



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 | | Miss |
| First name | - | Emily |
| Last name | - | Diskin |
| Job title (where relevant) | | Senior Planner |
| Organisation (where relevant) | CBRE Global Investors | Montagu Evans |
| Address | | 70 St Mary Axe London |
| Postcode | | EC3A 8BE |
| Telephone | | ██████████ |
| E-mail address | | ████████████████████ |

*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 checked="" 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 checked="" 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 type="checkbox"/> | |
| 5.3 Effective | <input 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. | | |
| 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. | | |
| 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. | | |
| <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> | | |
| Please refer to accompanying letter. | | |
| <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 refer to accompanying letter.

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.

Please refer to accompanying letter.

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.

Signature:

Montagu Evans LLP

Date:

28 February 2022

For electronic responses a typed signature is acceptable.



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?

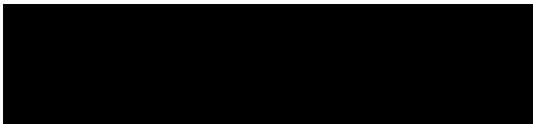
General advice

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.



28 February 2022

Planning Policy
Environment and Community Services
Town Hall
Wandsworth High Street
London
SW18 2PU

Sent via email to planningpolicy@wandsworth.gov.uk

Dear Sir / Madam,

‘PUBLICATION’ DRAFT LOCAL PLAN (REGULATION 19) CONSULTATION

REPRESENTATIONS IN RESPECT OF 20 LYDDEN ROAD, LONDON, SW18 4LR

We write on behalf of our client, CBRE Global Investors, who are the owners of 20 Lydden Road, London, SW18 4LR which is a site within the currently designated Lydden Road Locally Significant Industrial Area (‘LSIA’) in the adopted Local Plan.

We refer to the client as ‘CBREGi’ / ‘the Client’ in the remainder of this letter. The representations are submitted on behalf the Client in respect of the current consultation exercise on the ‘Publication’ Draft Local Plan as they wish to maintain their position as an interested stakeholder in the Lydden Road LSIA.

BACKGROUND AND CONTEXT TO THESE REPRESENTATIONS

On behalf of our Client, we previously wrote to you in February 2019, in response to the first stage of the Local Plan Full Review (Issues and Options). Subsequent to this, we attended the Lydden Road Stakeholder Workshop on 29 November 2019, held to inform the Employment Land and Premises Study, with policy officers and the Council’s consultants Aecom, together with landowners in the Lydden Road area. We would like to again take the opportunity to thank officers and Aecom for their time at this meeting.

We submitted representations on the Regulation 18 ‘Pre-Publication’ Draft Local Plan in March 2021. We attach a copy of these representations at **Appendix 1** for reference.

We have reviewed the relevant sections of the Regulation 19 ‘Publication’ Draft Local Plan and set out our position on the sections below.

CONSIDERATIONS

Protection and Retention of Industrial Floorspace

On behalf of our Client, we were disappointed to note that the Site remains within the designated Lydden Road LSIA in the ‘Publication’ Draft Local Plan, where industrial uses are to be protected and retained.

Emerging Policy LP34 (Managing Land for Industry and Distribution) states that in LSIA, the redevelopment of sites must provide at least the full replacement of existing industrial floorspace. Part B (3) of the policy states that the intensification of the sites for industrial purposes through increased floorspace will be strongly encouraged.

Part B (4) of the Policy states that development proposals for other uses in these locations will not be supported, though acknowledges that offices or other non-industrial uses will be supported where they are ancillary to the use of the site.

Whilst our Client is supportive of the intensification of sites within the LSIA, the Site has remained severely underutilised for the last three years, with the existing industrial uses on the Site remaining commercially unattractive, in its current form, for potential investors. The draft Regulation 19 Local Plan as currently worded remains too restrictive, and does not recognise the opportunity to deliver residential and other uses on appropriate sites within LSIA, to unlock the development values needed to allow for the provision of high-quality modern industrial floorspace.

The new London Plan was published in March 2021. Policy E7 (Industrial intensification, co-location and substitution) states that Development Plans and development proposals should be proactive and encourage the intensification of business uses in Use Classes B1c, B2 and B8 occupying all categories of industrial land.

Part B of the policy states that:

*“Development Plans and planning frameworks should be proactive and consider, in collaboration with the Mayor, whether certain logistics, industrial and related functions in selected parts of SIL or LSIS could be intensified to provide additional industrial capacity. **Intensification can also be used to facilitate the consolidation of an identified SIL or LSIS to support the delivery of residential and other uses, such as social infrastructure, or to contribute to town centre renewal.** This process must meet the criteria set out in Part D below. This approach should only be considered as part of a plan-led process of SIL or LSIS intensification and consolidation (and the areas affected clearly defined in Development Plan policies maps) or as part of a co-ordinated masterplanning process in collaboration with the GLA and relevant borough, and not through ad hoc planning applications. **In LSIS (but not in SIL) the scope for co-locating industrial uses with residential and other uses may be considered.** This should also be part of a plan-led or masterplanning process.” **(emphasis added)***

We are therefore of the view that the draft ‘Publication’ Local Plan fails to give sufficient consideration to the potential of co-locating industrial uses with residential within the Lydden Road LSIA, not only to kick-start investment to attract occupiers such as start-up businesses but to also alleviate the pressure for additional housing and office provision in the Borough.

On this basis, the draft Plan should seek to identify the site for development with a range of potential uses being including both offices and residential uses, to allow for sufficient flexibility to optimise the site, in line with the national planning policy framework.

CLOSING

These representations are submitted on behalf of CBREi in respect of 20 Lydden Road, London, SW18 4LR which is a site within the currently designated Lydden Road Locally Significant Industrial Area.

We welcome the opportunity to discuss the content of these representations further with the London Borough of Wandsworth and are keen to be involved in the forthcoming examination process. In the meantime, should you wish to discuss any of the above please do not hesitate to contact either Jeremy Evershed [REDACTED]

[REDACTED] or Emily Disken [REDACTED]

[REDACTED] in the first instance.

Yours sincerely,

[REDACTED]

MONTAGU EVANS LLP