



Planning Policy
Environment & Community Services
Wandsworth Borough Council
Town Hall, Wandsworth High Street
London
SW18 2PU

SENT BY EMAIL

17th March 2023

Ref. SP14-1049

Dear Sirs,

**London Borough of Wandsworth
Local Plan Consultation – Proposed Main Modifications
Representations in relation to Main Modification MM202**

On behalf of our clients, Callington Estates and the Trustees of the Callington Trust, we are instructed to submit the following Representations in respect of the proposed Main Modifications to the emerging Local Plan. These Representations relate to Modification MM202 and follow on from our earlier submissions (at both Regulation 18 and Regulation 19 stage) and our appearance at and submissions to the EiP Hearing. These Representations should be read in the context of those earlier submissions.

Our client owns premises known as 53 Lydden Grove ('the site') which, as the Council accepts (Regulation 19 consultation response):

“ the legal use of the site is as an office (Class E), as established under a Lawful Development Certificate application (2015/4948) in 2015....”

That lawful use covers the entirety of the property.

Given the property's lawful use, it is our clients' case, as detailed in previous submissions, that the site should be deleted from the LSIA for the reasons outlined in depth in our earlier representations and as expanded upon in our submissions to the EiP. Modification MM202 should be amended accordingly to exclude our clients' land from the LSIA allocation and Map 18.1 – Economic Land updated accordingly.

The Council, at the EiP did not suggest that the lawful use of our clients' site was for anything other than offices; a use not defined as appropriate to the LSIA's under Policy 34B(1).

Modification MM202, whilst omitting other land from employment designations, fails to omit or remove our client's land from the LSIA designation. It should do so. For example Modification MM202 excludes land at 124 Latchmere Road from its previous EUPA designation. The justification for removal of that site from the EUPA is :

“Given the limited amount of floorspace that remains in this legal (or actual) use the designation is not now appropriate.”

Similarly, under the same Modification, land at Irene House, 218 Balham High Road is also recommended to be removed from the EUPA area as the use of that site is now for residential use and not an EUPA use.

Both of these amendments, and others within the Main Modifications, are in response to Regulation 19 submissions.

Consistent with the approach in the Modifications to these other sites, our client's site should be omitted from the defined LSIA as part of Modification MM202. Its lawful use, as accepted, is for office purposes and it provides no industrial or warehousing space whatsoever; the uses to which Policy LP34 and the LSIA designation are directed. It is therefore inappropriate for allocation within the LSIA. Doing so distorts the Plan's industrial land supply data including for example that at paragraph 18.23. Indeed, to maintain it within the allocation, would be unsound and undermine the LSIA designation given its lawful office use. Moreover, for practical and viability reasons (see our Hearing Statement) it is unrealistic to believe that should the site come forward for redevelopment it would be developed for industrial or warehousing site purposes given the quantum and value of the existing lawful office floorspace (see our Regulation 19 and Hearing submissions). Equally, should the owner seek to intensify the existing lawful use of the property, for example by way of additional storeys on what is at present an under-utilised site, such a proposal would be contrary to LP34 4B(b) which only allows for additional office floorspace within the LSIA's where it is ancillary to an acceptable LSIA use (Part A uses) on the site. The Council has in fact previously refused consent on the site for an office extension at first floor level for exactly this reason.

In practical terms therefore maintenance of the LSIA designation across our clients' site effectively sterilises it from future development because:

- Its lawful use is for offices; a none LSIA use.
- Its physical constraints (immediately adjacent and neighbouring housing and a highway width restriction from the remainder of the industrial estate) render it unsuitable for modern industrial and warehousing use.
- The existing value of the site's use for offices renders any industrial or warehousing redevelopment unrealistic and unviable.
- Extension or redevelopment of the site for office purposes (its existing lawful use) would be contrary to policy LP34 4B(b).

Accordingly, in conclusion, we **object** to current proposed Modification MM202 on the basis that, as currently drafted, it fails to recommend deletion of the LSIA allocation from our client's site.

Yours faithfully,

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Roger Birtles

Director