

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

By email to [planningpolicy@wandsworth.gov.uk](mailto:planningpolicy@wandsworth.gov.uk)

28<sup>th</sup> February 2022

Dear Sir / Madam,

**Local Plan Review, Consultation on the Publication Draft Local Plan – Land at Clapham Junction Station**

These representations focus on Section 6 of the draft local plan, *Area Strategy for Clapham Junction and York Road / Winstanley Regeneration Area* and follow on from representations made by Network Rail (NR) in March 2021 and July 2021. NR wishes to provide additional comments in relation to site allocation *CJ4 Land at Clapham Junction* as shown in Figure 1 as well as to the Clapham Junction area as a whole.

This site is an independent development site from Clapham Junction Station itself that can be developed individually, however there is also the potential for the site to be brought forward along with works to the station as part of a long-term strategy for this strategic location. This is subject to further investigation by NR.



**Figure 1: CJ4, Land at Clapham Junction**

## Section 6 – Area Strategy for Clapham Junction and York Road / Winstanley Regeneration Area

The draft local plan provides a boundary for the Clapham Junction opportunity Area which identifies the areas with the greatest potential of change over the plan period. NR supports the inclusion of this site within the Opportunity Area boundary and having the potential for significant growth.

Part A. 3 of the emerging Policy PM4 *Clapham Junction and York Road / Winstanley Regeneration Area* states that the Council will work in collaboration with NR, TfL, the local community, and other stakeholders to prepare an Urban Heart Masterplan for Clapham Junction, comprising the station and adjoining site allocations to improve the public transport interchange and unlock capacity for new homes and jobs. We welcome the opportunity for site CJ4 to be included within this area and NR has already begun to engage with the Council and other key stakeholders to discuss the preparation of the masterplan.

Part A. 9 of emerging Policy PM4 states:

*“Development must be sensitive to local character by maintaining and respecting the proportions, scale and coherence of existing terraced streets, shop frontages and listed buildings and their settings.”*

This wording has the potential to overly constrain new development which should be encouraged to seek to optimise the use of previously developed land and find appropriate ways of responding to the existing character of the area. This could be reworded as follows:

*“Development must be sensitive to local character by having regard to and being respectful of the proportions, scale and coherence of existing terraced streets, shop frontages and listed buildings and their settings.”*

NR supports site allocation *CJ4 Land at Clapham Junction Station*. Paragraph 6.53 of the draft plan refers to the site comprising a site area of 3.07ha as shown in Figure 1. However, we refer to our representations dated 23<sup>rd</sup> July 2021 that requests a larger site area be included for this site allocation. NR consider that the site boundary should be extended to the north to include the railway sidings, as shown by the comparison in Figure 2, to maximise the development potential of the site and provide maximum benefits.



**Figure 2: Existing and Proposed Site Allocation Boundary (left and right respectively)**



The site is in tall buildings zone TB-B5a-01 that supports a maximum appropriate height range for the zone as 7 to 15 storeys (21-45m). Draft *Policy LP4 Tall and Mid-rise Buildings* states in part D:

*“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 the tall buildings will be required to step down towards the edges of the indicated in 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.”*

We are of the view that this approach remains an overly prescriptive approach to tall buildings. This approach could harm the plan from meeting its objectives for the Opportunity Area as it fails to recognise that to meet the desired growth targets there will be a need to provide buildings that are taller than the existing context. The location of high-density development should consider social and economic reasons alongside design considerations. Judgements should be made to the acceptability of tall buildings and high-density development based on a range of factors, rather than just townscape considerations.

Specifically, for site CJ4, the site constraints set out in more detail below will require a decked development which has a knock-on effect in terms of financial viability. A financially viable development of the site will likely require tall buildings over 15 storeys in height.

There is a need to retain in the future the existing rail and operational uses that are currently on this depot and sidings site. Consequently, any development would only be possible by decking over the depot and sidings, allowing them to remain operational. NR is investigating how the site could be developed in the future whilst maintaining the depot and sidings beneath. The construction costs of such decked development are likely to be considerable and therefore its financial viability is likely to be very challenging. NR believe that the council should take this into account when considering affordable housing provision and what massing and quantum of development is considered appropriate on the site.

Furthermore, if the development of the depot and sidings was to come forward along with infrastructure works at the station, as a part of a long-term strategy. NR believe that the costs of these infrastructure works should also be taken into account when considering affordable housing provision and what massing and quantum of development is considered appropriate on site.

### **Summary**

In summary NR welcomes the greater emphasis placed on the Opportunity Area designation within the draft local plan which includes site CJ4 as well as the emphasis within the plan of the need for a master-planning exercise to provide a strategy for achieving the growth targets of the Opportunity Area. However, we would request that the approach taken to tall buildings in this location is revisited.

NR has already undertaken engagement with DTZIM in relation to *Site Allocation CJ2 Clapham Junction and Station Approach* and will continue to do so along with other key stakeholders to facilitate the master-planning process of Clapham Junction.



Thank you for the opportunity to provide representations, please contact NR on the contact details below if there are any questions.

Yours faithfully,



**Zach Croft**

**Development Planner | Group Property**

One Eversholt Street, London, NW1 2DN

Mobile: [REDACTED]

Email: [REDACTED]

CC

**Adrian Gogay, Senior Sponsor, Southern Region, Network Rail**



## 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](mailto: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	Zach	
Last name	Croft	
Job title (where relevant)	Development Planner	
Organisation (where relevant)	Network Rail	
Address	Network Rail One Eversholt Street London	
Postcode	NW1 2DN	
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 checked="" type="checkbox"/>	No <input type="checkbox"/>
Do you run a business in the borough?	Yes <input checked="" type="checkbox"/>	No <input 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](http://www.wandsworth.gov.uk/privacy)



<b>Part C: Your Response</b>		
<b>4. Do you consider the Local Plan is:</b>		
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.		
<b>If you have entered 'No' to 4.2, please continue with Q5. Otherwise, please go to Q6.</b>		
<b>5. Do you think the Local Plan is <u>unsound</u> because it is <u>not</u>:</b> <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 type="checkbox"/>	
<b>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.</b>		
<p><b>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.</b></p> <p><b>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.</b></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>		
Publication Draft Local Plan (for full details see attached reps letter regarding Clapham Junction) PM4 Clapham Junction / Winstanley Regeneration Area: CJ4 Land at Clapham Junction: LP4 Tall and Mid-Rise Buildings: The approach to tall buildings does not reflect the desired growth targets.		

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

**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 detailed letter enclosed that includes suggestions for amendments.

*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 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:

Zach Croft

*For electronic responses a typed signature is acceptable.*

Date:

28/02/2022



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## 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.

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By email to [planningpolicy@wandsworth.gov.uk](mailto:planningpolicy@wandsworth.gov.uk)

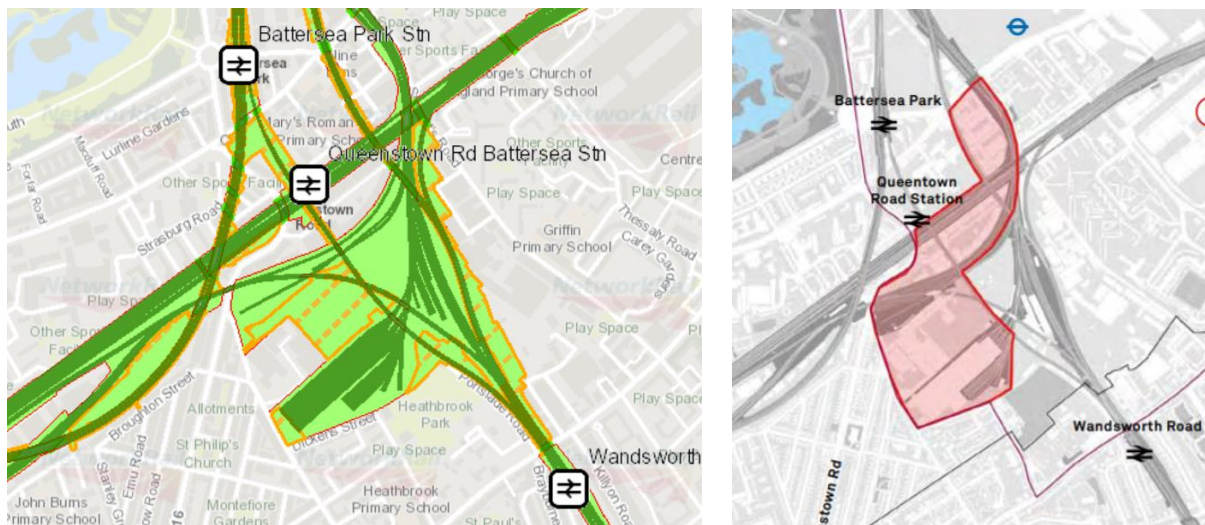
28<sup>th</sup> February 2022

Dear Sir / Madam,

**Local Plan Review, Consultation on the Publication Draft Local Plan – Land at Stewarts Lane**

These representations focus on *Section 5 Area Strategy for Nine Elms* and are in addition to those provided by Network Rail (NR) in relation to Clapham Junction.

As shown by the green area in the image below, NR has significant land ownership around Stewarts Lane within Wandsworth borough. There are currently several uses within this location including: Abellio bus depot, London Concrete facility, tarmac facility, Stewarts Lane train depot, commercial uses within railway arches to name a few. These uses are intertwined by a series of railway lines.



**Figure 1: NR Ownership Plan and BDTQ Boundary**

The site is within the Vauxhall Nine Elms Battersea (VNEB) Opportunity Area; is designated as Strategic Industrial Land (SIL); and the western part of the site is within the Battersea Design and Technology Quarter (BDTQ) shown by the red line area.



### **Draft Policy PM3 Nine Elms**

The draft plan identifies the opportunity to transform part of Queenstown Road, Battersea SIL into the BDTQ to build on the existing creative economy to support the intensification of the existing industrial capacity by attracting a cluster of start-ups and micro-businesses in the creative, tech and digital sectors. Part B.6 draft *Policy PM3 Nine Elms* requires the following from proposals within BDTQ:

- Must not adversely impact industrial operations and businesses within the Queenstown Road, Battersea SIL.
- Should have reference to the BDTQ EADF.
- Must deliver intensified industrial floorspace as part of any mixed-use scheme, including provision for industrial uses on the ground floor.
- Must provide affordable workspace in line with the requirements of Policy LP38 (Affordable and Open Workspace).
- Must support the objectives of the Cultural Strategy for Battersea and Nine Elms.

Furthermore, Part A.2 of the policy sets out that development proposals are recommended to deliver and/or fund placemaking improvements to create enhanced public realm which could include the provision of amenity yards and working yards; enhanced public realm in tunnels and underpasses; improvements to walking and cycling access; and the introduction of signage and wayfinding features.

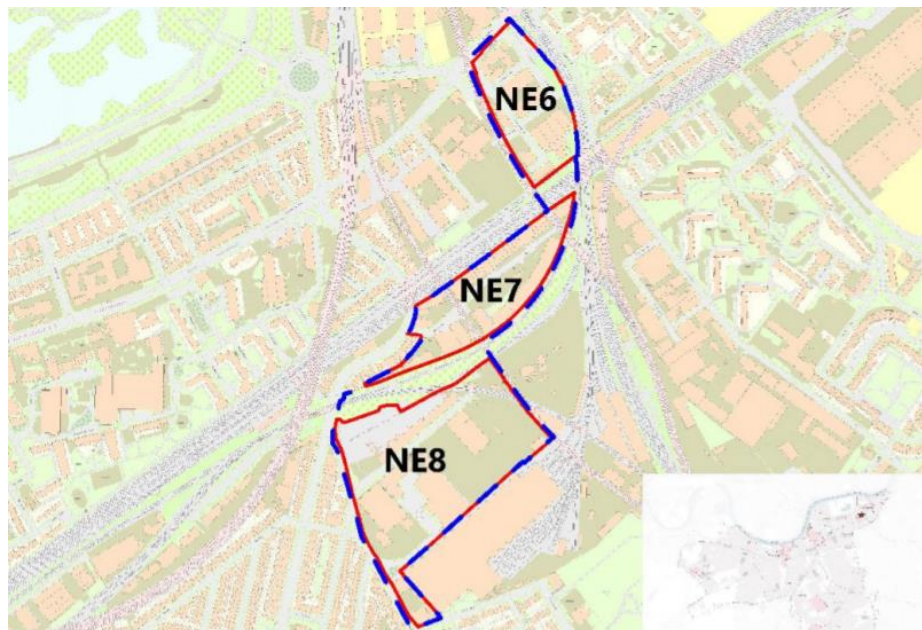
Part B.7 supports the economic function of SIL in the area and states that the council will support proposals which enhance, re-provide and/or intensify the industrial provision. It goes further to set out that in the Stewart's Road Industrial Estate, proposals should seek to directly, or via funding, improve the condition of the road within the industrial area; the condition of Stewart's Road bridge; and deliver the proposed walking and cycling underpass to connect the area to the power station.

NR Supports the core principles of the BDTQ designation:

- Intensification of industrial uses whilst not adversely impacting existing operations and businesses within the SIL.
- Public realm improvements.
- Better connectivity.

In addition to this, proposals should not have a negative impact on the operations of the railway in this area.

### Site Allocations NE6 Havelock Terrace, NE7 Ingate Place and NE8 Silverthorne Road



These three site allocations are identified as the BDTQ Cluster (as shown in Figure 2). The majority of NE6 and NE7 are adjacent to NR land and a large part of site NE8 is within NR ownership. A summary of the site allocations is now set out:

- Proposed for a mix of workshops and studio uses, office space for SMEs, open space, and industrial uses including yard space and amenity space.
- Industrial uses must be provided within ground floor units, with the opportunity for industrial and office uses on upper floors.
- Existing B2 industrial uses (such as the Tarmac and London Concrete sites) and the bus depot must be retained and protected, including their re-provision within the SIL to provide a more efficient use of the site.
- With exception to Palmerston Court within NE6, which is outside of the SIL, residential uses are not permitted in any areas of NE6, NE7 and NE8.
- High-quality public realm.
- Active frontages promoted across NE6, NE7 and NE8.
- Improved accessibility and connections across the cluster.

NR supports the allocations of these sites for industrial development along with the principles for active frontages, improved public realm, and positioning industrial uses at ground level with the possibility of office uses above. The retention of the uses highlighted above, along with the other existing uses are of importance. Further to the points above NR would emphasise that any proposals should not conflict with the existing uses or the operation of the railway.





Overall NR find this section of the draft plan to be sound and legally compliant. Thank you for the opportunity to provide representations, please contact NR on the contact details below if there are any questions.

Yours faithfully,



**Zach Croft**

**Development Planner | Group Property**

One Eversholt Street, London, NW1 2DN

Mobile: [REDACTED]

Email: [REDACTED]