

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



centroplan.co.uk

28.02.22

Dear Madam/Sir,

DRAFT LB WANDSWORTH LOCAL PLAN REVIEW (REGULATION 19) CONSULTATION

We hereby submit the following representations to the draft LB Wandsworth Local Plan on behalf of Heliport London Ltd that has a contractual position on the land currently accommodating Heliport House. In particular, we **object to Site Allocation RIV2** (Dovercourt site, York Road, SW11), **object to Policy LP4** (Tall and Mid-rise Buildings), **object to Appendix 2** (Tall Building and Mid-rise Building Maps), **object to Policy LP33** (Promoting and Protecting Offices), and **object to Policy RM9** (Wandsworth's Riverside).

An explanation detailing the reasons for our objections are set out in the letter below and a suggested re-wording of each policy is also provided. Paragraph 35 of the NPPF sets out four requirements that a development plan must fulfil in order to be deemed to be 'sound':

- a) ***“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 areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*
- b) ***Justified*** – *an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*
- c) ***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*
- d) ***Consistent with national policy*** – *enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.”*

These requirements are referred to throughout the letter.

Site Allocation RIV2 (Dovercourt site, York Road, SW11)

The Need to Optimise Sites for Housing

At Paragraph 11.31 of LB Wandsworth's draft Local Plan, site allocation RIV2 prescribes a height range for the site of 7 to 10 storeys, where 10 storeys is considered to be a maximum. We consider this to be inappropriate for a range of reasons.

First, the policy is not positively prepared, as it does not seek to meet the area's objectively assessed needs. Paragraph 11.27 of the Local Plan sets out the vision for the site as including "*residential use and new public open space, with replacement economic uses*". We have interpreted this to mean that the primary use of buildings on the site will be residential, as economic uses are only listed as 'replacement' – meaning that they will likely only occupy the lower floors of any redevelopment.

In December 2020, LB Wandsworth published its Local Housing Needs Assessment (LHNA). The LHNA concludes that LB Wandsworth has an objectively assessed need for 2,537 dwellings per annum. Evidence from the Housing Delivery Test published in January 2022 revealed that LB Wandsworth delivered 1,812 homes in 2018/19, 1,659 in 2019/20 and 1,215 in 2020/21. While this surpassed the targets of the Housing Delivery Test, it falls short of the 2,537 identified by the Council's own evidence base.

To meet the housing need set out in the LHNA, sites such as Dovercourt must be optimised, by constructing buildings at a high density. This is a position supported by London Plan Policy H1(b), which sets out a strategy to "*optimise the potential for housing delivery on all suitable and available brownfield sites*"¹ (emphasis added). The Dovercourt site's allocation indicates that it is suitable for residential-led redevelopment, but a maximum storey requirement of 10 storeys precludes the *optimisation* of the site. Optimising the site by making the allocation flexible enough to allow a taller development would enable the Council to meet its objectively assessed need for housing. In turn, the plan would be considered to be positively prepared.

National policy offers a similar sentiment. Paragraph 125(a) of the NPPF states that: "*plans should optimise the use of land in their area and meet as much of the identified need for housing as possible*"² (emphasis added). LB Wandsworth's draft Local Plan is therefore inconsistent with national policy, as a ten storey development would not optimise the site as set out above.

Surrounding Tall Building Context

We recognise the 'optimisation' of sites is a subjective concept and under such circumstances, references to the planning context of the area is useful. Heliport House sits within the Dovercourt site allocation boundary, which itself has an implemented consent³ (confirmed via a certificate of lawfulness⁴) for a primarily residential development. The implemented consent is for a residential tower built atop the existing office building on site, to create a 20-storey building. However, the transfer gap

¹ London Plan (2021), p.157

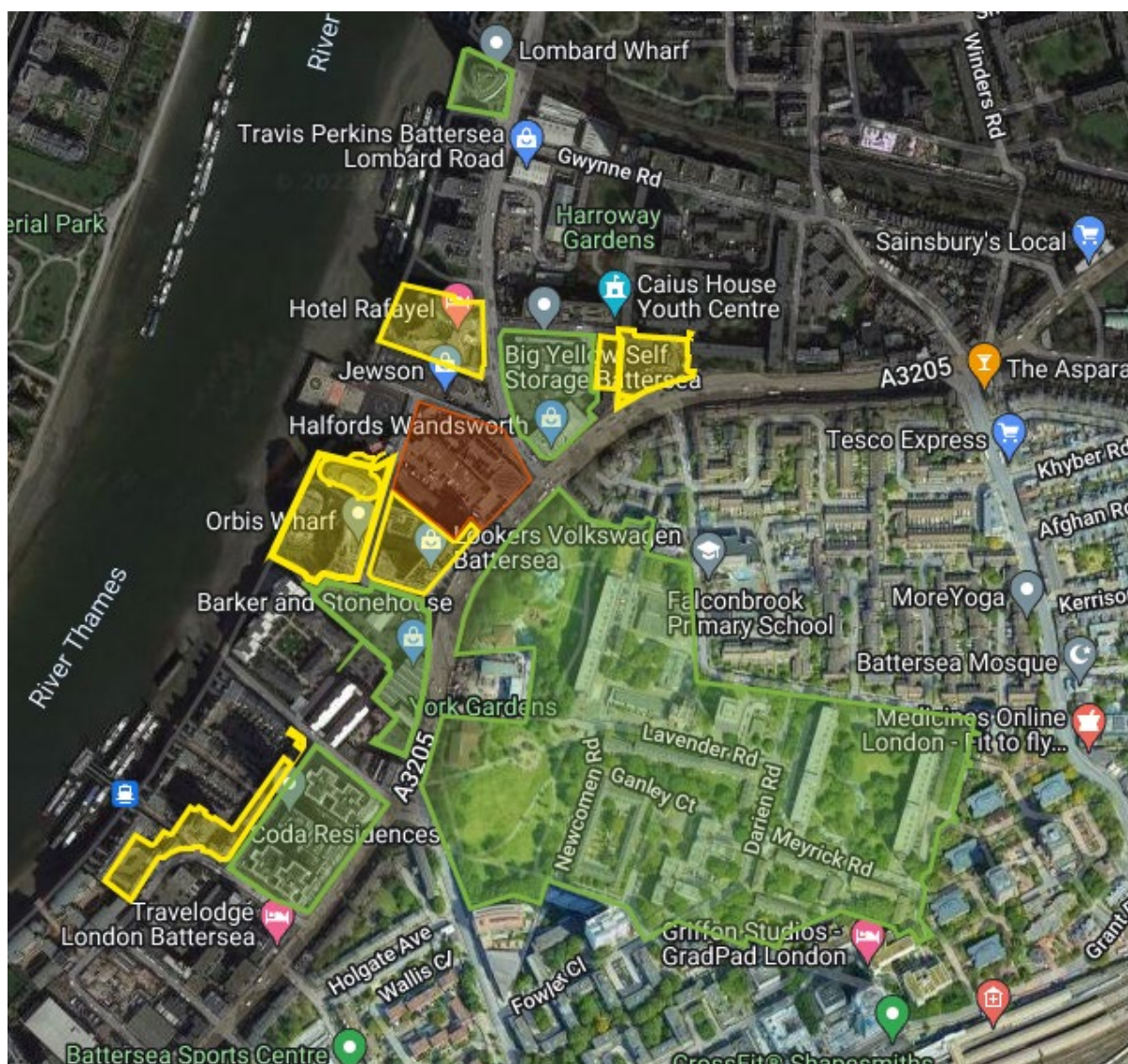
² NPPF (2021), p.37

³ Ref. 2013/6052, varied by ref. 2016/2315

⁴ Ref. 2018/5315

between the existing office building and the proposed residential building means that in sum, the height of the building would be equivalent to 21 storeys.

The York Road Business Centre is in close proximity to the Dovercourt site and has permission⁵ for a residential development rising up to 20 storeys. There is an active application⁶ for the same site for the construction of a 24-storey development in co-living use. To the north of the site is Lombard Wharf, a constructed 28-storey tower in residential use. To the east of the site is the York Road and Winstanley Estate, which was granted permission⁷ for a comprehensive mixed-use regeneration, including six buildings that are at least 20 storeys tall, with the highest being 32 storeys. Further south on the site of a former Homebase, there is a constructed 24-storey residential development. The map below illustrates the proximity of all recently constructed or permitted tall buildings to the Dovercourt site, which is marked in red. Developments of 10-19 storeys are marked in yellow, while developments of at least 20 storeys (all of the sites described above) are marked in green:



⁵ Ref. 2018/3776

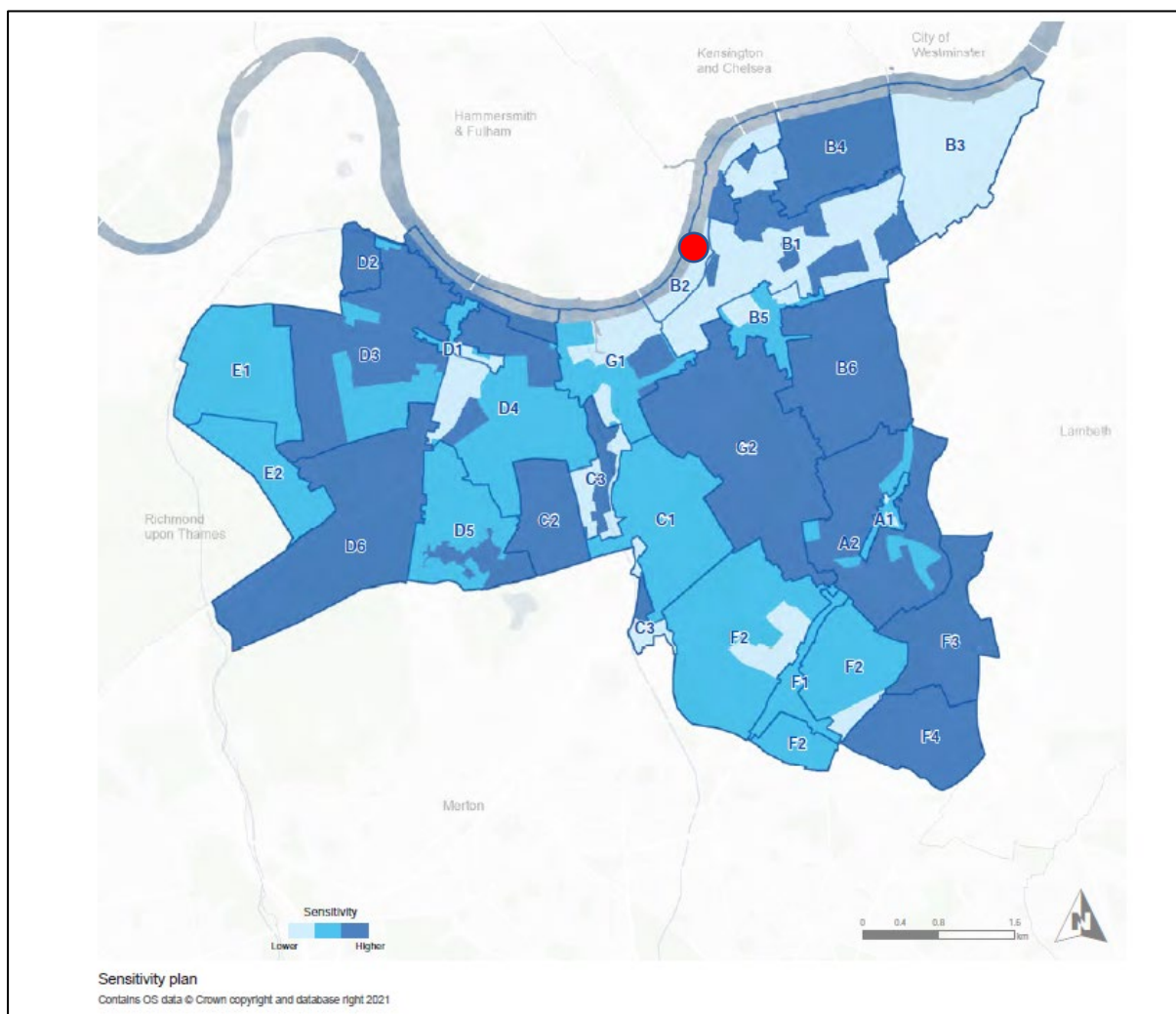
⁶ Ref. 2021/4936

⁷ Ref. 2019/0024

In such a setting it seems entirely appropriate for a redevelopment of the Dovercourt site to be taller than 10 storeys to ensure that sites are optimised, provided this is verified by a thorough assessment defined by London Plan Policy D9 (Tall Buildings) and draft Local Plan Policy LP4 (Tall and Mid-rise Buildings)

Evidence Base for Tall Buildings

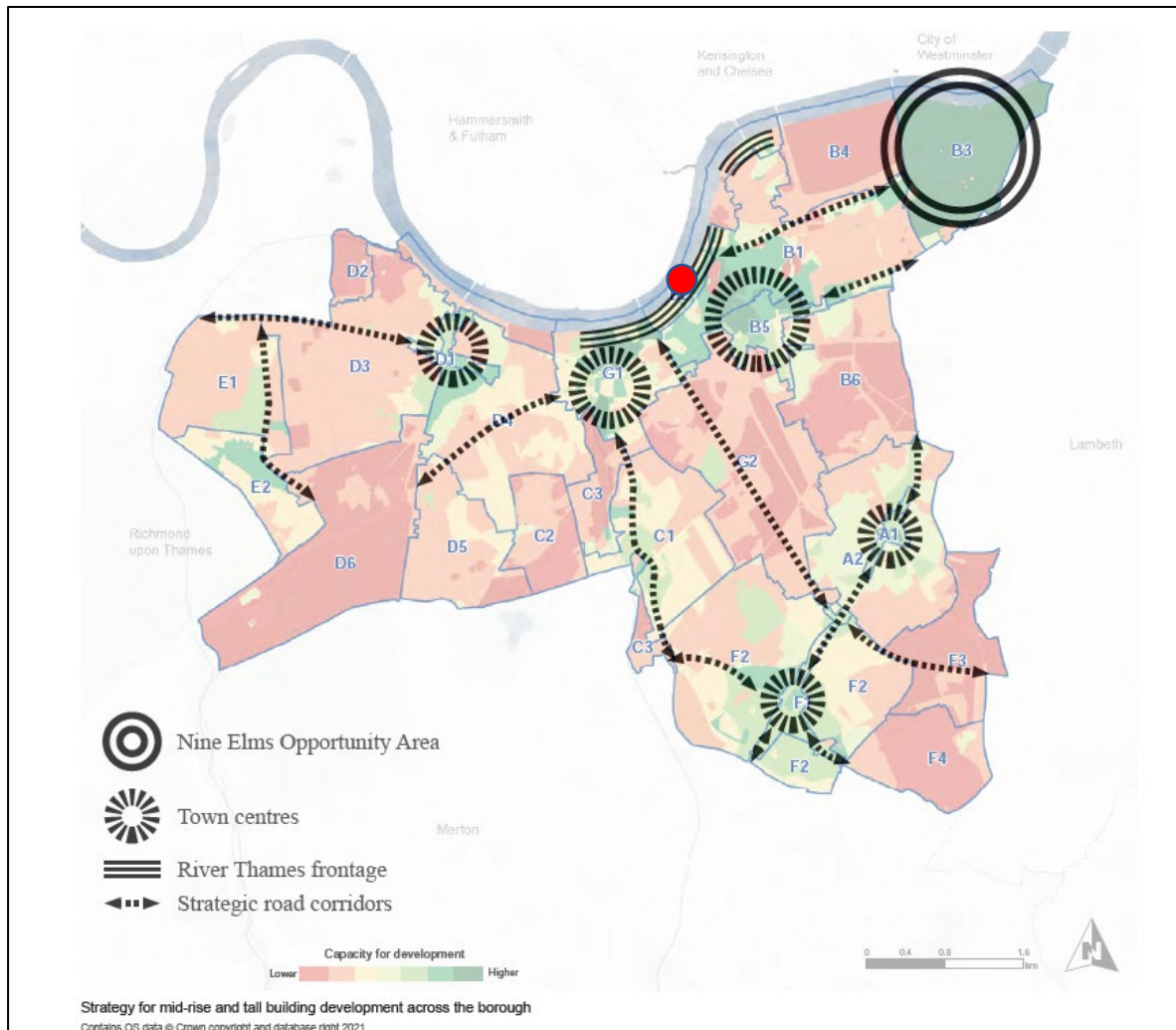
The maximum storey requirement is also not justified, as it is not based on proportionate evidence. In December 2021, LB Wandsworth published its Urban Design Study. The study assessed the sensitivity to tall buildings of various locations in the borough. The results are set out in the map⁸ below, with the Dovercourt site marked in red:



While much of LB Wandsworth is deemed highly sensitive to tall buildings, the site occupies an area where sensitivity is low. In light of this and the site's allocation, the urban design study identifies it as

⁸ Wandsworth Borough Council Urban Design Study, Arup (2021), p.8

part of the River Thames frontage with a high capacity for development. Again, the Dovercourt site is marked in red:



The evidence base clearly sets out the fact that the site is suitable for the development of tall buildings, so in this sense, the draft Local Plan is not justified.

For the range of reasons specified above, we propose the following changes (in italics and underlined) to the RIV2 site allocation in LB Wandsworth’s draft Local Plan:

11.31 **Building heights** - In accordance with the tall building maps in Appendix 2, part of the site is located in tall building zone TB-B2-05. The *general* maximum appropriate height range for the zone is 7 to 20 40 storeys, and the *general* maximum appropriate height range for the site must be in accordance with the tall building maps in Appendix 2, *unless sufficient justification is provided to demonstrate that this threshold can be exceeded. Unless such justification is provided*, the height of developments within that zone should not exceed the heights of, and be in accordance with, the tall building maps in Appendix 2, which set out the identified maximum appropriate heights in line with Policy LP4. Development proposals for tall

buildings or mid-rise buildings will only be appropriate within the identified zone where they address the requirements of Policy LP4 (Tall and Mid-rise Buildings).

We feel that this affords more flexibility to the site allocation to allow it to be optimised for residential-led development. We have specified that justification for increased height must be provided, to ensure that any development of the site is of a high quality and satisfies the requirements of London Plan Policy D9 (Tall Buildings) and draft Local Plan Policy LP4 (Tall and Mid-rise Buildings).

Policy LP4 – Tall and Mid-rise Buildings

In line with the arguments set out above, we also object to Policy LP4. For the avoidance of doubt, we are supportive of the criteria with which Tall and Mid-rise Buildings are assessed and our objection is technical in nature. To ensure consistency with the amendments to the RIV2 site allocation detailed above, we propose the following changes (in italics and underlined) to Part D of Policy LP4:

Proposals for tall buildings should *generally* not exceed the appropriate height range identified for each of the tall building zones as set out at Appendix 2 to this Plan, *unless sufficient justification is provided to demonstrate that this threshold can be exceeded*. 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.

Appendix 2 – Tall Building and Mid-rise Building Maps

Similarly, to ensure consistency with the above objections, we object to the Tall Building and Mid-rise Building Maps that are shown in Appendix 2 of the draft Local Plan. In particular, we object to the TB-B2-05 Tall Building Zone designation, within which the Dovercourt site sits. At present, Map 23.9 groups TB-B2-05 with other Tall Building Zones – TB-B2-02 and TB-B2-06 – with the appropriate height for the zones listed as 7-10 storeys. We propose that a new map is added, which disaggregates TB-B2-05 from the other two Tall Building Zones in Map 23.9, with the appropriate height listed as 7-20 storeys for the reasons specified above.

Policy LP33 – Protecting and Promoting Offices

Before detailing the nature of our objection, we must first express our support of the general sentiment expressed in the policy. Protecting and promoting offices in the areas specified in the policy plays – and will continue to play – an important role in ensuring employment opportunities are consolidated into the most sustainable locations in LB Wandsworth. Hence, our objection is relatively minor and relates to clarification of the scope of the policy. In the policy itself, Part E states that *“Existing office floorspace in the areas identified in Parts A and B will be protected.”* Accordingly, the Parts A and B defines these areas:

“A. The Council will support the development of new office space within the Central Activities Zone (CAZ), focused on the emerging centres at Battersea Power Station and Vauxhall. These areas will cater for the provision of predominantly large-scale office floorspace for high-value occupiers and related businesses, to support their potential as strategic employment hubs.

B. Outside the CAZ, new office development will be supported in the following locations, subject to compliance with any applicable area-specific criteria. Such development will be expected to cater

primarily for the local and sub-regional office market and should provide workspace suitable for small and medium enterprises (SMEs). Larger businesses will also be appropriate in town centres, where the provision of flexible and touchdown space will also be encouraged.

1. *Town and Local Centres*
2. *Appropriate edge-of-centre sites allocated for office use, including within:*
 - a) *Economic Use Intensification Areas (EUIAs)*
 - b) *The Battersea Design and Technology Quarter (BDTQ) (see Policy LP34, Part B – Managing Land for Industry and Development)*
3. *Economic Use Protection Areas (EUPAs)*

Together with Part E, Parts A and B offers a comprehensive summary of the areas subject to Policy LP33. However, the supporting text for this policy at Paragraph 18.19 is more ambiguous. It states that:

“Given the positive forecast for office floorspace demand to 2034, it will be important for the Council to not only promote and nurture the provision of new space in the local office market, but to ensure that fit for purpose space is retained so that it can contribute to the increase in demand. The redevelopment of such space, where this is in sustainable locations, should therefore be resisted unless the redevelopment provides at least full replacement provision of an equal or greater standard. For appropriate areas and premises, the policy allows a change of use subject to the applicant demonstrating that there is no demand for premises through a robust and meaningful marketing exercise. Appendix 1 sets out the requirements for establishing redundancy of office premises.”⁹
(emphasis added)

The text only defines the scope of the policy as “*in sustainable locations*”. We presume this refers to the areas specified in Parts A and B of LP33, where office space is protected, but would like this to be explicitly outlined in Paragraph 18.19. While such ambiguity remains, conflicts may ensue about the specific areas that the policy pertains to.

We propose the following alterations (in italics and underlined) to Policy LP33:

Given the positive forecast for office floorspace demand to 2034, it will be important for the Council to not only promote and nurture the provision of new space in the local office market, but to ensure that fit for purpose space is retained so that it can contribute to the increase in demand. The redevelopment of such space, where this is in sustainable locations (i.e. the areas set out in Parts A and B of Policy LP33), should therefore be resisted unless the redevelopment provides at least full replacement provision of an equal or greater standard. For appropriate areas and premises, the policy allows a change of use subject to the applicant demonstrating that there is no demand for premises through a robust and meaningful marketing exercise. Appendix 1 sets out the requirements for establishing redundancy of office premises.

Policy RM9 – Wandsworth’s Riverside

⁹ LB Wandsworth Local Plan Publication (Regulation 19) Version (2022), p.368

Once more, we support the general objectives of this Policy, but require clarification on its scope to ensure consistency with Policy LP33. Part B of Policy RM9 currently states:

4. *“Existing economic floorspace within the Economic Use Protection Areas, Focal Points of Activity, and railway arches should be protected, and redevelopment should explore the opportunity for the intensification of industrial uses, where appropriate. Where economic floorspace is provided, this should incorporate affordable creative workspace and support the incubation and growth of new creative businesses.”*

There is ambiguity surrounding which type and location of economic floorspace is covered by this policy. Policy LP33 covers office floorspace and excludes sites within Focal Points of Activity, while Policy LP34 seeks to protect industrial land and includes sites within Focal Points of Activity. Reading Policies LP33 and LP34 in conjunction therefore suggests that industrial space is intended to be protected in Focal Points of Activity, but office space is not.

However, Policy RM9 does not disaggregate these two types of economic floorspace, which created inconsistency. A development proposal that removes office floorspace in a Focal Point of Activity might be considered contrary to Policy RM9, which protects *economic* floorspace generally. On the contrary, the same proposal would be compliant with Policy LP33, which does not seek to protect office floorspace in Focal Points of Activity.

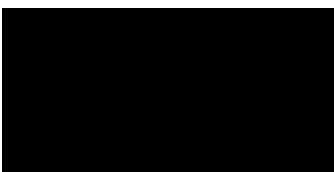
To avoid this contradiction, we suggest the following amendments to Part B of Policy RM9:

Existing economic floorspace within the Economic Use Protection Areas, Focal Points of Activity, and railway arches should be protected *(in conjunction with the requirements of Policy LP33 and Policy LP34)*, and redevelopment should explore the opportunity for the intensification of industrial uses, where appropriate. Where economic floorspace is provided, this should incorporate affordable creative workspace and support the incubation and growth of new creative businesses.

Conclusion

We consider that the proposed revisions are justified and would bring LB Wandsworth’s draft Local Plan into soundness. We look forward to hearing from you in due course.

Yours faithfully,



Tarun Cheema
Planner
Centro Planning Consultancy