

BL/P08640
27 October 2022

London Borough of Wandsworth
C/O Banks Solutions
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Submitted via email to: bankssolutionsuk@gmail.com

Dear Sir / Madam

**Examination of the Wandsworth Local Plan (November 2022) – Main Matter 11 (Wandle Valley)
Hearing Statement submitted on behalf of Workspace Management Limited**

This Hearing Statement has been prepared by Rolfe Judd Planning on behalf of Workspace Management Limited in reference to the hearing sessions for the examination of the Wandsworth local Plan (“WLP”) which are due to commence on the 15th November 2022.

The Statement principally responds to **Main Matter 11 – Wandle Valley (Policies PM10 and WV1)** as set out within the Inspector’s Matters, Issues and Questions (“MIQs”) for Examination.

We understand that LB Wandsworth will be providing a response to all of the questions raised. Our response is intended to provide additional clarity/information to the particular questions raised within Matter 11.

This Statement builds on the previous representations submitted on behalf of Workspace Management Limited to the earlier rounds of public consultation on the emerging Wandsworth Local Plan. Workspace Management Limited have a significant interest in the Site Allocation WV1: Riverside Business centre and Former Bingo Hall, Bendon Valley, SW18.

These representations therefore principally focus on the draft site allocation **WV1 Riverside Business Centre and Former Bingo Hall**.

Background

Workspace Management Limited currently own the entirety of the Riverside Business Centre and Flip Out Building which forms the entire site allocation. The Council granted planning permission in 2020 (reference: 2018/4176) for a mixed-use development comprising 5 buildings ranging from 5 to 9 storeys in height to provide 21,403sqm (GIA) flexible business floorspace (Class B1, B1c and B8), assembly and leisure floorspace and 402 residential dwellings.

This permission was subsequently amended by Section 73 application (reference: 2021/3601) which was granted in September 2022. The amended scheme increased the number of homes provided

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Examination of the Wandsworth Local Plan (November 2022) – Main Matter 11 (Wandle Valley)
Hearing Statement submitted on behalf of Workspace Management Limited

from 402 to 433, as well as other amendments to the residential element of the scheme.

Workspace Management Limited have since entered into a Joint Venture with a residential developer to deliver the 2022 permission, with Workspace delivering the Commercial Blocks (located in the eastern portion of the site), and the JV residential developer delivering the Residential Blocks (located in the western portion of the site). Workspace Management Limited are currently in the process of working through the detailed design of the commercial element of the consented scheme, with an intention to start on site in early 2023.

The adopted Employment and Industry document allocates the site (Site Allocation 99F) for a *'mixed use development including residential and economic uses. Redevelopment of the site should provide at least a 25% increase in the existing amount of industrial and office floorspace'*. The site is also designated as an Economic Use Intensification Area, which according to adopted Policy EI2 are areas which have capacity to provide intensified industrial uses and increased business floorspace and where residential uses will also be appropriate where this assists with developing more intensive economic uses.

This aligns with the Section 106 Agreement for both permissions which request a minimum 25% in the net internal area of the Economic Floorspace in accordance with the table below (extract from the Section 73 application Section 106 Agreement):

Use Class	Existing (Net Internal Area) (sqm)	Proposed (Net Internal Area) (sqm)	25% increase (minimum requirement) (sqm)
Class B1 (flexible a,b,c)	6,974	9,001	8,718 sqm
Class B1c	1,400	6,048	1,750 sqm
Class B2	621	Included within B1c	776 sqm
Class B8	575	-	719 sqm
Total	9,570 (NIA)	15,049 (NIA)	

- **Question 1:** *Is the area strategy and is the site allocation policy for Wandle Valley justified by appropriate available evidence, having regard to national guidance, local context, and is it in 'general conformity' with the LP?*

Workspace are encouraged by the Council's decision to retain the site allocation WV1 within the New Local Plan, however the proposed changes to the wording of the site allocation are contrary to the approved scheme for the site and there is no evidence to justify the proposed changes or deviate from the extant permission. It is considered that the site allocation is not justified by appropriate available evidence and is unduly restrictive for the reasons set out below.

Land Use – Reprovision of Employment Floorspace

Draft Site Allocation WV1 amends the wording of the existing site allocation (99F) and states *'Mixed-use development including residential and economic uses. Redevelopment of the site should provide*

Examination of the Wandsworth Local Plan (November 2022) – Main Matter 11 (Wandle Valley)
Hearing Statement submitted on behalf of Workspace Management Limited

at least 50% increase in the existing amount of industrial and office floorspace. The new wording of the site allocation requires a significant uplift in existing commercial floorspace on the site going forward and an increase from 25% (adopted allocation) to 50% (new allocation).

The approved scheme was consented on the basis that the re-provision of existing employment floorspace plus a 25% uplift in existing office and industrial floorspace was being provided in line with the adopted site allocation and was deemed appropriate by the Council at the time of consent (including the Section 73 application which was approved in September 2022).

While the extant permission secures an overall uplift of 57.25% NIA of employment floorspace, a minimum 25% uplift in each employment use (office and industrial) has been secured by the extant planning permission through the Section 106 agreement (Schedule 13 of the Section 106 Agreement is provided at Appendix A for reference). This allows the remainder of the consented employment floorspace to be used flexibly for the permitted range of uses (Class B1, B1c and B8). The proposed amendment to the site allocation would require a 50% uplift in each of the uses which would significantly reduce the flexibility of the building and impact on the viability and deliverability of the scheme. It is considered that the implications of this amendment have not been appropriately viability tested and are therefore not sound for this reason.

It is considered that the requirement to re-provide and increase the existing industrial and office floorspace by a 50% increase is significant and is not justified by appropriate evidence.

Further, as set out above, the existing buildings on site are due to be demolished early next year as construction begins on the extant permission. Therefore by the time the Local Plan is adopted, there will be no 'existing floorspace' to be reprovided and it would not be appropriate to require an additional 50% uplift in employment floorspace over and above the consented scheme once constructed.

If a 50% uplift in each employment use was imposed, then this would equate to almost the entire employment floorspace within the consented development, significantly restricting the flexibility of the employment floorspace and the ability of the replacement business centre to adapt to future needs and employment trends. Further, Draft Policy LP37 (Requirements for New Economic Development) states "*Proposals for the provision or re-provision of economic uses must provide for a high standard of workspace which is capable of being used flexibly and which incorporates a range of unit sizes*". The proposed requirement to secure an uplift of 50% of each of the existing uses on site would therefore contradict this policy, resulting in inflexible spaces which are dedicated to a single employment use class (i.e. office OR light industrial), rather than allowing the employment floorspace to adapt and evolve over time.

It should also be clear within the site allocation that the required uplift is based on NIA, rather than GIA. This was the approach taken through the extant permissions as shown within the appended Section 106 agreement. This is considered to be the most appropriate method in measuring the uplift in employment floorspace as it excludes plant rooms, stairwells and other ancillary spaces which are not considered to be 'employment generating'.

Overall, it is considered that the current approach securing a minimum uplift of 25% of each of the existing employment uses, while allowing the rest of the floorspace to be flexible employment floorspace, ensures the site provides a modern business centre which responds to changing business needs. This has been viability tested through the planning application process to ensure the scheme is deliverable, while still providing a significant uplift in the quantum of employment

Examination of the Wandsworth Local Plan (November 2022) – Main Matter 11 (Wandle Valley)
Hearing Statement submitted on behalf of Workspace Management Limited

floorspace on site (as well as significantly improving the quality of the employment floorspace).

We therefore do not agree that the site allocation policy for Wandle Valley (Site Allocation WV1) is justified by appropriate available evidence and should be amended to reflect the current requirement for a 25% uplift in employment floorspace, in place of the currently proposed 50% uplift.

Building Heights

The current draft site allocation states:

12.22 Building heights - In accordance with the mid-rise building maps in Appendix 2, the site is located in mid-rise building zone MB-C1-02, and the maximum appropriate height for the zone is 6 storeys. The height of developments within that zone should not exceed the heights of, and be in accordance with, the mid-rise building maps in Appendix 2, which set out the identified maximum appropriate heights in line with Policy LP4. Development proposals for mid-rise buildings will only be appropriate within the identified zone where they address the requirements of Policy LP4 (Tall and Mid-rise Buildings). Development proposals for tall buildings will not be supported.

This conflicts with the extant planning permission for the site which was granted in 2020 (reference: 2018/4176) and amended in 2022 (reference: 2021/3601). This planning permission approved a mixed-use scheme comprising of buildings ranging from 5-9 storeys in height. At the time of consent (September 2022 for the Section 73 application) the Council considered the site to be appropriate for tall buildings, with the tallest building approved at 9 storeys.

The site allocation as currently drafted is therefore unduly restrictive and is contrary to the extant permission for the site and no justification or evidence as to why the Council no longer consider this site suitable for tall buildings has been provided. The height restrictions set out within the draft site allocation are therefore not justified or based on appropriate evidence, disregarding the extant permission for the site which was only granted in September 2022.

It is considered that the policy is unduly restrictive and should not restrict building heights where it can be demonstrated they meet the requirements of London Plan Policy D9 (Tall Buildings). It is considered that the proposed approach does not accord with the new London Plan.

We refer to the recent High Court Judgement of London Plan Policy D9 (Mayor of London vs London Borough of Hillingdon, 15 Dec 21), which questioned how this policy is to be interpreted. Policy D9 (Tall Buildings) requires London Boroughs to define all buildings within their local plans (Part A), requires London Boroughs to identify within their local plans suitable locations for tall buildings (Part B), identifies criteria against which the impacts of tall buildings should be assessed (Part C) and makes provision for public access (Part D).

The High Court decision establishes that Policy D9 should be interpreted with flexibility and sites which are not designated in locations identified as suitable for tall buildings (Part B(3)) should not automatically be considered inappropriate.

The judgement ruled that in considering whether to grant planning permission for a tall building which did not comply with Part B because it was not identified in the development plan, it would surely be sensible, and in accordance with the objectives of Policy D9, for the proposal to be assessed by reference to the potential impacts which are listed in Part C of the same policy. It is considered that the relevant tests set out within Part C of London Plan Policy D9 have been suitably addressed

Examination of the Wandsworth Local Plan (November 2022) – Main Matter 11 (Wandle Valley)
Hearing Statement submitted on behalf of Workspace Management Limited

through the extant consent for the site. It has therefore already been demonstrated (and agreed by the Council) that the site is suitable for tall buildings.

As set out above, Workspace Management Limited and their JV partner are currently intending to start works on site in early 2023 to implement the extant Section 73 permission which includes buildings of up to 9 storeys in height. Setting a lower maximum building height than the extant scheme is not considered to be justified by appropriate evidence base. The site allocation should therefore acknowledge that a tall building is considered appropriate on this site in accordance with the extant planning permission.

Overall, it is considered that the current site allocation policy for Wandle Valley (Site Allocation WV1), which seeks to set a maximum height limitation across the site allocation of 6 storeys, is not justified or supported by appropriate evidence, nor is it compliant with the London Plan in regard to the approach to tall buildings (Policy D9). We therefore contend that the site allocation should be amended to reflect the building heights included within the consented scheme (i.e. up to 9 storeys).

- **Question 2:** *Does the housing land site allocation in Wandle Valley show how it will contribute to the achievement of the WLP's overall housing requirement of at least 20311 new homes and its timescale for delivery?*

Workspace Management Limited support the inclusion of residential in the appropriate uses within the draft site allocation to act as an 'enabler' to support the wider redevelopment of the site and provide additional employment floorspace. The provision of 433 homes (as secured by the extant permission) will assist in meeting the Borough's housing targets over the lifetime of the New Local Plan.

Summary

We look forward to the opportunity to discuss these matters further at the forthcoming hearing session on Main Matter 11 in November 2022 and collectively working towards the formulation of a positive planning policy framework.

Should you have any questions, please do not hesitate to contact the undersigned.

Yours faithfully



For and on behalf of
Rolfe Judd Planning Limited

cc
Alex Dickson – Workspace Management Limited

Examination of the Wandsworth Local Plan (November 2022) – Main Matter 11 (Wandle Valley)
Hearing Statement submitted on behalf of Workspace Management Limited

**APPENDIX A – SECTION 106 AGREEMENT EXTRACT
(PLANNING PERMISSION 2021/3601)**

Schedule 13 Economic Floorspace and Managed Workspace

Part 1 – Economic Floorspace

The Owner of the Employment Land covenants with the Council in relation to the Employment Land only to provide as part of the Development of the Employment Land a minimum 25% increase in net internal area of the Economic Floorspace (over existing net internal area) in accordance with the table below:

Use Class	Existing (Net Internal Area) (sqm)	Proposed (Net Internal Area) (sqm)	25% increase (minimum requirement) (sqm)
Class B1 (flexible a,b,c)	6,974	9,001	8,718 sqm
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Class B2	621	Included within B1c	776 sqm
Class B8	575	-	719 sqm
Total	9,570 (NIA)	15,049 (NIA)	

Part 2 – Managed Workspace

The Owner of the Employment Land covenants with the Council in relation to the Employment Land only as follows:

1. Not later than three months before Practical Completion of the Economic Floorspace to submit to the Council the draft Managed Workspace Plan for the Council's written approval;
2. Not to First Occupy the Economic Floorspace unless and until it has submitted the draft Managed Workspace Plan to the Council and has received the Council's written approval; and
3. Once approved, to implement the provisions of the approved Managed Workspace Plan for the lifetime of the Economic Floorspace subject to any amendments that may be agreed in writing between the Owner of the Employment Land and the Council from time to time.