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Inspector's Main Issues and Questions to the Council

It is necessary to be clear about what is being examined. This is a partial review of the Local Plan, which comprises the Core Strategy (adopted 2016) (CS), the Development Management Policies Document (adopted 2016) (DMPD) and the Site Specific Allocations Document (adopted 2016) (SSAD). The Local Plan: Employment and Industry Document (LPEID) will replace strategies, policies and allocations in these documents in relation to matters covering Employment and Industry I am therefore considering the employment need, location of employment land and growth and specific allocations as set out in the document.

The specific policies that are to be deleted and replaced in the CS are policies PL6 - Meeting the needs of the local economy and PL7 - Land for Industry and Waste. In the DMPD the policies to be deleted and replaced are DMTS14 - Offices, DMI1 - Strategic Industrial Locations (SILs) and Locally Significant Industrial Areas (LSIAs), DMI2 - Mixed Use Former Industrial Employment Areas (MUFIEAs), DM13 - Thames Policy Area, DMI4 - Provision of flexible employment floorspace, DMI5 - Allocated Sites for waste management facilities, DMI6 - Development for waste management facilities on unallocated sites and DMI7 - Development criteria for waste sites.

Within the SSAD two area spatial strategies are to be deleted and replaced those being firstly the Area Spatial Strategy for Land between Armoury Way and the Railway, and secondly the Area Spatial Strategy for Wandle Delta, land north of the railway. Also within the SSAD a number of site allocations are to be deleted and replaced these are: Causeway Island including land to the east, SW18; Hunts Trucks and adjoining gasholder, Armoury Way, SW18; Keltbray Site, Wentworth House and adjacent land at Dormay Street, SW18; Wandsworth Riverside Quarter, Point Pleasant, SW18; 3-4 Osiers Road, SW18; 9, 11 and 19 Osiers Road, SW18; Feathers Wharf, The Causeway, SW18; Land at the Causeway, SW18; Cory Environmental Materials Recycling facility, Smugglers Way, SW18; Western Riverside Waste Transfer Station, SW18; Homepage, Swandon Way, SW18; B&Q, Smugglers Way, SW18; McDonalds, Swandon Way, SW18; Mercedes Benz and Bemco, Bridgend Road, SW18; Wandsworth Bridge Roundabout, SW18; Wandsworth Bus Garage, Jews Row, SW18; and Pier Wharf, SW18.

Following my initial examination of the LPEID and the supporting material I consider the main issues regarding the soundness of the LPEID are as follows:

Issue 1: Does the plan meet all its legal requirements?

Issue 2: Will the LPEID positively support the strategic visions, objectives and spatial policies contained in the Core Strategy?

Issue 3: Are the individual policies clear, justified and consistent with national policy and will they be effective?

Issue 4: Is the Area Spatial Strategy for Wandle Delta consistent with the SSAD and does it support the Core Strategy and Development Management Policies Document?

Issue 5: Are the site allocations justified, effective, deliverable within the plan period and consistent with national policy?

In this note I pose questions to the Council that potentially go to matters of soundness or which concern representations made. I have had regard not only to the definition of soundness at paragraph 182 of the National Planning Policy Framework (the Framework) but also the advice on plan making, particularly at paragraph 154, the principles for Local Plans set out in paragraph 157 and advice on using a proportionate evidence base in respect of business at paragraphs 160 and 161 of the Framework. The Framework also establishes that only policies that provide a clear indication of how a decision maker should react to a development should be included in the plan. The LPEID should therefore set out clear policies on what will or will not be permitted.

If the response to any question or comment can be given by directing me to specific locations and section(s), including by document, paragraph and page numbers, of the supporting documents and evidence base, then it can be dealt with in that way. However, this is the Council's main opportunity to respond to these points as I shall not be inviting separate hearing statements. Brevity is nevertheless also to be encouraged. The reply to my questions should be sent to the PO by **Friday 19 January 2017**.

Issue 1: Does the plan meet all its legal requirements?

Q1: Does the LPEID meet all its requirements in relation to the Local Development Scheme, Statement of Community Involvement, Sustainability Appraisal, Habitats Regulations, Public Sector Equality Duty and the Town and Country Planning (Local Planning)(England)Regulations 2012?

Q2: Should the time frame for the plan be clearly identified? Paragraph 1 indicates it will guide development over the next 15 years, however the plan contains strategic and non-strategic policies and supersedes policies in the Core Strategy, DMPD and SSAD, (adopted 2016), which cover the period 2015-2030. This partial review document covers the period 2016-2031?

Issue 2: Will the LPEID positively support the strategic visions, objectives and spatial policies contained in the Core Strategy?

Q3: Will the LPEID positively support the strategic visions, objectives and spatial policies contained in the Core Strategy?

Issue 3: Are the individual policies clear, justified and consistent with national policy and will they be effective?

Questions and comments on individual policies

Policy EI1 – (Strategic Policy) – Encouraging sustainable economic growth.

Q4 Does this provide a clear, justified framework that is consistent with national policy in terms of long term protection of industrial land?

Q5 Is the overall level of planned industrial supply appropriate, sufficient and realistic taking into account the forecast demand, the identified potentially shortfall against the London Plan benchmark by 2031, the low growth demand, the fact that some 36.9ha

of industrial land has been lost between 2011 and 2016 and that the latest GLA evidence is that Wandsworth may need to increase floorspace capacity for industry and warehousing over the coming plan period?

- Q6 What evidence demonstrates that the potential shortfall in supply can be adequately made up by intensification? And how has the level (percentage) of intensification been justified? Has consideration been given as to how intensification should be measured and why has floorspace been chosen over employment density?
- Q7 Is the land to be protected, as listed in criterion 3, clearly identifiable as there is no direct reference to numbers identified on the proposals map, figures, or a clearly delineated boundary for each of the identified areas? (figures 1, 2 and 3 show Economic Use Intensification Areas, the Strategic Industrial Location and Locally Significant Industrial Areas respectively but it is not clear the relationship of these figures with the policy or proposals map). Also what defines 'smaller industrial clusters?' to provide a clear indication of how a decision maker should react?
- Q8 Have the boundaries of the Strategic Industrial Location and Locally Significant Industrial Areas been robustly reviewed to ensure they are fully justified in meeting the most stringent level of protection (with no opportunity for release of this strategic reservoir)? What criteria have been used?
- Q9 To what extent and what criteria have been used to review the boundaries of the LSIAs?
- Q10 Is the Lydden Road LSIA clearly justified and effective? Will the proposed re-designation of part of it as an Economic Use Intensification Area add further pressure for the release of further land within it and undermine the residual area as a LSIA?
- Q11 In Criterion 4 what determines what are 'well located?' what considerations would be taken on board in determining whether a site is 'well located' and how would a decision maker know the considerations to apply?

Policy EI2 – Locations for new employment floorspace

- Q12 This policy seeks to direct new employment floor space to the right locations focussing office accommodation in Town Centres, edge of centre, local centres, the CAZ and the Industrial Business Park and sites allocated in the SSAD in line with strategic policy EI1. Is this necessary given EI1?
- Q13 In the context of criterion 2 does the fact that this would be an up to date plan not disengage the threshold, the assumption being that in the Plan making process consideration would be given to the impact of such developments outside of town centres or give the opportunity to consider the appropriateness of the town centre boundary? Paragraph 26 of the Framework also refers to a locally set threshold as the preference, is the threshold identified justified? A similar approach and criteria are identified in criterion 6 and similar questions regarding the justification of the threshold arise.
- Q14 In criterion 3 what defines 'areas lacking in local jobs'? How are the phrases 'such as' and 'near to' to be interpreted?
- Q15 In Economic Use Intensification Areas what is the evidence that leads to the intensification level being set at 25%? The level of intensification is identified in site allocations however in the submission draft policy the level of intensification is not identified, should a minimum level be set out in the policy and justified?
- Q16 Is there a target or overall assumed level of floor space that will come forward through the plan period from intensification? Is this to be monitored?
- Q17 Why has an increase in floorspace been chosen over an increase in employment density as the appropriate indicator?
- Q18 What is the justification for redevelopment of sites in IBP parts of the SIL to have to have industrial uses (defined in Glossary as B1c, B2 and B8 and sui generis uses of an industrial character) on the ground floor if the existing use of the site is solely or

predominantly B1a, when IBP Uses include research and development (B1b) and smaller scale offices (B1a)?

Policy EI3 – Protected employment land and premises

- Q19 Is EI3 effective in providing the protection required under policy EI1?
- Q20 What is the justification for only B1a as an alternative use for premises that are in B1c, B2 B8 or industrial sui generis uses in Criterion 3a rather than also including B1b research and development?
- Q21 In relation to Railway Arches 6c what is the test for demand for industrial premises or use - is it related to EI7 and should that be referred to in order to make the policy effective?

Policy EI4 – Affordable flexible and managed workplaces

- Q22 Paragraph 154 of the Framework advises that Local Plans should address the spatial implications of economic, social and environmental change does criteria 1 of policy EI4 meet this objective? If so how?
- Q23 What is the justification to seek to control rent agreements through planning policy? Where is the evidence to justify such control? Have the implications of such control been tested against viability and deliverability? How will this be achieved in practice? Is the criterion sufficiently future proofed as it refers to code for leasing Business Premises in England and Wales 2007 but not any potential future update?
- Q24 What is the justification for the 1,000sqm threshold for the delivery of affordable, flexible and managed workspaces? Have the implications of such requirements on viability been assessed?
- Q25 Would it be appropriate to include a definition of 'affordable workspace' to make the policy effective?

Policy EI5 – Requirements for new employment development

- Q26 What is the justification for the policy and the level of detail for the requirements of new employment development?
- Q27 Do these requirements place undue burdens on developers given the advice in paragraph 173 of the Framework that development should not be subject to such policy burdens that their ability to be developed is viably threatened? Has the impact on viability been assessed?
- Q28 Are the control of lease terms and rent levels identified at point 4 an excessive burden on business? Are they matters appropriate to control through planning policy and in line with national policy?

Policy EI6 – Managing land for industry and distribution

- Q29 Would it be appropriate to give an indication of 'small-scale' in criterion 5 to make the policy effective?
- Q30 What would define a 'significant industrial function' for the Industrial Business Park in criterion 6? Is such a definition required to make the policy effective and provide a clear indication of how a decision maker should react?

Policy EI7 - Redundancy of employment premises

- Q31 What is the justification for the 18 month time period?
- Q32 Does the word 'convincing' in the policy add ambiguity and thereby reduce its effectiveness?
- Q33 What is the justification for the threshold of 1,000 sq m of office floorspace to require evidence to demonstrate it is not feasible or viable to adapt as smaller business units?
- Q34 Why is it not appropriate to also include a preference for B1b which is not included in the definition of industrial uses ?

Q35 What is the justification for the sequential approach to alternative uses at point 5?

Policy EI8 - Waste

Q36 Paragraph 2.39 indicates that safeguarding existing sites dealing with waste services but which could be re-orientated and consolidated to provide waste management capacity within the SIL gives a total of 1.69 ha; where is the justification and evidence for this? How is the figure arrived at?

Q37 Paragraph 2.39 then states that 1.69 ha is sufficient to process 218,000 tonnes. However, based on the GLA ratio of 80,000 tonnes per ha, which is what is suggested earlier in the paragraph, this would only equate to 135,200 tonnes insufficient to meet the residual apportionment figure of 165, 000 tonnes or 2.05 ha? Can you clarify?

Policy EI9 – Protected Wharves

Q38 Has there been any changes in circumstances since the DMPD and in particular policy DMI 3(c) was found sound?

Issue 4: Is the Area Spatial Strategy for Wandle Delta consistent with the SSAD and does it support the CS and DMPD?

Q39 Is the Area Spatial Strategy for Wandle Delta consistent with the SSAD and does it support the CS and DMPD?

Issue 5: Are the site allocations justified, effective, deliverable within the plan period and consistent with national policy?

Q39 Do the site allocations contain sufficient detail on form, scale, access and quantum of development?

Q40 Site 42A is in EUIA map 12 but why does that not also require a 25% increase in the industrial floorspace?

Q41 The allocations include identification of storey heights. What criteria have been used to identify the definition of tall in respect of the different sites? What is the status of the Stage 2 Urban Design Study, referred to in the allocations?

Q42 Are the site allocations 42A, B, C and D within the Wandle Delta Area Spatial Strategy area?

Other Matters

Modifications

I refer the Council to the PPG and paragraph 024 (Reference ID: 12-024-20140306) and the various "minor modifications" that the Council is proposing in document SD-010. Generally, they respond to representations made during the pre-submission consultation exercise and I see that they do not substantively change the strategy, key objectives or policy direction of the plan. However, for the purpose of the Examination, changes to the plan need to be referred to as either "main" or "additional" modifications. These should be presented in a tabular form and preferably separately. They should be kept as 'live' documents throughout the examination process and posted onto the Examination website with the latest version available just prior to the hearing sessions.

The distinction between 'main' and 'additional' modifications reflects the provisions of Sections 20 and 23 of the Planning and Compulsory Purchase Act 2004. Any change to the wording of a policy or supporting text necessary to make the plan sound should be presented as a main modification. Please note that any change to the text of the plan which

directly relates to and/or would generate a change to the Policies Map should also be recorded as a main modification. Whilst the changes to the Policies Map are not in themselves main modifications (due to the construct of the legislation) there will also be a need for the Council to keep a separate running schedule of changes to the Policies Map. I would be grateful if the Council, as a matter of some priority, could re-format its "minor modifications" into the required 'main' and 'additional' modifications. Each main modification will need a bespoke reference (eg MM1 etc.).

Discrepancies and clarification

In policy EI3, employment protection areas, the names in the bullet point list do not correspond with the titles of the plans identifying the sites which could lead to confusion and the policy being ineffective.

The Area Spatial Strategy covers the Wandle Delta which appears to replace the area spatial strategies for 'land between Armoury Way and the Railway' and for the 'Wandle Delta, land north of the Railway'. Whilst it is noted at paragraph 1.46 that the LPEID will replace these and they will be deleted from the relevant documents there is no suggested amendment to figure 1.3 of the SSAD – Spatial Strategy Areas which maintains reference to these two area spatial strategies identifying their broad location?

The existing SSAD area strategies identify the sites covered by the strategy by reference to numbering on the illustrative drawing for the area, such numbering is not included in the new Wandle delta spatial strategy why not? Does this make identification of which sites it relates to ambiguous? E.g. Are those sites formerly numbered as 3.4 – 3.12 in the existing SSAD now incorporated within the expanded Wandle Delta Area Spatial Strategy or are they outside this area? I note the numbering has changed.

To which Area Spatial Strategy do sites 35A and 99F relate if any? (Site 35A - Central Wandsworth Area Spatial Strategy? and site 99F - Other Sites ?) Should these be clarified in the document and how they will be integrated with the existing SSAD?

If anything is unclear or further explanation is required of what I am asking then please contact me via the Programme Officer.

Kenneth Stone

INSPECTOR

1 December 2017