

AMM/DP4950

28 February 2022

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Dear Sir/Madam,

RE: WANDSWORTH LOCAL PLAN PUBLICATION VERSION - REGULATION 19 CONSULTATION

REPRESENTATIONS ON BEHALF OF PRECIS ADVISORY

Thank you for providing us with the opportunity to comment on the London Borough of Wandsworth's (LBW) Publication Version (Regulation 19) Local Plan which is currently out for consultation until 28 February 2022. These representations have been prepared on behalf of our client, Precis Advisory, who own the Access Self Storage facility at 248-250 York Road, SW11 ("the site").

Background

The site is a rectangular parcel of land that fronts onto Mendip Road to the east, York Road to the south and Chatfield Road to the northeast. It is currently occupied by a two to four storey industrial unit that operates as a commercial storage facility as well as office space. The draft designations pertaining to the site contained within the Regulation 19 Local Plan include:

- Riverside Area Strategy
- Battersea Riverside Character Area
- Economic Use Protection Area
- Tall Buildings
- Archaeological Priority Area
- Thames Policy Area
- Decentralised Energy Opportunities
- Flood Zone 3a

After several years of discussions with LBW officers our client submitted an application in November 2020 for "*Demolition of the existing buildings and erection of a block ranging from*

8 to 13 storeys (with a podium level and double basement) fronting York Road and Mendip Road comprising 193 shared-living rooms (*sui generis*), 131 residential units, storage space (class B8), and office and cafe (class E), uses; plus landscaping, plant and associated works.” (Ref. 2020/4285).

This application was recommended for approval by LBW’s planning officers and heard at LBW’s Planning Application Committee on 22 February 2022 and members resolved to refuse permission. The reasons for refusal have not been finalised at the time of writing but are expected to include unacceptable loss of employment space and over-provision of 1-bedroom units.

Specific comments on the draft policies are set out below and focus on relevant land use policies and policies relating to tall buildings.

Policy LP29 – Housing with Shared Facilities

Part C of this policy relates to large-scale purpose-built shared living accommodation (*sui generis*) and that it will be “*generally resisted*” unless it meets the following criteria:

- 1) That it is proposed on a site which is not suitable for conventional housing;
- 2) It is clearly demonstrated that large-scale purpose-built shared living accommodation is better suited to meeting the local housing needs than conventional housing; and
- 3) It would not lead to an overconcentration of single-person accommodation at the neighbourhood level.

Our clients object to the phrasing of “*generally be resisted*” which is a negative approach and not prepared in a positive manner. This is contrary to paragraph 35 of the National Planning Policy Framework (NPPF) and is neither in general conformity (contrary to section 24(10)(b) of the Planning and Compulsory Purchase Act 2004) nor consistent with Policy H16 of the London Plan which positively supports the principle of shared-living subject to addressing a series of criteria and recognises that this housing product can play a valuable role in meeting London’s housing needs based on a 1.8:1 ratio. This general resistance should therefore be omitted from the policy and our clients would suggest that an approach in line with the London Plan is adopted.

Addressing each of LP29’s criteria in turn:

Part 1 – suitable for conventional housing

This policy approach is not justified and is unreasonable as there will be no sites which are not suitable for conventional housing but would be for housing with shared facilities (or any other housing product for that matter). This is not consistent with national or strategic policy which seeks to enable the delivery of sustainable development and not preclude any shared-living development coming forward in its entirety.

Furthermore, this policy approach gives no consideration to the unmet needs of single person households and the important role in which single bedroom units play in reducing the pressure

to convert and subdivide existing larger homes thereby indirectly freeing up converted (or informally shared) conventional homes best suited to families. In accordance with paragraph 4.10.4 of the London Plan which states “*One-bedroom units play a very important role in meeting housing need, and provision in new developments can help reduce the pressure to convert and subdivide existing larger homes*”.

In addition, the term “conventional housing” is effectively meaningless: “conventional” for whom? Societal changes over many years have resulted in the current wide variety of living arrangements, and to seek a policy for “conventional housing” would fail to reflect the reality of modern-day residential occupation.

Part 2 – better suited to meeting housing need over conventional housing

Shared living meets a different type of housing need to that of conventional C3 housing. Paragraph 4.16.1 of the London Plan recognises that “*Large-scale shared living developments may provide a housing option for single person households who cannot or choose not to live in self-contained homes or HMOs*” and 4.16.3 goes on to state that “*This type of accommodation is seen as providing an alternative to traditional flat shares and includes additional services and facilities*”. Policy should therefore only be required to demonstrate that it meets an un-met need and suitable for shared living on site, not that it is better suited to meeting the needs of so-called conventional C3 housing.

Regard should also be had to the appeal decision at De Paul House, 628-634 Commercial Road, London, E14 7HS (ref. APP/E5900/W/20/3250665). Similar to draft policy LP29, Tower Hamlets have a local planning policy (D.H7) that requires applications for new houses in multiple occupation to meet a number of criteria, including that the development meets an identified need. The Inspector considered whether there is a distinction between housing need and market demand and ultimately concludes relying on a difference between these goes beyond the relevant policy requirements. The Inspector also dismisses the idea that the existence of nearby co-living schemes would undermine borough-wide need and also dismisses the need to look at a more micro-spatial level with regards to housing need.

Paragraph 17.44 goes on to state that when considering whether shared-living would be located on a site which is suitable for conventional units the Council will have regard to:

- whether a proposal would displace existing C3 residential accommodation;
- whether a site has been identified in the Local Plan housing trajectory and/or Housing and Economic Land Availability Assessment as having capacity for conventional housing; and
- whether a site has an extant planning permission for C3 housing.

We are of the view that it is not only appropriate but is good planning for existing C3 residential accommodation to be replaced if it is demonstrated that it is of poor quality and does not meet relevant modern standards, as such replacement would result in higher quality and more efficient development. Shared-living can provide for an attractive residential alternative for those looking

for high quality accommodation with managed and organised communal spaces in a building which is purpose designed and managed to create the sense of community the residents are looking for.

The last two criteria of this policy test should be omitted from the Local Plan on the basis that this does not promote sustainable mixed communities. This does not take into consideration of market / commercial factors when bringing forward development sites, where an extant (i.e not implemented) consent may be found to not be viable, or it may preclude a more efficient and higher quality scheme coming forward. Whether a site is identified in a Council's HELAA for a specific use or not does not also mean it will ultimately come forward as this use.

Part 3 – overconcentration

The policy as drafted does not set out what constitutes “*overconcentration*” within the defined “*neighbourhood level of 800m radius from the site*” and is consequently ambiguous and unjustified. It is also unclear how the arbitrary 800m radius has been arrived at. It would be more appropriate (in the planning sense) to assess shared-living developments on a case-by-case basis, having regard to the location of the site and local circumstances in line with Part A (2) of London Plan Policy H16.

This approach was recently found sound by the Planning Inspectorate for Lambeth Local Plan, where the previous requirement for no more than two shared living uses within a 500m radius was considered unjustified and subsequently deleted from the plan to give the policy more flexibility. Paragraph 119 of the Inspector's Report Dated 22 July 2021 concluded that “*The effect of the [above proposed] changes is to move the policy away from a geographic base to a set of criteria which provide more flexibility*”.

The appeal decision for De Paul House in Tower Hamlets referenced above also required the Planning Inspectorate to grapple with assessing whether the shared-living development would result in overconcentration. The Inspector concluded that the presence of two shared living schemes of 109 units and 139 units within a 3-minute walk would not result in an overconcentration, when considering the nature of the immediate area, in this case with a high predominance of residential accommodation along with some public buildings.

Paragraph 17.42 of the supporting text to this policy outlines that Wandsworth will consider large scale shared living accommodation as developments comprising 30 units or more, which conflicts with the London Plan definition of 50 units or more. Wandsworth justify this approach on the basis that “*This is owing to the significant variances in the character, urban structure and mix of uses across the borough, and the need to ensure development of this scale is appropriate to its location*”. However, the London Plan should take precedent.

Paragraph 17.43 states that “*Large-scale purpose-built shared living accommodation which is defined as a ‘sui generis’ use does not provide an alternative route to affordable housing to people on lower quartile incomes. It is also not necessarily a viable alternative to affordable*

housing” and that it “does not cater for the needs of resident who wish to continue to live within the borough, but rather for a more transient occupier.”

The Wandsworth Local Housing Needs Assessment (December 2020) (LHNA) states that:

10.42. Firstly, it is important to note the effect on the housing market of delivering significant numbers of 1 bedroom units is to enable those in “room only” and studio dwellings to trade up if they are able to afford to do so, releasing their smaller home back into the market for occupation by households with lower household income. In this way, the provision of 1 bedroom flats should release studios and “room only” household spaces into the market for occupation by less affluent households.

10.43 “Room only” and studios are household spaces that are not provided as affordable homes. The question of their suitability in the Borough therefore solely relates to the market component of overall housing supply.”

Paragraph 10.42 above suggests that single room dwellings would be occupied by less affluent households, thereby providing a form of accommodation that is more affordable based on its size than larger dwellings. Even if the co-living units do not provide a more affordable alternative to studio units of rooms in HMOs, they provide an alternative form housing that contributes to the variety of accommodation in the borough and maximises housing choice. Paragraph 9.3 of the LHNA recognises the Government’s aspirations for a range of housing types and tenures to be provided, including provision for those who wish to rent.

Paragraph 10.48 of the LHNA recognises that the increasing proportion of single person households is forecast to continue. Although the LHNA recommends that preference should be given to larger homes, there is clear need for accommodation for single person households, and this can be met through the co-living accommodation.

Although paragraph 10.48 suggests that studio units are unlikely to contribute to “supporting the creation of stable local neighbourhoods and cohesive communities”, our client would object to this assertion and considers that co-living proposals are capable of being designed to provide a range of high-quality dwellings that will foster a stable community.

As set out in paragraph 10.43 above, co-living dwellings are not typically provided on an affordable basis and a payment in lieu of affordable housing is expected to be provided under the policies within the London Plan. The affordability of these units should therefore not be a consideration as their contribution towards affordable housing is captured through other mechanisms.

Paragraph 17.43 also references that shared living is not considered as a likely sustainable model of development if demand for such accommodation was to reduce in in the long term. This conflicts the findings of the LHNA which forecasts a “*substantial uplift*” in couples without

children aged under 65 by 35.9%, and those with just one child, by 33.7%, concluding there is a need for smaller dwellings at Table 29 'Demographic Projections'.

Paragraph 17.46 references that shared living can have a negative impact on community interaction (“*residential enclaves shut off from the community at large*”), however, this does not appear to be based on any measurable evidence. While most shared living developments include uses available for the local community to use e.g. commercial or community floorspace, the potential loss of young people from the borough due to an unmet need of good quality housing options is considered to have a much greater negative impact upon the community.

Paragraph 17.47 relates to the management of shared-living developments. This should be updated to reflect the London Plan and GLA Large-scale Purpose-built Shared Living Guidance published January 2022. Notably the minimum requirement for tenancies of no less than 3 months in line with Policy H16 of the London Plan, as opposed to 6 months.

Paragraph 17.48 is no longer required as the LSPBSL sets out clear and detailed guidance as to what the required shared living management plans will need to cover.

Policy LP30 – Build to Rent

Our client welcomes the inclusion of this policy which provides in-principle support for Build to Rent housing, subject to following the policy approach contained within the London Plan. In terms of the approach to affordable housing, our client would encourage LBW to introduce flexibility in the consideration of discounted market rents subject to site specific circumstances or the nature of the proposed management of the Build to Rent Units.

Part A.3 of this policy states that “*Build to Rent housing should provide a mix of dwelling sizes that meets identified local housing needs, in accordance with Policy LP24 (Housing Mix).*” It should be recognised, however, that build to rent accommodation typically attracts a younger cohort of people who are less likely to have families. Policy H10 of the London Plan recognises the role which smaller units play in alleviating the existing pressure on family sized housing. Paragraph 4.10.3 of the London Plan states that well-designed one-and two-bedroom units in suitable locations can attract those wanting to downsize from their existing homes, and this ability to free up existing family stock should be considered when assessing the unit mix of a new-build development. Accordingly, we suggest that flexibility is applied to the drafting of Policy LP30 to allow for deviations from the housing mix set out in draft Policy LP24 in the context of Build to Rent developments.

Policy LP4 Tall and Mid-rise Buildings

This policy considers that buildings which are 7 storeys or over will be considered to be tall buildings. It states that “*Proposals for tall buildings will only be appropriate in tall building zones identified on tall building maps included at Appendix 2 to this Plan, where the development would not result in any adverse visual, functional, environmental and cumulative impacts.*” It

further states that *“Proposals for tall buildings should not exceed the appropriate height range identified for each of the tall building zones as set out at Appendix 2 to this Plan. The height of tall buildings will be required to step down towards the edges of the zone as indicated on the relevant tall building map 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.”*

The site is included within the TB-B2-06 Tall Building Zone in Appendix 2 where appropriate heights are set at 7-10 storeys (21-30m). Our client welcomes the site’s inclusion within the Tall Building Zone but suggests that the appropriate heights be reviewed to allow for consideration of taller buildings where they can be demonstrated to adequately address the relevant criteria for assessing tall buildings.

Our client’s proposed development within application ref. 2020/4285 contained building heights ranging from 8 to 13 storeys. The officers’ committee report for that application recognises that the proposals would sit comfortably in the context of surrounding massing arrangements and that the proposed 10-storey building proposed to occupy the corner of York Road and Mendip Road would *“give emphasis to the corner location and sets it apart from the adjacent blocks which are slightly lower.”* A detailed assessment of the tall buildings the report concludes that *“the tall building proposed is considered to comply with the requirements of the policy DMS4 of the DMPD and London Plan policy D9.”* Despite the Planning Committee’s resolution to refuse the application, concern regarding the height of the proposed buildings were not recommended as a reason for refusal. Accordingly, we request that the appropriate heights within Appendix 2 are revised to reflect the heights considered by officers to be acceptable within application ref. 2020/4285 at a minimum, and to allow final heights to be design-led.

Policy LP33 Promoting and Protecting Offices, Policy LP34 Managing Land for Industry and Distribution and Policy LP35 Mixed-Use Development on Economic Land

The site is located in an Economic Use Protection Area (EUPA) where draft Policy LP33 states that existing office floorspace is protected and redevelopment will only be supported where inter alia there would be no net loss of office space.

Draft policy LP34 at Part D recognises that mixed-use developments, including residential can come forward on sites in Economic Use Protection Areas and existing industrial land. Part D.1 requires industrial use to be reprovided in line with LP35 and Part D.2 sets out that marketing evidence for an 18-month period should be provided where a loss of protected industrial uses is proposed.

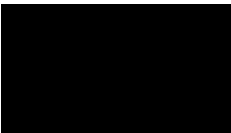
Draft policy LP35 states that *“Proposals for mixed-use development, including residential, will be supported where it meets the criteria for the relevant economic land designation within which it is located”*. In EUPAs, *“Proposals which would result in the existing quantity of office and industrial floorspace both being fully replaced will be supported.”*

Our client broadly welcomes the approach within these policies allowing for mixed-use development on existing industrial and employment sites but suggests that flexibility is considered to allow for the appropriate quantum and type of economic floorspace to be delivered on a site-specific basis and in line with the needs of the market. Non-designated industrial sites, including our client's site can play a vital role in providing flexible economic floorspace that can respond to the evolving needs of the market. Accordingly, we would suggest that this policy is revised to allow for the provision of wider commercial uses within Classes E and B in the redevelopment of existing industrial and office sites rather than strictly requiring the full replacement of these uses. There should also be no resistance within policy for a landowner to increase their commercial floorspace on any given site should they consider it appropriate to do so.

Summary

We trust our comments will be taken on board in progressing the draft Local Plan 2030 and we look forward to engaging further with the Council in the future.

Yours faithfully,



DP9 Ltd