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L220225 SAV SIM Reps



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Submitted by email: planningpolicy@wandsworth.gov.uk

Dear Sir or Madam

**LONDON BOROUGH OF WANDSWORTH LOCAL PLAN REVIEW
CONSULTATION ON THE LOCAL PLAN PUBLICATION (REGULATION 19) VERSION (JANUARY 2022)
REPRESENTATIONS MADE ON BEHALF OF CHARITIES PROPERTY FUND**

Introduction

We write on behalf of our client, Charities Property Fund c/o Savills Investment Management LLP ('SIM'), in respect of its interests in land at 200 York Road, Battersea, London, SW11, 3SA.

Specially, this correspondence is submitted to provide a formal consultation response to the London Borough of Wandsworth Draft Local Plan Publication (Regulation 19) Version (January 2022) (the '**Publication Draft Local Plan**').

SIM acts on behalf of the freehold owner of the land at 200 York Road ('**the Site**'). This currently comprises of an existing 3-5 storey building which is currently occupied by Travelodge as a hotel with associated car parking and access.

The Site is currently proposed for allocation for residential and commercial uses within the Publication Draft Local Plan under Site Allocation Ref: 'RIV10' – 200 York Road, Travelodge Hotel, SW11'.

SIM supports the overarching aspirations for investment and growth within Wandsworth as detailed within the Publication Draft Local Plan. However, it strongly advocates that in order to help realise these aspirations and for the Draft Local Plan to be found 'sound', the Council should make material amendments to the emerging Local Plan in order to capture greater potential for the redevelopment and / or intensification of existing 'brownfield sites'.

In particular, Site Allocation RIV10 presents a significant opportunity for intensification in terms of quantum and diversification of uses, as part of a comprehensive residential led mixed use development which includes taller buildings than currently identified.

It should be noted that our client has only recently acquired the Site and therefore wasn't in a position to submit representations to earlier stages of consultation that have been previously undertaken by the Council. As such we would welcome the opportunity to meet with officers to discuss the range of issues relating to its current evidence base and the potential for the Site to better contribute towards meeting strategic objectives as outlined by the Publication Draft Local Plan.

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

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We trust that the content of this consultation response will be considered fully by the Local Planning Authority ('LPA') and afforded the appropriate level of weight in preparing the next version of the Local Plan.

Executive Summary

In summary, whilst our client would confirm its support for the identification of Site Allocation RIV10 in principle, it **strongly objects** to the imposition of a maximum height range of 7-10 storeys as currently set out at paragraph 11.69 of the Publication Draft Local Plan for the following reasons:

1. The Wandsworth Borough Council Urban Design Study – Executive Summary (December 2021) which forms part of the technical evidence base for the Publication Draft Local Plan does not support the proposed limitation on building heights at the Site, which benefits from a surrounding context which includes tall buildings (existing and proposed buildings of 20 storeys or greater).
2. Capping building heights at the Site in the manner currently proposed would significantly limit the prospects of securing redevelopment due to the impact on overall scheme viability. It follows that any regeneration objectives (e.g. improved public realm and contribution to the delivery of commercial uses / Focal Points of Activity aren't realised) and an increase in residential numbers and hotel bed spaces is lost.
3. Site Allocation RIV10 as drafted fails to optimise the development potential of the Site. This is in direct conflict with the aspirations of the London Plan and the overarching strategic objective to secure sustainable development and make most effective use of land as set out in the NPPF.

Based on the above the Publication Draft Local Plan as drafted, and particularly in regard to allocation RIV10, does not meet the tests of soundness identified at Paragraph 35 of the National Planning Policy Framework ('NPPF'). In particular, it is not justified, not effective and is inconsistent with the provisions of the NPPF and the London Plan 2021.

In failing to plan positively to realise the potential / capacity of the Site the Council serves to place unnecessary and undue stress on other areas of the Borough and elsewhere in Greater London to meet an identified requirement for the delivery of new homes.

Our client also requests that Site Allocation RIV10 is amended to include provision for hotel uses to be retained at the Site as part of any comprehensive development scheme. Such uses would ensure that there is sufficient flexibility to enable re-provision of the existing hotel facility in a location where this can continue to support the Borough's visitor economy.

The justification for our requested amendments to the emerging Local Plan are set out in further detail as part of this consultation response.

The Site

As set out above, our client's land ownership comprises the Site at 200 York Road.

It measures approximately 0.25ha and is bound to the east by York Road and to the north by Gartons Way. The Site currently accommodates a 3-5 storey Travelodge hotel with associated car parking and access.

The Site is well located for public transport, being roughly 10-15 minutes' walk from both Clapham Junction and Wandsworth Town railway stations. It has a Public Transport Accessibility Level (PTAL) score of 6B ('Excellent'), which is the highest possible designation and defines it to be in a very sustainable location accessible by a wide range of public transport modes.

In respect of surrounding context, the Site forms part of an immediate area which includes a number of existing and permitted high density developments. This includes the adjacent Coda development site located to the immediate north east where permission was granted by the Council in 2018 for a mixed use scheme of 6-24 storeys (up to 81.95 metres tall) and the Plantation Wharf site to the north which comprises 16-18 storeys.

Representations to the Publication Draft Local Plan

The Publication Draft Local Plan consultation seeks to identify sites to meet Wandsworth's need for housing, employment sites and other uses.

It is further stated that Site Allocations are identified as the key sites which are considered to assist with the delivery of the Borough's Spatial Strategy which targets the provision of a minimum of 20,311 new homes over the Local Plan period (2023-2038).

Whilst our representations are focussed primarily on the Council's proposed wording for draft Site Allocation RIV10 we would note that the comments made also relate to the delivery of the wider strategic policies of the Publication Draft Local Plan by association. In particular, it is maintained that the Council's failure to optimise the development potential of appropriate sites such as RIV10 place undue and unnecessary pressure on other parts of the Borough / other Boroughs within Greater London.

We set out our responses to the relevant elements of the Publication Draft Local Plan and associated evidence base below.

General Comments

The National Planning Policy Framework ('NPPF') requires all Local Plans to be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally.

Local planning authorities should positively seek opportunities to meet the development needs of their area and Local Plans should meet objectively assessed needs with sufficient flexibility to adapt to rapid change.

They should be consistent with the principles and policies of the NPPF, and should be aspirational but realistic to address spatial implication of economic, social and environmental dimensions.

Planning policies should amongst other things be '*flexible enough to accommodate needs not anticipated in the plan...to enable a rapid response to changes in economic circumstances*'. Paragraph 120 states that planning policies should encourage multiple benefits from urban land.

At the heart of the above is a presumption in favour of sustainable development which for plan-making means positively seeking opportunities to meet development needs of an area, and be sufficiently flexible to adapt to rapid change.

As the new Wandsworth Local Plan emerges, it is important that it adheres to the requirements of the NPPF in positively promoting new development in sustainable locations across the Borough.

We provide commentary on the overall context, vision and area strategies as set out within the Publication Draft Local Plan below. These matters all necessarily inform the more detailed consideration of the allocation of the Site.

Spatial Strategy

In respect of the Spatial Strategy outlined by the Publication Draft Local Plan it is noted that the Site is identified to form part of the Clapham Junction Opportunity Area as illustrated at Map 2.1 Key Diagram on page 32 of the consultation document.

Policy SD1 of the London Plan 2021 states that the Mayor will take steps to ensure that Opportunity Areas fully realise their growth and regeneration potential. This includes supporting regeneration, and ensuring that Opportunity Areas maximise the delivery of affordable housing and create mixed and inclusive communities.

This policy also sets out that Boroughs (including LB Wandsworth), through Development Plans and decisions, should clearly set out how they will encourage and deliver the growth potential of Opportunity Areas. This includes a requirement to establish the capacity for growth in order to take account of indicative capacity for homes and jobs as set out at Table 2.1 of the London Plan 2021.

Table 2.1 of the London Plan states that the Clapham Junction Opportunity Area is expected to deliver an indicative capacity of 2,500 homes and 2,500 jobs for the period up to 2041. Whilst the specific boundary for this Opportunity Area is still yet to be defined the inclusion of the Site within the indicative area for this signals a requirement for proper consideration of how it can fully contribute towards the targets set out by the adopted London Plan.

The Publication Draft Local Plan confirms that the London Plan sets a target for Wandsworth of 19,500 additional homes to be provided over a ten-year period from 2019/20 to 2028/29 (paragraph 2.8).

In order to achieve this, the Council sets out a Spatial Development Strategy at Draft Policy SDS1 of the Publication Draft Local Plan. Part A of this Strategy states that within the period 2023-2038 provision will be made for a minimum of 20,311 new homes to be delivered within the Borough.

The Council further states that the new homes which are required will be allocated in accordance with a sequential approach set out at Draft Policy SDS1. This approach prioritises the delivery of new homes at a series of locations which are characterised by their strategic economic role and/or opportunities for regeneration.

The Site is located within the defined boundary of 'Wandsworth's Riverside' for which the Overarching Area Strategy set out at Draft Policy SDS1 establishes a total capacity for 1,098 new homes. It follows that the redevelopment of the Site will be critical to the realisation of the Council's ability to meet its required housing targets in this part of the Borough. This is an important consideration in respect of the context for determining the appropriateness of any height limitations proposed for the Site.

Approach to Tall Buildings

The Publication Draft Local Plan identifies that the Site is located within an area appropriate for 'tall buildings' as defined on the map at Appendix 2. Specifically, the allocation of the Site (RIV10) forms part of tall building zone TB-B2-06 where a maximum appropriate height range of 7 to 10 storeys is imposed.

Previously, the Site had formed part of an area that was identified for 'opportunities for tall building clusters and/or landmarks' within the Pre-Publication Draft Local Plan (November 2020).

This position was established through analysis undertaken by Arup within the December 2020 Urban Design Study which forms part of the evidence base for the emerging Wandsworth Local Plan.

It is notable that the Pre-Publication Draft Local Plan did not seek to impose any specific limitations on the height of tall buildings for Site Allocation RIV10. Conversely, it sought to establish that the threshold for where a building would be considered as 'tall' at the Site was 8 storeys. The Pre-Publication Draft Local Plan subsequently sought to impose a requirement for any development proposals for tall buildings at the Site to be assessed in accordance with Local Plan Policy LP4. This requirement is replicated within the Publication Draft Local Plan for which these representations seek to respond to.

Policy LP4 of the Pre-Publication and Publication Draft Local Plan documents state that proposals for tall buildings will only be appropriate in tall building zones (as defined at Appendix 2) and assessed against the criteria set out in Parts C and D of the London Plan Policy D9 and those set out at Policy LP4.

London Plan Policy D9 Part C relates to visual, functional, environmental and cumulative impacts associated with tall buildings whilst Part D deals with opportunities for public access.

Critically, the definition of tall buildings, as set out at Part A of Policy D9, reads that this should be based on local context. Furthermore, paragraph 3.9.2 of the London Plan states that Boroughs should determine and identify locations where tall buildings may be an appropriate form of development with reference to their form, character and capacity for growth.

The supporting text to London Plan Policy D9 (paragraph 3.9.3) further states that in large areas of extensive change, such as Opportunity Areas, the threshold for what constitutes a tall building should relate to the evolving (not just the existing) context.

Wandsworth Publication Draft Local Plan Policy LP4 builds upon this further by proposing a requirement to consider any impacts on spatial hierarchy. In this respect, Policy LP4 part B-7 states that the massing of any proposed tall buildings should be proportionate to the local environment.

In reviewing the requirements of the adopted London Plan and emerging Wandsworth Local Plan it is clear that the established context is a key factor to determining what is an appropriate height for any future development proposals which may include tall buildings.

It follows that there is a need to consider the immediate existing and evolving context for the Site in order to determine an appropriate height for tall buildings at Allocation RIV10. In this case it is noted that the approved Coda development scheme (currently under construction) and located directly adjacent to the Site includes provision for up to 24 storeys. As such, this sets the context for what is a 'landmark' style development within this area of Wandsworth's Riverside and particularly when read within the context of existing tall buildings nearby such as Battersea Reach (16 storeys) and Plantation Wharf (18 storeys).

The Site is also located within the defined boundary of the Lombard Road / York Road Riverside Focal Point for which the Council adopted a Supplementary Planning Document for in December 2015.

At page 7 of the SPD it is stated that the Site forms part of a "cluster of sites at the southern end of the Focal Point and represents one of the other significant opportunities to create a new 'destination' quarter based on the arts and creative workspace.

The Site is assessed in further detail at page 32 of the SPD. Here, it is noted that the height at which a development in this location will be considered 'tall' is 9 storeys¹. Furthermore, the justification for a tall building in this location is that it would have the potential to allow the delivery of high quality public realm at ground level and could be a positive feature in the townscape.

In accordance with the objectives that were established by the Focal Point SPD, the area around York Road area has been undergoing a process of redevelopment in recent years. This includes the Coda development to the immediate north east of the Site, which was granted planning permission in February 2018 and comprises a mixed use residential scheme of 6 - 24 storeys (up to 81.95 metres tall).

Whilst it is acknowledged that the approval of the Coda scheme pre-dates the Publication Draft Local Plan it should still be noted that heights of up to 24 storeys was deemed to be acceptable. As set out above, this scheme is considered to act as the marker for what is considered to be a landmark building within this area of the Borough and provides the context to which other tall buildings such as Plantation Wharf (18 storeys) and Battersea Rise (16 storeys) respond to.

Given the proximity of the Site to the Coda development scheme and the fact that both exhibit similar characteristics (frontage to York Road and similar set back from the River Thames) it follows that the general parameters for what is an appropriate height for taller buildings should be applied with a degree of consistency.

¹ This is 2 storeys higher than the lower end of the maximum height range which the Publication Draft Local Plan seeks to impose for Site Allocation RIV10

Specifically, this should facilitate the potential for any future development scheme at the Site to respond directly to the immediate context which has already been established. Conversely, the imposition of a maximum height range of 7-10 storeys for Site Allocation RIV10 as currently proposed by the Publication Draft Local Plan prevents this from being realised and is not consistent with the London Plan or NPPF.

It is understood that the introduction of those specific height parameters set out above arises from analysis undertaken by Arup as part of the December 2021 Urban Design Study. We provide further comment on this document below as part of our representations to Draft Site Allocation RIV10.

Area Strategy for Wandsworth's Riverside Area

As set out above, the Site is identified to form part of Wandsworth's Riverside Area within the Publication Draft Local Plan and the strategy for this area is set out at Section 11 of the document.

Paragraphs 11.3 and 11.4 of the Publication Draft Local Plan establish that whilst the Council has been successful in leveraging and encouraging investment through designating particular stretches of the riverside as Focal Points of Activity, there remain sections with unrealised placemaking potential.

In particular, paragraph 11.4 identifies the stretch, focused on Lombard Road/York Road, as an area where regeneration is an ongoing process – with some sites recently completed, underway or planned for, and others yet to be redeveloped. This paragraph further surmises that the concentration of riverside Site Allocations within this location (including RIV10) presents an opportunity for further change with specific reference made to transformation through residential-led mixed-use development with the scope for some tall buildings.

Paragraph 11.4 also indicates that as in other Focal Points of Activity the allocations within Wandsworth's Riverside should seek to create activity and vibrancy on the ground-floor, with restaurants, cafes, bars and cultural spaces. Notwithstanding this, it is also noted that the scale of such uses should be limited to serving local needs only such that they do not compete with the Borough's town and local centres. This is understood to outline the position for consideration of any commercial uses to be brought forward as part of any residential led mixed use development scheme at Allocation RIV10.

In terms of existing context, paragraph 11.14 of the Publication Draft Local Plan states that the riverside north of Wandsworth Town is characterised by a mixture of tall residential buildings. Paragraph 11.15 subsequently states that further to the east Battersea Riverside is generally characterised by a coarse urban grain with limited tree cover and large scale buildings. It follows that the Publication Draft Local Plan acknowledged the prevalence of existing taller buildings within the immediate vicinity of the Site.

The Vision for Wandsworth's Riverside as set out at paragraph 11.18 of the Publication Draft Local Plan includes reference to the Council's intention to promote residential-led redevelopment to provide new housing, with a mix of small-scale commercial uses in Focal Points of Activity to bring vibrancy to these areas and meet the needs of local residents.

Draft Policy PM9 of the Publication Draft Local Plan is subsequently informed by the existing context and vision as summarised above. Point 2 of this Policy establishes a series of criteria which Site Allocations within Wandsworth's Riverside should seek to meet. Specifically, criteria a. stipulates that allocations should create a positive front to the water whilst criteria d. encourages the preservation of linear views along the river.

In this regard, it is noted that Site Allocation RIV10 is not referenced as being required to meet the criteria set out at Point 2 of Draft Policy PM9 despite it forming part of the Area Strategy for Wandsworth's Riverside. This is of course due to the fact that it does not include a river frontage, being located on York Road and set back from the river by circa 120m.

This underlines the fact that whilst forming part of the Area Strategy for Wandsworth's Riverside, Site Allocation RIV10 exhibits entirely different characteristics to those other allocations (RIV1-9) which do have a river frontage and thus needs to be considered on an individual basis. Such consideration would necessarily be informed by the fact the Site is located on a primary route from Wandsworth Roundabout towards Battersea Park (and onward into Central London) and with reference to its existing and future context which includes heights of up to 24 storeys.

We provide our detailed comments to support our objection to Draft Site Allocation RIV10 as currently worded and the evidence base which has informed this below.

Draft Site Allocation RIV10

As set out above, the Site is proposed to be allocated for residential and commercial development in the emerging Wandsworth Local Plan under Allocation Reference RIV10.

SIM supports the identification of this allocation in principle. The redevelopment of this site will help to meet strategic objectives in terms of residential land supply, economic growth and employment generation within Wandsworth in the mid to long term.

The allocation is also identified to form part of a tall building zone (TB-B2-06) where the Council has established that higher densities would be appropriate. Again, SIM welcomes the recognition of this potential and is supportive of the principle of tall buildings being delivered at the Site.

Notwithstanding the above, SIM strongly opposes the introduction of maximum appropriate height range of 7-10 storeys for the allocation as set out at paragraph 11.69, given the issues with the accuracy and application of the evidence base which has been used to determine those parameters.

SIM would also request that greater flexibility is afforded by the Site Allocation to enable the re-provision of the existing hotel facility as part of any comprehensive mixed use development scheme.

We provide further analysis of the component parts of the draft Site Allocation and our suggested amends to these below where relevant.

Paragraph 11.66

Paragraph 11.66 of RIV10 states that the allocation is proposed for “*residential development and commercial uses that include opportunities for affordable creative workspace*”.

Whilst SIM supports the proposed allocation of the site for residential led development in principle, we request that the allocation should be amended to include the delivery of new hotel accommodation as part of a mixed use development scheme.

The support for such uses would allow for the re-provision of the existing hotel facility (Travelodge) at the Site in a highly accessible and sustainable location close to the River Thames and major rail infrastructure to the overall benefit of the Borough's visitor economy.

This amendment also accounts for the fact that there is limited space at the Site (which is only 0.25ha) for additional commercial uses which would be able to create an active ground floor frontage onto York Road. Given these constraints it is proposed that a replacement hotel facility would be better placed to incorporate facilities such as a café / restaurant at ground floor level as part of a more integrated offer which is primarily focused at guests. This would also align with the strategy for limiting the delivery of commercial floorspace at site allocations within Wandsworth's Riverside to serving local needs only.

We request that Paragraph 11.66 of Site Allocation DIV10 is amended to include specific support for residential, hotel and commercial land uses. In particular, we propose that the policy text which relates to the proposed uses to be delivered by the site allocation be updated to read as follows:

“Mixed use development including residential uses, re-provision of existing hotel facility with commercial uses which serve local needs”.

The above alteration would ensure that the Plan is positively prepared and will make the most effective use of previously developed land. Furthermore, it would enable any future development scheme to respond appropriately to market forces in terms of what is a viable and deliverable. This flexibility is critical and is demonstrative that, prior to comprehensive redevelopment, asset management objectives for the existing hotel floorspace would not be considered to prejudice the longer term aspirations of the emerging Local Plan.

Paragraph 11.67

Paragraph 11.67 states that Site Allocation RIV10 has the potential, when developed in conjunction with Gartons Industrial Estate (RIV4) and the surrounding area, to become a new creative quarter within this part of the focal point area.

SIM supports the aspirations for the new ‘creative quarter’ but reiterates the requirement for any redevelopment to include the provision of a replacement hotel to support the wider commercial function of the locality, for the reasons set out above.

Paragraph 11.68

Paragraph 11.68 states that the allocation should aim to contribute to the townscape and pedestrian amenity in York Road and contribute to the provision of a new public space at the junction of Gartons Way and York Place.

SIM supports the aspirations as set out at paragraph 11.68 and would reiterate that the development of their Site presents a major opportunity to enhance the townscape and condition of the public realm along York Road. Notwithstanding this, it is noted that the ability to secure these improvements will only be realised if a viable development scheme can be delivered at the Site. It follows that the realisation of these benefits is directly linked to the height and density which can be achieved at the allocation.

At present, the capping of heights to 10 storeys as currently proposed by the draft allocation is not justified and would significantly limit the prospects of delivering a viable development scheme. This would ultimately mean the wider regeneration objectives (e.g. improved public realm and contribution to a defined Focal Point of Activity) could not be achieved.

Paragraph 11.69

Paragraph 11.69 states that the maximum appropriate height range for tall building zone TB-B2-06 is 7 to 10 storeys. As such, it is intimated that the height of any developments within that zone should not exceed the identified maximum appropriate heights in line with Policy LP4 of the Local Plan.

The introduction of the maximum appropriate height range has been informed by analysis undertaken by Arup which is presented in the December 2021 Urban Design Study and forms part of the technical evidence base for the Wandsworth Local Plan.

As set out in the Executive Summary, we consider that the findings of the Urban Design Study do not support the proposed limitation on maximum building heights currently proposed for Site Allocation RIV10. Accordingly, we set out our own analysis below to challenge this position. This includes consideration of the specific urban design and townscape considerations applicable to the Site, review of the methodology undertaken by Arup to inform its findings and our overall conclusions which support the potential for significantly taller buildings at Allocation RIV10.

1. The Site and its context – urban design and townscape considerations

The Site, is located on the northwestern side of York Road, approximately 120m south east of the River Thames. It currently accommodates a Travelodge hotel, in a 'H' plan, with surface parking either side of the main wing. The southeastern block of the hotel rises to three storeys, with the remainder two blocks rising to five storeys, with plant and telecommunications aerials above. The existing building on the site is of poor architectural and urban design quality, with limited active frontages (including onto York Road itself). The building also sits at an odd angle to York Road, further exacerbating its poor relationship with the streetscape and the immediate context around it.

The Site is not located in any of the London View Management Framework (LVMF) viewing corridors, nor is it located in any of the Wandsworth Local or Designated views or Views of Interest (as shown in Fig. 70 of the December 2021 Urban Design Study).

As set out above, Arup conducted an Urban Design Study: Characterisation, development capacity and design guidance for Wandsworth Borough Council, which was published in December 2020. A further, updated version of this study, entitled Urban Design Study – Executive Summary: Characterisation, development capacity and design guidance was published in December 2021.

The Site is identified in both studies in the B2 Battersea Riverside area with minimal changes between the two versions in the analysis of key characteristics, valued features, negative qualities, building types, strategy and character area design guidance. Critically, the Site was deemed to be located within an area of 'lower sensitivity', 'higher probability for change' and 'higher development capacity at pages 8, 9 and 10 of the 2021 Urban Design Study. This necessarily forms the spatial context for the consideration of what is an appropriate height for site specific applications.

Furthermore, it is noted that the Battersea Riverside Character Area is identified to have a low sensitivity to change with potential for targeted growth with the exception of Battersea Conservation Area (which has high sensitivity) at page 63 of the 2021 Urban Design Study. In comparison it is noted that the Character Area was deemed to have a medium sensitivity to change with potential for targeted growth at page 71 of the 2020 Urban Design Study. This represents a material reduction in the level of sensitivity which is to be applied to the Character Area between the two studies and demonstrates the lack of any evidence based justification for the height limit of 10 stories as currently proposed. Given that the 2020 Study previously informed the context for taller buildings of 8 storeys or more being considered appropriate at Allocation RIV10 it is inconceivable that a lower degree of sensitivity to change could support a reduction in height. Conversely, a lower degree of sensitivity should in fact allow for more flexibility in future development, which should also apply to height.

The Site in its current condition is a negative contributor to the townscape. The emerging immediate context of the Site is one of tall buildings, with the Coda development to the northeast (on the other side of Gartons Way) and Plantation Wharf (closer to the River) rising at 24 and 18 storeys respectively. This context, and the Site's setting away from the river and its corner position on a busy road make it an entirely appropriate location for a taller landmark building.

2. Identification of Site Allocation RIV10

A Pre-Publication Draft Local Plan was published for consultation in November 2020 by the Council. In it, the Site is identified as site allocation RIV10 and under Design Requirements – Tall Buildings it states that: 'In accordance with the Urban Design Study and the tall buildings maps in Appendix 2 the site is located in an area which has opportunities for tall building clusters and/or landmarks, and the height at which buildings will be considered as 'tall' is 8 storeys and above.

The Council subsequently published the Pre-Publication Draft Local Plan for consultation in January 2022, along with the Policy Map Changes document. The Site remains under site allocation RIV10, however it has been grouped into tall building zone TB-B2-06, along with RIV3 (11-25 Chatfield Road and 41-47 Mendip Road) and RIV4 (Gartons Industrial Estate).

In the Building Heights section for RIV10 it states: 'In accordance with the tall building maps in Appendix 2, the site is located in tall building zone TB-B2-06. The maximum appropriate height range for the zone is 7 to 10 storeys, and the maximum appropriate height range for the site must be in accordance with the tall building maps in Appendix 2.

We would question the change in height recommendations between Pre-Publication and Publication Draft Local Plans, as no material changes have been made to the Urban Design Study regarding Area B2 – Battersea Riverside. It also has to be noted that RIV10 is located 120m away from the river and therefore the relationship of the Site with the river is different to that of a site located on the river edge, for example RIV6 (TB-B2-05). The current position is not therefore supported by the Council's own evidence base.

3. Maximum height range of 7-10 storeys

As mentioned above, there have been no material changes in the analysis, conclusions and recommendations of the two Urban Design Studies (2020 and 2021) other than to recognise the reduction in the sensitivity to change for area B2- Battersea Riverside.

On this basis it is considered that no additional evidence has been presented to justify any further restrictive limitations on height at Site Allocation RIV10 beyond those that were originally set out within the Pre-Publication Draft Local Plan (i.e. 8 storeys or more).

The 2021 Urban Design Study simply appears to group allocations within newly created tall building zones. Site Allocation RIV10 forms part of tall building zone TB-B2-06, along with RIV3 (11-25 Chatfield Road and 41-47 Mendip Road) and RIV4 (Gartons Industrial Estate).

It should be recognised that these three sites have entirely different characteristics and considerations. Site RIV3, for example, is wedged between other sites and its frontages face two side streets, not a main arterial road, like the Site which forms allocation RIV10. The Site is more aligned in its characteristics, and location on a main road with site allocations such as CJ5 (forms part of tall building zone TB-B1-01), which has a proposed range of 7-20 storeys.

The justification for the imposition of a maximum height range of 7-10 storeys for tall building zone TB-B2-06 is set out at Section A.3.6 of the 2021 Urban Design Study (pages 232-235). This justification is guided by analysis of whether the zones would impact the townscape, local views and nearby heritage assets positively, negatively or neutrally. The assessment undertaken by Arup is stated to use three core types of information depending on the specific zone. These are set out at section 4.5.1 of the Study and include:

- analysis of existing tall buildings;
- analysis of consented tall buildings or area masterplans; or
- analysis of scenarios prepared specifically for this study.

Assessment of tall building zone TB-02-06 is based on an 'analysis of scenario' as confirmed at Table 2 of the 2021 Urban Design Study. There is no explanation provided as to why Arup have taken this particular approach as opposed to an analysis of existing or consented buildings which would form the immediate context for a tall building zone.

At A.3.6 of the 2021 Urban Design Study tall building zones TB-B2-02, TB-B2-05 and TB-B2-06 are grouped for the purposes of assessment. It is stated that the existing prevailing height within these zones is 2-20+ storeys. This position incorporates the 24 storey Coda development scheme located at the corner of York Road and Gartons Way which is located within TB-B2-06, and is directly adjacent to the Site Allocation RIV10. It is subsequently stated that the appropriate height for the tall building zones within the three zones as covered at A.3.6 is 7-10 storeys (21-30m).

The justification for this position is set out in further detail at pages 233- 235 of the 2021 Urban Design Study. However, this only appears to include specific analysis of TB-B2-02 within the table at page 233 of the Study.

There is no comparable table provided for TB-B2-06 and therefore it is assumed that the principles adopted in respect TB-B2-02 have simply been applied for both.

Furthermore, it is noted that figures 275 (Riverside Cluster plan) and 274 (Riverside Cluster massing model) do not even make reference TB-B2-06 or Site Allocation RIV10. On this basis it is not clear as to how Arup have determined the appropriateness of any heights for any allocations within this tall building zone through the analysis that has been undertaken. Critically, the application of an analysis of scenario exercise which focuses specifically on TB-B2-02 does not sufficiently factor in the nature or appearance of certain areas within the Borough that already have established tall buildings such as TB-B2-06. Neither does it address the gradual change in the character and appearance of the area surrounding tall buildings zones, which is a relevant consideration and warrants an analysis of existing and consented tall buildings.

The London Plan is explicit that in large areas of extensive change, such as Opportunity Areas, the threshold for what constitutes a tall building should relate to the evolving (not just the existing) context. The absence of these considerations for TB-B2-06 raises fundamental issues with the methodology which has been used to assess what can be considered to be an appropriate height of building.

In this case, there are already much taller buildings in the immediate vicinity of the Site, so the introduction of additional taller buildings of more than 10 storeys at Allocation RIV10 would not introduce new elements that fundamentally change the character that has been established or any long-distance views.

Within the 'Assessment' section of A.3.6 at page 235 of the Study it is stated that individual buildings will need to carefully consider the appropriate height for individual plots within the zone, and generally the greatest height should be located internally to the plot (stepping down to surrounding streets) and along York Road

Furthermore, it is noted that development in the north of the area should not exceed the existing tallest buildings excluding the 28 storey Lombard Wharf which should not set a precedent for very tall development in this location. This position, and reference to what is considered to be an existing landmarking building, appears contrary to the restrictive limitation of 7-10 storeys which is seeking to be imposed across all tall building zones.

The only reference to the appropriateness of height along York Road appears to be at the penultimate paragraph at page 235 of the Study where it is stated that "there is consent for two developments over 20 storeys". It is subsequently concluded that there is not considered capacity for any further very tall buildings over 10 storeys, principally due to the potential impacts on the character of the River Thames which is already substantially developed with tall buildings both up and downstream.

SIM would strongly question how such conclusions can be made, on the basis that little site specific analysis of TB-B2-06 appears to have been undertaken. Whilst it is acknowledged that TB-B2-06 does have a frontage to the River Thames the majority of this tall building zone is located along York Road, which is set back from the river by some 120m. It follows that any development in this location (including RIV10) would have minimal impacts on the character of the River Thames, and especially when read in the context of the immediate established context which includes buildings of 24, 18 and 16 storeys which are located within a similar proximity to, or closer to, the River.

It follows that the blanket imposition of a maximum height parameter of 7-10 storeys for tall building zone TB-B2-06 is not appropriate or justified in the context of Arup's principal concerns relating to potential impacts on the character of the River Thames. This zone is significantly larger than both TB-B2-02 and TB-B2-05 and as such offers greater flexibility for the introduction of a wider range of taller buildings in spatial terms.

The redevelopment of Site Allocation RIV10 for taller buildings than the maximum height parameter would accord directly with the analysis of scenario undertaken by Arup which confirms that the greatest height should be located internally to the plot and along York Road (page 235 of the Urban Design Study). It follows that limiting height in this location to the same extent as proposed for sites which are directly located on the River Thames is completely contrary to the evidence base and not justified.

Site Allocation RIV10 and other potential development sites located along York Road compare more similarly with some of those allocations within tall building zone TB-B1-01. It is noted that the Council has sought to apply more flexible parameters for what are deemed to be appropriate maximum heights within this zone with those sites located along York Road being considered for taller buildings of up to 20 storeys. This position is illustrated at Figure 244 (Battersea combined Tall and Mid-rise Building Zones map) where the use of different colours is used to represent a wider range of heights within a single tall building zone.

It is therefore entirely appropriate that SIM would request that a similar approach is taken in respect of tall building zone TB-B2-06 such that Allocation RIV10 is identified to support a similar range of building heights. This flexibility would ensure that any future development scheme at the allocation could be brought forward with regard to the characteristics of the Site and the existing context within which it sits (existing and proposed buildings of 20+ storeys). Notwithstanding this, the Council would still be able to exert sufficient control over what is deemed to be an appropriate height with any scheme being tested on a site specific basis as part of a future planning application.

In conclusion, we advocate that the proposed building heights recommendation for the Site (Allocation RIV10) in the Publication Draft Local Plan at 7-10 storeys is too restrictive, not justified or positively prepared. The Site's corner location on an arterial road and its distance away from the immediate setting of the river should both afford greater flexibility for buildings of up to 20 storeys to be considered appropriate. We recommend that the evidence base should be re-visited and updated to reflect the Site's potential and specific townscape and urban design qualities in isolation (both with regard to the grouping of TB-02-06 with other zones which exhibit entirely different spatial characteristics and separate to Allocations RIV3 and RIV4).

While it is appreciated that the emerging Wandsworth Local Plan and adopted London Plan provide broad guidance for wider London given that site allocations are the key strategic reservoir for new homes within the Borough we would question the logic of placing onerous restrictions on their capacity without undertaking more site specific analysis as part of the evidence base or detailed design development through the planning process. As such, planning policies should not be overly prescriptive and need flexibility in order for schemes to respond to the site specific and surrounding context.

It is considered that the Site presents an excellent opportunity for growth through wholesale redevelopment, which should be recognised through a site allocation in the Draft Local Plan. The site allocation would assist in bringing forward the residential-led redevelopment of a previously developed site in a highly sustainable location adjacent to the river.

The proposed capping of building heights of 7-10 storeys at the Site in the way currently proposed would significantly limit the prospects of securing redevelopment of the allocation on viability grounds, and also fails to make the most effective use of the Site.

The deliverability of sites allocated within the Local Plan is critical in order for the Council to meet their housing targets. For policy to rely, to the extent that it does, on a study that does not reflect proper consideration of the spatial characteristics or deliverability of sites is not in our view a sound approach and we would therefore propose that the text at paragraph 11.69 of Site Allocation RIV10 is amended as follows:

- The maximum appropriate height range for Site Allocation RIV10 is adjusted such that it reflects the more immediate context of the Site and supports buildings of **7-20 storeys**. The tall buildings plan at Appendix 2 should be updated accordingly as well to reflect this.

This amendment would ensure that the delivery of Site Allocation RIV10 can fully optimise the development potential of the Site to realise the required increase in new homes alongside wider benefits linked to the delivery of commercial uses and Focal Points of Activity.

Summary and Conclusion

We trust that this consultation response will be fully considered by the Council and its contents afforded the appropriate level of weight. SIM would welcome the opportunity to meet with professional officers of the LPA to discuss these representations in more detail, as well as review the evidence base, its analysis and development options for the Site.

Our client reiterates its support for the identification of land at 200 York Road for allocation within the emerging Local Plan.

However, we wish to register our client's strong objection to the imposition of a maximum height range of 7-10 storeys as currently set out at paragraph 11.69 of the Publication Draft Local Plan. This range should be adjusted to allow for the potential of building heights of up to 20 storeys, in order for the Plan to be found 'sound'.

We would welcome the opportunity to discuss the contents of this letter with Officers in due course. The Response Form has also been completed and is included with this correspondence.

We would also be grateful if you could acknowledge receipt of these representations and keep us updated of any further stages of consultation, so that we can provide comments as may be required.

Should you require any clarification or additional information, please do not hesitate to contact Tim Price or Chris Moore at these offices.

Yours faithfully



Savills (UK) Limited
Planning

Enc: Response Form



Local Plan Review

Consultation on the Publication Draft Local Plan

10 January to 28 February 2022

RESPONSE FORM

The Council is inviting comments over a seven-week period on the Publication version of the Local Plan.

The Draft Local Plan sets out a vision and spatial strategy to guide the development of the borough from 2023, when the Plan is anticipated to be adopted, to 2038. It sets out key objectives for the borough, which are supported by planning policies, area strategies, and – at the smallest scale – detailed guidance for the development of specific sites. Collectively, these identify where development should be targeted and set out how the borough's neighbourhoods and places will change over the next 15 years.

This consultation is the final opportunity to comment on the Local Plan before it is submitted to the Secretary of State for independent 'examination in public'. At this stage in the plan-making process, in accordance with the national guidance, consultation responses should focus on whether the Local Plan has been developed in compliance with the relevant legal and procedural requirements, including the duty to cooperate, and with the 'soundness' of the Plan. Further detail on these concepts is provided in the accompanying guidance notes provided at the end of the form.

How to respond

Please read the consultation documents and other background information made available on the Local Plan website: <http://www.wandsworth.gov.uk/draft-local-plan-publication>

You can respond by completing this form, either electronically using Word or as a print out, and sending it to the Council by:

- Email to planningpolicy@wandsworth.gov.uk
- Post to Planning Policy and Design, Environment and Community Services, Town Hall, Wandsworth High Street, Wandsworth, SW18 2PU.

Alternatively, you can also make comments on the draft Local Plan online via our Consultation Portal, which is accessible at the website listed above.

All responses must be received by **11.59pm on Monday 28 February 2022**. The consultation is open to everyone; however please note that responses will not be treated as confidential and those submitted anonymously will not be accepted.

| Part A: Personal Details | | |
|----------------------------------|--|------------------------------------|
| | 1. Personal details* | 2. Agent's details (if applicable) |
| Title | | Mr |
| First name | | Timothy |
| Last name | | Price |
| Job title (where relevant) | | Director |
| Organisation (where relevant) | Charities Property Fund c/o Savills Investment Management LLP | Savills (UK) Limited |
| Address | c/o agent | 33 Margaret Street London |
| Postcode | | W1G 0JD |
| Telephone | c/o agent | ██████████ |
| E-mail address | c/o agent | ██████████ |

*If an agent is appointed, please complete only the title, name and organisation boxes for the respondent and complete the full contact details for the agent.

| Part B: About You... | | |
|--|------------------------------|--|
| 3. Please tell us about yourself or who you are responding on behalf of. | | |
| Do you live in the borough? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Do you work in the borough? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Do you run a business in the borough? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Are you a student in the borough? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Are you a visitor to the borough? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

Data protection

Information provided in this form will be used fairly and lawfully and the Council will not knowingly do anything which may lead to a breach of the General Data Protection Regulation (GDPR) (2018).

All responses will be held by the London Borough of Wandsworth. They will be handled in accordance with the General Data Protection Regulation (GDPR) (2018). Responses will not be treated as confidential and will be published on our website and in any subsequent statements; however, personal details like address, phone number or email address will be removed.

For further details regarding your privacy please see the Council's information published at:
www.wandsworth.gov.uk/privacy

| Part C: Your Response | | |
|---|-------------------------------------|--|
| 4. Do you consider the Local Plan is: | | |
| 4.1 Legally compliant | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4.2 Sound | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4.3 Complies with the duty to co-operate | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Further information on these terms is included within the accompanying guidance note, which can be found at the end of the response form. | | |
| If you have entered 'No' to 4.2, please continue with Q5. Otherwise, please go to Q6. | | |
| 5. Do you think the Local Plan is <u>unsound</u> because it is <u>not</u>: <i>(Please tick all that apply)</i> | | |
| 5.1 Positively prepared | <input checked="" type="checkbox"/> | |
| 5.2 Justified | <input checked="" type="checkbox"/> | |
| 5.3 Effective | <input checked="" type="checkbox"/> | |
| 5.4 Consistent with national policy | <input checked="" type="checkbox"/> | |
| 6. Please give details of why you think the Local Plan is not legally compliant and/or is unsound and/or fails to comply with the duty to co-operate. | | |
| <p>Please make it clear which consultation document your comments relate to and, where applicable, please include the relevant policy name/number, the site allocation name/reference, the Policies Map change, and/or the paragraph number. Please be as precise as possible.</p> <p>If you wish to provide comments in support of the legal compliance and/or soundness of the Local Plan, or its compliance with the duty to co-operate, please use this box to set out your comments.</p> <p><i>Please note your response should provide succinctly all the information, evidence and supporting information necessary to support / justify the response. After this stage, further submission will only be at the request of the Inspector, based on the matters and issues they identify for examination.</i></p> | | |
| <p>Site Allocation RIV10 - 200 York Road, Travelodge Hotel, SW11</p> <p>Please see enclosed covering letter for full details of representations</p> | | |
| <i>Please continue on a separate sheet / expand the box if necessary.</i> | | |

7. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, when considering any legal compliance or soundness matter you have identified at 5 above.

Please note that non-compliance with the duty to co-operate is incapable of modification at examination.

You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please note your response should provide succinctly all the information, evidence and supporting information necessary to support / justify the suggested change. After this stage, further submission will only be at the request of the Inspector, based on the matters and issues they identify for examination.

Please see enclosed covering letter for full details of representations

Please continue on a separate sheet / expand the box if necessary.

8. If you are seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)? (Please tick box as appropriate)

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

9. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

The Council's approach is not considered to be consistent with national planning policy and is not justified by the supporting evidence base. We consider these to be significant issues with the Publication Draft Local Plan that require in-depth consideration and discussion. Specially, this will assist the Inspector in understanding more fully the opportunities at 200 York Road (RIV10) and the implications of the current policy wording for such opportunities.

Please continue on a separate sheet / expand the box if necessary.

If you are not on our consultation database and you respond to this consultation, your details will be added to the database. This allows us to contact you with updates on the progression of the Local Plan and other planning policy documents.

| | | | |
|---|----------------------|-------|--------------------------|
| If you do not wish to be added to our database or you would like your details to be removed, then please tick this box. | | | <input type="checkbox"/> |
| Signature: <i>For electronic responses a typed signature is acceptable.</i> | Savills (UK) Limited | Date: | 25/02/2022 |



Local Plan Publication Consultation

Guidance Notes to accompany the Representation Form

Introduction

1. The plan has been published by the Local Planning Authority [LPA] in order for representations to be made on it before it is submitted for examination by a Planning Inspector. The Planning and Compulsory Purchase Act 2004, as amended [PCPA] states that the purpose of the examination is to consider whether the plan complies with the relevant legal requirements, including the duty to co-operate, and is sound. The Inspector will consider all representations on the plan that are made within the period set by the LPA.

2. To ensure an effective and fair examination, it is important that the Inspector and all other participants in the examination process are able to know who has made representations on the plan. The LPA will therefore ensure that the names of those making representations can be made available (including publication on the LPA's website) and taken into account by the Inspector.

Legal Compliance

3. You should consider the following before making a representation on legal compliance:

- The plan should be included in the LPA's current Local Development Scheme [LDS] and the key stages set out in the LDS should have been followed. The LDS is effectively a programme of work prepared by the LPA, setting out the plans it proposes to produce. It will set out the key stages in the production of any plans which the LPA proposes to bring forward for examination.
- The process of community involvement for the plan in question should be in general accordance with the LPA's Statement of Community Involvement [SCI] (where one exists). The SCI sets out the LPA's strategy for involving the community in the preparation and revision of plans and the consideration of planning applications.
- The LPA is required to provide a Sustainability Appraisal [SA] report when it publishes a plan. This should identify the process by which SA has been carried out, and the baseline information used to inform the process and the outcomes of that process. SA is a tool for assessing the extent to which the plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.
- The plan should be in general conformity with the London Plan.
- The plan should comply with all other relevant requirements of the PCPA and the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended [the Regulations].

Duty to Co-operate

4. You should consider the following before making a representation on compliance with the duty to co-operate:

- Section 33A of the PCPA requires the LPA to engage constructively, actively and on an ongoing basis with neighbouring authorities and certain other bodies over strategic matters during the preparation of the plan. The LPA will be expected to provide evidence of how they have complied with the duty.
- Non-compliance with the duty to co-operate cannot be rectified after the submission of the plan. Therefore, the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector cannot recommend adoption of the plan.

Soundness

5. The tests of soundness are set out in paragraph 35 of the National Planning Policy Framework (NPPF). Plans are sound if they are:

- Positively prepared – providing a strategy which, as a minimum seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring authorities is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective - deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in the NPPF.

6. If you think the content of the plan is not sound because it does not include a policy on a particular issue, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy (or the London Plan)? If so, does not need to be included?
- Is the issue with which you are concerned already covered by another policy in this plan?
- If the policy is not covered elsewhere, in what way is the plan unsound without the policy?
- If the plan is unsound without the policy, what should the policy say?

General advice

7. If you wish to make a representation seeking a modification to the plan or part of the plan you should set out clearly in what way you consider the plan or part of the plan is legally non-compliant or unsound, having regard as appropriate to the soundness criteria in paragraph 5 above. Your representation should be supported by evidence wherever possible. It will be helpful if you also say precisely how you think the plan should be modified.

8. You should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification. You should not assume that you will have a further opportunity to make submissions. Any further submissions after the plan has been submitted for examination may only be made if invited by the Inspector, based on the matters and issues he or she identifies.

9. Where groups or individuals share a common view on the plan, it would be helpful if they would make a single representation which represents that view, rather a large number of separate representations repeating the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

10. Please consider carefully how you would like your representation to be dealt with in the examination: whether you are content to rely on your written representation, or whether you wish to take part in hearing session(s). Only representors who are seeking a change to the plan have a right to be heard at the hearing session(s), if they so request. In considering this, please note that written and oral representations carry the same weight and will be given equal consideration in the examination process.