"). These representations are submitted within the consultation period that runs from 10th January to 28th February 2022, and principally relate to the former B&Q and Homebase sites, Smugglers Way, Wandsworth, Site Allocation WT12 and 13, also known as the Swandon Way Cluster.

L&G has made representations to the Regulation 18 Local Plan and the Wandle Delta Masterplan SPD.

L&G is currently building out two planning permissions. Planning permission 2020/0011 (Site allocation WT12 Former Homebase) comprises buildings up to seventeen storeys and 2019/4583 (Site allocation WT13 Former B&Q) comprise buildings up to fifteen storeys. These are material considerations which should inform the Regulation 19 Plan as they are permissions approved by the Council and therefore they represent acceptable developments.

A summary of our objections is set out in Table 1 below.

Table 1: Summary of Reg 19 Plan Objections

Policy	Reason for non-conformity
Strategic Policies	L&G believe that Policy LP4 Tall Buildings and Appendix 2 should be a strategic policy due to the strategic implications it has on the plan as a whole.



<p>Early and Effective Engagement</p>	<p>The NPPF requires plans to be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators, and statutory consultees. The Reg 19 Local Plan consultation is the first opportunity that stakeholders have been able to review and comment on the draft Plan, including notably the Council's proposed approach to tall buildings (LP4 an Appendix 2). L&G has been in constant dialogue with the Council since 2019 yet was not made aware of the Council's new approach to controlling building heights until the Reg 19 plan was issued for consultation. Given the wider implications of this policy, it is considered that earlier and more effective engagement should have been undertaken.</p>
<p>Map 3.2 Site Allocations</p>	<p>L&G supports the allocation of the former Homebase and B&Q sites as development plan allocations.</p>
<p>Site Allocation WT12 Homebase, Swandon Way, SW18 and WT13 B&Q, Smugglers Way, SW18</p>	<p>L&G support the site allocation albeit the current wording is ambiguous and should refer to mixed use development including residential and economic floorspace. The developments are also being built out in accordance with planning permissions 2019/4583 and 2020/0011 as material considerations which should be referenced.</p> <p>The site allocations should refer to the "former" Homebase and B&Q stores. Alternatively, as these buildings do not exists, the site address should be used.</p> <p>Building heights - In accordance with the tall building maps in Appendix 2, the cluster is located in tall building zone TB-G1d-03. The maximum appropriate height range for the zone is 7 to 15 storeys. The application of a height parameter of 15 storeys which is two storey lower than that approved by the Council under planning permission 2020/0011 is simply not justified, and is not therefore sound. The Council granted planning permission in October 2021, and there is no new evidence which would justify an alternative approach to that proposed and approved under permission 2020/0011. The policy should be revised to refer to refer to 17 storeys.</p>
<p>LP4 - Tall Buildings and Appendix 2</p>	<p>The policy is not justified. It is inconsistent with Policy D9 of the London Plan and the maximum zones and heights proposed are not justified by the evidence base Urban design Study 2021 ('UDS 21'). This document uses an "Analysis of existing buildings and consented masterplan" (by which is means the SPD) as justification for the proposed heights, not recent planning permissions that ae currently being built out.</p>



	The policy is inflexible as it does not permit heights beyond those prescribed despite planning permission having been granted by the Council for taller buildings. This is unsound.
Policy LP23 - Affordable Housing	To ensure consistency with the London Plan and National Policy.
Policy LP24 – Housing Mix	To ensure consistency with the London Plan.
Policy LP30 – Build to Rent	To ensure consistency with LP Policy H11 and National Policy NPPF paragraph 65, and NPPG Paragraph: 002 Reference ID: 60-002-20180913 and to include flexibility as required by the Council’s whole plan viability statement.

Chapter 14 Achieving Design Excellence - Policy LP4 Tall Buildings / Appendix 2 Tall Building and Mid-rise Building Maps - OBJECT

L&G support the identification of W12 and W13 as a tall building location Appendix 2 Map 23.28 Tall Building Zone TB-G1d-03.

L&G, however, consider that the height parameter proposed at Map 23.28 Tall Building Zone TB-G1d-03 of 7 to 15 storeys is unjustified by the evidence base to the Local Plan, and fails to acknowledge planning permission 2020/0011 granted by the Council for a seventeen-story development in October 2021.

The UDS 21 evidence base considers the site allocation at Page 294 A.8.5 TB-G1d-03: Wandsworth Town and Riverside. The analysis fails to refer to planning permission 2020/0011 and does not refer to development approved at seventeen storeys. This is an omission and should be rectified through a revision to TB-G1d-03 up to seventeen storeys.

L&G are also concerned with the approach taken for Policy LP4. Despite the policy defining very strict tall building zones and heights based upon the UDS 21. Policy LP4 still states that tall buildings in Tall Building Zones would only be appropriate where the development would not result in any adverse visual, functional, environmental and cumulative impacts. It requires planning applications for tall buildings to be assessed against the criteria set out in Parts C and D of the London Plan Policy D9 (this comprises twenty-one criteria) and an additional nineteen local criteria set out at Policy LP4 (1 to 19). This would indicate that the analysis undertaken to define tall building locations and heights in Wandsworth by the UDS 21 is not sufficient to support the very detailed tall building zoning and prescriptive heights.



This does not appear to be proportionate and succinct planning that avoids duplication, particularly where LP4 (C) states that proposals for tall buildings will not be permitted outside the identified tall building zones; and (D) proposals for tall buildings should not exceed the appropriate height range identified for each of the tall building zones, and the height of tall buildings will be required to step down towards the edges of the zone (unless it can be clearly demonstrated that this would not result in any adverse impacts including on the character and appearance of the local area).

L&G suggest that the following wording is introduced into LP4 as a modification: -

- Heights to be consistent with the general building heights shown on the Tall Building Zone Maps.
- Maps indicate the heights likely to be generally acceptable to the council.
- Proposals will still need to be assessed in the context of other policies to ensure that they are appropriate in that location and deliverable when the plan is read as a whole.
- Apply flexibility whereby circumstances where the quality of design of a development and its impact on character is such that taller buildings that exceed the general heights in these locations could be shown by applicants to be acceptable.

Policy LP23 (Affordable Housing) – OBJECT

L&G support the Council's intention to adopt the London Plan's Fast Track Route for affordable housing. However, the Policy LP23 should define that the Fast Track Route will be available to developments that deliver a minimum of 35% affordable housing in line with Policy H5 of the London Plan.

L&G object to the Council's proposed tenure split at 50% low-cost rent products, 25% First Homes and 25% other intermediate products as this limits flexibility within the intermediate tenure. Flexibility should be introduced.

Policy LP24 (Housing Mix) – OBJECT

Policy LP24 is not in general conformity with LP H10 Housing Site Mix which acknowledges¹ that a higher proportion of one and two bed units is appropriate in locations which are closer to a town centre or station or with higher public transport access and connectivity. The policy should be revised to state that generally a higher proportion of one and two bed units in locations which are closer to a town centre or station or with higher public transport access and connectivity

Chapter 18 Building A Strong Economy - Policy LP38 (Affordable and Open Workspace) – OBJECT

¹ LP Policy H10 (6)



L&G object to the policy which requires all development delivering any economic floorspace, regardless of size, to make a contribution to the provision of affordable and/or open workspace. Policy LP38 should relate to developments which propose in excess of 1,000sqm (GIA) of economic floorspace.

Policy LP30 (Build to Rent 'B2R') – OBJECT

Policy LP30 should be in general conformity with LP Policy H11 and must comply with National Policy NPPF paragraph 65, and NPPG Paragraph: 002 Reference ID: 60-002-20180913 to be sound.

LP Policy H11 confirms that the affordable housing offer for B2R developments can be solely Discounted Market Rent (DMR) at a genuinely affordable rent, preferably London Living Rent level where criteria are met. For non-public land and industrial sites, to follow the Fast Track Route, Build to Rent schemes must deliver at least 35 per cent affordable housing with at least 30 per cent of DMR homes to be provided at an equivalent rent to London Living Rent with the remaining 70 per cent at a range of genuinely affordable rents. The LP and supporting Affordable Housing and Viability SPG recognise the benefits of B2R, noting the additionality in housing supply, accelerated delivery and the truly integrated communities which pepper potted DMR homes enable, with every resident enjoying the same amenities and sharing the same spaces.

NPPF paragraph 65 exempts B2R homes from the national requirement of at least 10% of the total number of homes comprising affordable home ownership. NPPG states that affordable housing on build to rent schemes should be provided by default in the form of affordable private rent, a class of affordable housing specifically designed for build to rent. 20% is generally a suitable benchmark for the level of affordable private rent homes to be provided (and maintained in perpetuity) in any build to rent scheme. National affordable housing policy also requires a minimum rent discount of 20% for affordable private rent homes relative to local market rents.

Both national and regional guidance recognise that scale is critical to the viability of B2R and that the unified ownership of both private rent and DMR homes enables greater scale and therefore efficiency, supporting the delivery of the affordable homes. National policy and the supporting text to LP policy H11 note the challenging distinct economics of B2R and the policy flexibilities which help overcome these.

In contrast, Wandsworth Council are proposing a more onerous approach to the affordable housing requirements drawn down from a B2R proposal by seeking a tenure split of 50% low cost housing and 50% intermediate products.

The whole plan viability study identifies this as having a viability impact, noting that it is unviable in the base case (paragraph 7.14). It recognises that this would potentially risk the delivery of this type of scheme. As such flexibility within Local Plan to allow for less burdensome policies, such as the overall housing rate and/or tenure with such schemes is proposed.



We do not consider that the financial implications of the policy have been sufficiently tested to evidence a departure from the London Plan and National Policy. In addition, the policy does not recognise (the many) circumstances where registered providers are unwilling or unable to manage affordable homes in a B2R development.

To resolve our concerns, the following modifications are proposed.

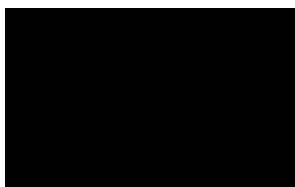
Policy Reference	LP30 – Built to Rent
Proposed Modification	<p>1. Where a development has potential to include more than one residential core and/or block, applicants should may consider the use of this separate core and/or block to provide low cost rented housing to be managed by a registered provider. To follow the Fast Track Route, 50 per cent of the overall affordable housing requirement should be provided as low-cost products within this separate core and/or block, with the remaining 50 per cent at a range of genuinely affordable rents to meet priority housing need in Wandsworth. If the above requirements are not met, the scheme must follow the Viability Tested route. In these circumstances, the Council will seek from the applicant the optimum affordable housing offer for the development as a whole.</p> <p>2. Where an applicant can demonstrate to the Council's satisfaction that it is not feasible in design, viability or deliverability terms to include a separate residential core and/or block in the development proposal; or it can be evidenced that a registered provider cannot or is unable to manage the low-cost products, the Council will accept the full affordable housing requirement for the scheme as discount market rent units managed alongside the market rent units, in accordance with the requirements of London Plan policy. To follow the Fast Track Route, the Council will seek 30 per cent of the affordable provision at rents equivalent to London Living Rent level, with the remainder at a range of genuinely affordable rents to meet priority housing need in Wandsworth. If these requirements are not met, the scheme must follow the Viability Tested route.</p> <p>3. Build to Rent housing should seek to provide a mix of dwelling sizes that meets identified local housing needs, in accordance with Policy LP24 (Housing Mix).</p>
Justification	To ensure consistency with LP Policy H11 and National Policy NPPF paragraph 65, and NPPG Paragraph: 002 Reference ID: 60-002-20180913.

Conclusion

On behalf of L&G, Quod reserves the right to add to or amend these representations. This may be required where the Council issues new guidance or there is a change in policy at a local, regional or national level.

Kind regards.

Yours sincerely



Ben Ford
Board Director