

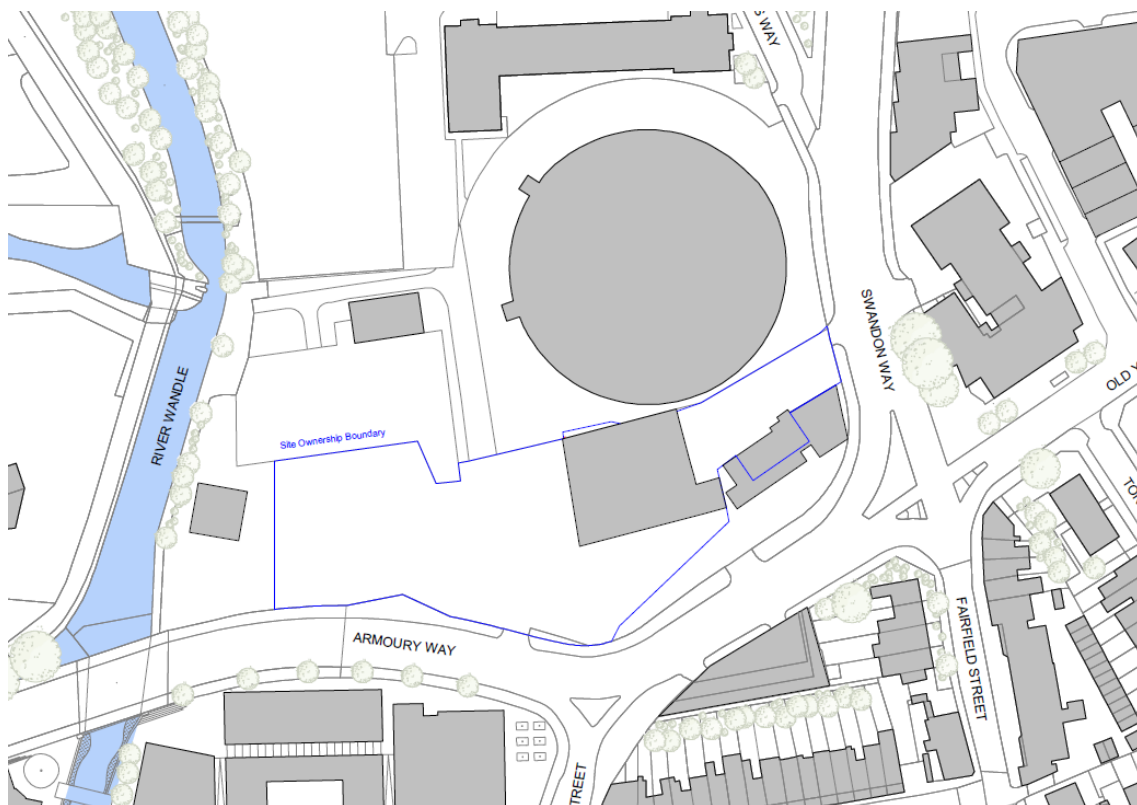
London Borough of Wandsworth Local Plan; Publication (Regulation 19) Version (January 2022) Representation on behalf of Downing

We write on behalf of Downing to make representations on the London Borough of Wandsworth's Local Plan (regulation 19 version) which is out for public consultation. Our representations principally relate to;

- **Policy LP4: Tall and Mid-rise buildings**
- **Site Allocation WT4: Gasholder Cluster**
- **Policy LP28: Purpose Built Student Accommodation**

Downing have a significant interest in the Site Allocation WT4: Gasholder Cluster in particular the land at '2 Armoury Way' at the southern end of the site allocation. The Local Plan Publication version will directly influence and impact the future development of this site and as such are keen to discuss the impact of the policies with the Council to ensure these are appropriate to the area.

For ease, the site (known as 2 Armoury Way) within the ownership of Downing is outlined below in blue:



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Policy LP4: Tall and Mid-rise buildings

Policy LP4 sets out the criteria for the appropriateness of tall buildings and the areas for which tall buildings are considered to be appropriate (Appendix 2). The Policy specifically states that proposals for tall buildings will only be appropriate in identified zones and they will be assessed against the criteria set out in Part B. Part D states that buildings should not exceed the appropriate height range identified for each of the tall building zones.

The tall building map has been based on an Urban Design Study (2021) which is a high-level assessment to identify suitable locations for tall buildings in the borough. Part C of the policy restricts any tall buildings outside of these zones, even where they demonstrate they meet the tall building criteria set out in Part B. Part D also restricts tall buildings to the 'appropriate height range' identified for each tall building zone, even if the site demonstrates they meet the criteria set by Part B.

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 Part B of the same policy. This 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 the 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.

We therefore strongly recommend that Wandsworth amend Policy LP4 to ensure it is consistent with the London Plan and reflect the High Court judgement and the GLA's interpretation of Policy D9.

Recommendation

The approach to the criteria assessment of Policy LP4 is broadly supportive, however, there must be flexibility within the policy to allow for building heights to differ from the 'appropriate height range' where they satisfactorily demonstrate they meet the criteria of Part B. We therefore recommend the policy is updated to reflect the wording of the new London Plan and the clarifications of its implementation.

Site Allocation WT4

Downing are supportive of the continued inclusion of the Site Allocation WT4 within the Local Plan Publication Version and Downing are committed to continue working with the Council and the

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adjoining landowners in developing a masterplan for the cluster and deliver the overall aims for the allocation. However, the proposed amendments to the site allocation are not considered to be justified.

Height

The site allocation is retained from the Employment and Industry Document but has been amended to include height restrictions on the site. The draft site allocation (WT4) partly locates the site within a 'tall building zone' according to Appendix 2 and is therefore considered suitable for tall buildings, subject to addressing the requirements of Policy LP4. However, the Site Allocation (WT4) sets a maximum appropriate height range of 7 to 10 storeys in this zone, with a maximum of 6 storeys to west of the Downing site.

The height range imposed by this site allocation and the tall building maps (Appendix 2) are considered to be unduly restrictive and will not support the Council's other aspirations for this site. The height range of 7-10 storeys as a maximum would not be in line with the other developments coming forward in the immediate area, including the 36 storey tower immediately south of the site within the Ram Brewery. The suggested maximum heights are grossly underestimating the potential of this site and the investment required to remediate these contaminated industrial sites for redevelopment whilst delivering the significant number of benefits the Council require for the wider site allocation. These include; a 25% uplift in economic floorspace, residential uses including affordable provision and new walking and cycling routes into Wandsworth Town Centre. The aspirations for this site allocation coupled with the maximum appropriate height range places a significant financial burden on the proposed developments and there is no evidence to state this has been subject to financial viability testing. It is considered that these sites will not come forward for redevelopment and deliver the aspirations of the allocation unless higher densities than currently suggested can be supported.

It is also noted within Policy PM2: Wandsworth Town that developments in the area of the Wandsworth Gyratory will be required to provide funding, land or complementary measures to support its implementation. Map 4.1 outlines the area for 'potential land required for the realignment of the Wandsworth one-way system'. This area would potentially take away a significant portion of the southern element of Downing's site (2 Armoury Way). We do not consider that is viable to deliver the significant public benefits the site allocation requires without increasing the height and density of this site.

Land use

Downing support the Site Allocation requiring a mix of residential uses on the site. However, Downing require confirmation within the Local Plan that all types of residential can be supported. The London Plan recognises that Purpose Built Student Accommodation (PBSA), build to rent, large-scale purpose-built housing/co-living and specialist older housing all contribute to the Boroughs and wider London to deliver a variety of accommodation to meet local and strategic needs. The completion of new PBSA therefore contributes to London's overall housing need and is not in addition to this need (Paragraph 4.15.1 of the London Plan). It is therefore considered that the Site Allocation should explicitly state that all types of residential would be supported.

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Recommendation

The allocation should:

- Allow for heights above the appropriate height range for the tall building zone where they meet the criteria set by Policy LP4 Part B.
- Recognise the significant financial constraints the redevelopment of this former industrial site will incur, which will result in significant densities for the site allocation area to come forward and deliver the public benefits.
- Amend the wording so that the residential uses on the site can include all types of residential accommodation including PBSA, Build to Rent, Older Living and Large-Scale Purpose-Built Accommodation/Co-living.

LP28: Purpose-Built Student Accommodation

Policy LP28 is not consistent with the London Plan (2021) and therefore does not meet the tests set by Paragraph 35 of the NPPF.

London Plan Policy H15 requires the majority of the bedrooms including all of the affordable student accommodation to be secured through a nomination agreement for occupation by students of one or more higher education provider. Paragraph 4.15.3 states that *'there is no requirement for the higher education provider linked by the agreement to the PBSA to be located within the borough where the development is proposed'*

Draft Policy LP28 Part 2 states that *'proposals for PBSA will be supported where the development is supported by evidence of a linkage with one or more higher education provider (HEP) in Wandsworth, or within a reasonable travelling distance of Wandsworth.'* This policy is unduly restrictive and would not be in accordance with the London Plan.

The wording of LP28 Part 2 restricts new PBSA to the borough of Wandsworth 'or a reasonable travelling distance of Wandsworth', which would not be in line with the London Plan. Furthermore, London Plan Paragraph 4.15.3 clearly states that the strategic need for PBSA is not broken down into borough-level targets as the location of this need will vary over the Plan period. There is a need for more student accommodation to serve the strategic needs of London, not just the borough of Wandsworth. It is not considered that Policy LP28 meets the test for being effective, in accordance with the NPPF Paragraph 35.

Recommendation

Downing consider that LP28 Part 2 is unduly restrictive and would not meet the tests of the NPPF in that it is not effective or consistent with the London Plan. LP28 Part 2 should be deleted.

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