

02 March 2018
Delivered by email

Planning Policy Team
Greater London Authority
City Hall
The Queen's Walk
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Ref: ASHL3010

Dear Sir/Madam

SUBMISSION OF REPRESENTATIONS TO THE MAYOR'S SPATIAL DEVELOPMENT STRATEGY, CENTURY CITY LONDON REPRESENTATIONS DRAFT LONDON PLAN MARCH 2018

On behalf of our client, Ashia Centur Limited, we hereby submit representations on the Mayor's Draft Spatial Development strategy, otherwise known as the draft London Plan, which was published for consultation on 29 November 2017 (consultation beginning 1st December 2018).

We would like to highlight that we reserve the right to submit further representations in due course as the draft London Plan progresses.

THE SITE

Ashia Centur Limited own a large strategically important site within the Old Oak and Park Royal (OPDC) Opportunity Area that was formerly the wider Twyford Tip West site, to the south of the North Circular Road, NW10.

The site benefits from an extant implemented planning permission for a significant mixed use leisure destination development which the applicants intend to progress forward as soon as funding is secured. This was granted by the London Borough of Brent (LBB) under reference number 92/0009 on 15 September 1993, for the "Removal of tipped soil and the erection of an Asian Centre comprising hotel, television centre, social community and leisure facilities (including open space and canal footbridge) with service roads and car parking."

These representations on the draft London Plan are submitted in the context of previous representations made on behalf Ashia Centur to the Old Oak and Park Royal Development Corporation's (OPDC) draft Local Plan (for regulation 19 Consultation, published June 2017) on the 25th September 2017. To surmise, the representations on OPDC's draft Local Plan raised concern regarding the proposed inclusion of our

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client's site as a Strategic Industrial Location (SIL). Subsequently, Ashia Centur have requested the site is excluded from the SIL boundary and appropriately allocated as an employment-led mixed use development site to reflect the extant implemented permission.

NATIONAL STRATEGIC INDUSTRIAL POLICY

The direction of travel for national industrial policy is set out within the government's recently published Industrial Strategy White Paper (ISWP) (December 2017). The ISWP (pp.233) explicitly links housing and economic growth, with the role of housing being '*vital to vital to the economic success of our cities and regions*' and confirms that planning reforms will '*ensure more land is available for housing and better use is made of underused land in our cities and towns*'. The ISWP confirms the government will support '*places with ambitious and innovative plans to build additional homes where they are needed, and which will support wider economic growth*'.

Furthermore the ISWP emphasises the importance of sub-regional strategic planning, by outlining that the government wants to '*support greater collaboration between councils, a more strategic approach to planning housing and infrastructure, more innovation and high quality design in new homes and creating the right conditions for new private investment*'.

It is within this emerging national industrial policy context where there is growing recognition of the linkages between housing, economic growth and the more efficient use of land that we frame our comments primarily on the draft London Plan's approach to redeveloping industrial land.

SPECIFIC DRAFT POLICY CONSIDERATIONS

Chapter 6 sets out policy approaches to, inter alia, land for industry, logistics and services to support London's economic function.

Draft Policy E4 - Land for industry, logistics and services to support London's economic function

Draft Policy E4 part (B) confirms London's land and premises for industry, logistics and services should be split into three categories: Strategic Industrial Land (SIL), Locally Significant Industrial Site (LSIS) and non-designated industrial sites.

Draft Policy E4 part (C) states:

*'The retention and provision of industrial capacity across the three categories of industrial land set out in part B should be planned, monitored and managed, having regard to the industrial property market area and borough-level categorisations in Figure 6.1 and Table 6.2. This should ensure **that in overall terms across London there is no net loss of industrial floorspace capacity** (and operational yard space capacity) within designated SIL and LSIS. Any release of industrial land in order to manage issues of long-term vacancy and to achieve wider planning objectives, including the delivery of strategic infrastructure, should be facilitated through the processes of industrial intensification, colocation and substitution set out in Policy E7 Intensification, co-location and substitution of land for industry, logistics and services to support London's economic function'.*

We note from Figure 6.1 and Table 2 that OPDC is currently identified as an area categorised which can 'provide capacity' for industrial uses. According to supportive text paragraph 6.4.6 strategic demand for industrial, logistics and related uses in such areas is anticipated to be the strongest.

Our client supports Part (C)'s wording related to facilitating the release of industrial land through processes of 'industrial intensification, colocation, and substitution', and is broadly supportive of the

strategic principle of no overall net loss of industrial floorspace capacity across London within SIL and LSIS land.

In terms of releasing industrial capacity, we note that part (E) of the draft policy confirms:

‘Any release of industrial capacity in line with part C should be focused in locations that are (or are planned to be) well-connected by public transport, walking and cycling and contribute to other planning priorities including housing (and particularly affordable housing), schools and other infrastructure.’

Our client requests that the wording of part (E) is amended to ensure any release of industrial capacity is also acceptable in locations that already benefit from extant permissions for redevelopment comprising non-industrial uses. This would introduce greater flexibility to the policy and provide greater support in delivering extant consents on existing SIL and LSIS sites.

Draft Policy E5 – Strategic Industrial Locations

The draft policy confirms that SILs (identified in Figure 6.2 and Table 6.3 in the draft Plan) should be managed proactively through a plan-led process to sustain them as London’s main reservoirs of industrial, logistics and related capacity for uses that support the functioning of London’s economy.

The site, in this instance, falls within the Park Royal SIL identified in Table 6.3. We note in part (B) (3) that the draft policy states that Boroughs should, through their Development Plans explore:

‘opportunities to intensify and make more efficient use of land in SILs in Development Plan reviews and through Opportunity Area Planning Frameworks in collaboration with the GLA and other planning authorities within and outside London (Policy E7 Intensification, colocation and substitution of land for industry, logistics and services to support London’s economic function)’.

With regards to the wording above our client is broadly supportive. However, we suggest that further flexibility is introduced into the wording to support the colocation of uses and the substitution of SIL land. Our suggested wording for part (B) (3) reads as follows:

*“explore opportunities to intensify sites, **and/or collocate uses, and/or substitute land to make more efficient use of land in SILs** in Development Plan reviews and through Opportunity Area Planning Frameworks in collaboration with the GLA and other planning authorities within and outside London (Policy E7 Intensification, colocation and substitution of land for industry, logistics and services to support London’s economic function)”.*

Part (C) of the policy states that development proposals in SIL should be supported where the uses fall within ‘broad industrial-type activities’, these are defined as:

- ‘1) light industrial (Use Class B1c)*
- 2) general industrial uses (Use Class B2)*
- 3) storage and logistics/distribution uses (Use Class B8)*
- 4) other industrial-type functions, services and activities not falling within the above Use Classes including secondary materials and waste management, utilities infrastructure, land for transport and wholesale markets*
- 5) flexible B1c/B2/B8 premises suitable for occupation by SMEs*
- 6) small-scale ‘walk to’ services for industrial occupiers such as workplace crèches or cafés.’*

Draft policy E5 Part (D) identifies when SIL land could be released and states:

‘Development proposals for uses in SILs other than those set out in part C above, (including residential development, retail, places of worship, leisure and assembly uses), should be refused except in areas released through a strategically co-ordinated process of SIL consolidation.

This release must be carried out through a planning framework or Development Plan document review process and adopted as policy in a Development Plan or as part of a co-ordinated masterplanning process in collaboration with the GLA and relevant borough.’

In our view, the wording of the first paragraph of part (D) is too narrow and restrictive. This should be revised to introduce greater flexibility for the release of SIL land. Firstly, for land which already benefits from planning permission involving, non-industrial type activities such as our client’s site, further consideration should be given to ensure the delivery of implemented schemes are not hindered by this draft policy. Currently, the uses described directly conflicts with our client’s consented and implemented permission for mixed use redevelopment. Secondly, the current wording restricts release of land only through SIL consolidation. Further detail should be provided as to what constitutes consolidation specifically for this policy or a more explicit connection made with the details set within Policy E5 part (B).

Our client is broadly supportive of the second paragraph and particularly welcomes the principle of the release of land as part of a co-ordinated masterplanning process with the GLA and in this instance OPDC.

Draft Policy E7– Intensification, co-location and substitution of land for industry, logistics and services to support London’s economic function

Part (A) of draft Policy E7 promotes the intensification of business uses in Use Classes B1c, B2 and B8 occupying all industrial land, through the development of mezzanines, small units, multi storey schemes, basements and crucially more *‘efficient use of land through higher plot ratios having regard to operational requirements (including servicing) and mitigating impacts on the transport network where necessary’*.

Our client is broadly supportive of the principles set out within part (A), particularly regarding promoting higher plot ratios as efficient use of land within the built up areas of London and principle of co-location of residential uses. However, further consideration should be given to the policy to make provision for the more innovative and emerging light industrial, logistics and warehouse and storage uses which utilise the growing trend of quiet technology innovation to improve compatibility with more sensitive co-located uses (e.g. Class C3 residential uses and sui-generis live work units). In particular, the policy should give consideration to the use of quiet delivery management strategies, quiet loading and docking bays and quiet technologies in loading lifts, trucks and machinery have all enabled businesses to reduce their impacts on neighbouring uses. Such innovations are expected to only continue to grow.

Part (B) of the draft policy deals with the process of intensification and consolidation states:

‘Development Plans and planning frameworks should be proactive and consider, in collaboration with the Mayor, whether certain logistics, industrial and related functions in selected parts of SILs could be intensified. Intensification should facilitate the consolidation of the identified SIL to support the delivery of residential and other uses, such as social infrastructure, or to contribute to town centre renewal. This process must meet the criteria set out in part E below and ensure that it does not undermine or compromise the integrity or effectiveness of the SIL in accommodating the industrial-type activities identified in part C of Policy E5 Strategic Industrial Locations (SIL). This approach should only be

considered as part of a plan-led process of SIL intensification and consolidation (and the areas affected clearly defined in Development Plan policies maps) or as part of a co-ordinated masterplanning process in collaboration with the GLA and relevant borough, and not through ad hoc planning applications’.

We suggest that the wording of the last sentence should be revised to introduce to greater flexibility as follows:

*‘This approach should only be considered as part of a plan-led process of SIL intensification **and/or** consolidation (and the areas affected clearly defined in Development Plan policies maps) or as part of a co-ordinated masterplanning process in collaboration with the GLA and relevant borough, and not through ad hoc planning applications’.*

Our client supports the policy E7 part (B)’s aim of encouraging pro-active development plans and planning frameworks in relation to SIL intensification, which facilitates the consolidation of SIL land to support the delivery of residential development and other uses. In our view ‘other uses’ should be defined in greater detail and include for example a range of additional commercial (e.g. Class B1, A1, A2 and A3) and social (Class D1) uses.

Furthermore, our client welcomes the principle of promoting a masterplanned approach in collaboration with the Mayor and relevant Borough in relation to the intensification and consolidation.

Part (E) of the draft policy sets out specific criteria, for SIL intensification which facilitates consolidation and states:

‘The processes set out in Parts B, and D above must ensure that:

1) the industrial uses within the SIL or LSIS are intensified to deliver an increase (or at least no overall net loss) of capacity in terms of industrial, storage and warehousing floorspace with appropriate provision of yard space for servicing

2) the industrial and related activities on-site and in surrounding parts of the SIL, LSIS or Non-Designated Industrial Site are not compromised in terms of their continued efficient function, access, businesses have 7-day/24-hour access and operational requirements

3) the intensified industrial, storage and distribution uses are completed and operational in advance of any residential component being occupied

4) appropriate design mitigation is provided in any residential element to ensure compliance with 1 and 2 above with particular consideration given to:

a) safety and security (see Policy D10 Safety, security and resilience to emergency and Policy D11 Fire safety)

b) the layout, orientation, access, servicing and delivery arrangements of the uses in order to minimise conflict (see Policy T4 Assessing and mitigating transport impacts)

c) design quality, public realm, visual impact and amenity for residents (see Policy D1 London’s form and characteristics, Policy D2 Delivering good design, Policy D3 Inclusive design, Policy D4 Housing quality and standards, Policy D5 Accessible housing, Policy D6 Optimising housing density, Policy D7 Public realm and Policy D8 Tall Buildings)

d) vibration and noise (see Policy D13 Noise)

e) air quality, including dust, odour and emissions (see Policy S11 Improving air quality and Policy S12 Minimising greenhouse gas emissions).'

With regards to the criteria set out above our client has concern regarding the limiting nature of part 3) as the residential element of a proposal could act as the enabling element to facilitate and fund SIL intensification and consolidation. The client urges the Mayor to omit this wording.

The supportive text (paragraphs 6.7.1-6) provides further detail for the application of draft Policy E7. Our client broadly support's the assertion made in paragraph 6.7.1:

*'In collaboration with the Mayor, boroughs are encouraged to explore the potential to **intensify industrial activities** on industrial land and consider whether some types of industrial activities (particularly light industrial) could be co-located or mixed with residential.'*

The client is supportive of the principle of transferring some SIL land for a mix of uses including residential (set out under paragraph 6.7.2), but requests that the reference to Policy H4 is removed as it does not relate to affordable housing thresholds discussed in the text.

Furthermore, in our view further consideration should be given to the changing nature and demand characteristics of within the industrial, logistics and warehouse sectors in terms of land. Many of such uses have moved away from the 'heavy' and 'dirty' characteristics typically associated with the sectors, with businesses now focusing on lighter, flexible industrial uses. These uses utilise employment land more efficiently and reduce amenity impacts in terms of noise, air quality and dust pollution and thus, more conducive to co-location of other uses.

Our client also strongly supports paragraph 6.7.5 which states that:

'There may be scope for some substitution of London's industrial capacity to locations in the wider region where this results in mutual advantage, such as complementary business opportunities and transport infrastructure improvements. This will require close collaboration between planning authorities inside and outside London and must ensure that any substitution does not give rise to cumulative negative impacts including for example, on business supply chains, labour markets, pollution and congestion.'

Draft Policy H6 – Threshold approach to applications

Our client welcomes the principle of introducing a threshold approach to the provision of affordable housing in development proposals as set out within draft Policy H6. However, we wish to raise concern regarding the feasibility of the 50 per cent threshold level of affordable housing for SILs, LSISs, and other industrial sites which are suitable for release to other uses identified under part (B) 3) of the draft policy:

'50 per cent for Strategic Industrial Locations, Locally Significant Industrial Sites and other industrial sites deemed appropriate to release for other uses (see Policy E7 Intensification, co-location and substitution of land for industry, logistics and services to support London's economic function).'

In our client's view applying the fifty percent threshold across all types of industrial land (suitable for release for other uses) requires further refinement. Redeveloping industrial land typically involves managing constraints unique to the previous use and requiring potentially expensive mitigation, which can impact upon a development's viability. Furthermore applying a blanket fifty per cent threshold to all

types of industrial land is not a sufficiently flexible approach and fails to consider the differing characteristics and viability considerations associated with each industrial land type.

We note several examples of efficient co-location and industrial intensification of industrial land have been cited in the Mayor's 'Industrial Intensification Primer' (January 2017) including Travis Perkins Yard, St Pancras Way, NW1 where student accommodation is co-located above the working yard and the BDM Kesslers site, Royal Albert Basin which collocates extensive industrial warehousing facilities and residential development. Further to this we note the recently consented proposals to redevelop the former Nestle Factory site in Hayes which intensifies employment uses which co-locating extensive mixed use development including residential, commercial and community uses. Given the emergence of this best practice example we urge the Mayor to consider making more specific reference to the innovative uses, design approaches and mitigation methods used in Policy E7.

CONCLUSIONS

In summary, whilst our client broadly supports the approaches to SIL contained within draft policies E4, E5, E7 and H6, our client is particularly supportive of the emerging themes around the intensification of SIL land through consolidation and substitution and the subsequent release of SIL land for mixed use development.

However, whilst our client is supportive of promoting the process of colocation, the draft policies are too narrow at present on this matter and should be more flexible to encourage more innovative approaches to co-locating and intensifying industrial employment land.

In particular we stress further consideration is given specifically to:

- **Draft Policy E4**
 - By amending the wording of draft Policy E4 part (E) to ensure any release of industrial capacity is also acceptable in locations that already benefit from extant permissions for redevelopment comprising non-industrial uses.
- **Draft Policy E5**
 - Through introducing greater flexibility should be introduced into the wording of draft Policy E5 as it is currently too narrow. Further flexibility in the wording should support the colocation of uses, the substitution of SIL land and ultimate release.
 - For SIL land which already benefits from planning permission involving, non-industrial type activities, further consideration should be given to ensure the delivery of implemented schemes are not hindered by this policy.
 - Providing greater detail as to what constitutes consolidation specifically for this policy, or a more explicit connection should be made with the details set within draft Policy E5 part (B).
- **Draft Policy E7**
 - Provision should be made for innovative and emerging light industrial, logistics warehouse uses which implement quiet technologies and better reflect recent best practice development examples referenced in the Mayor's Industrial Intensification Primer and the more recent innovative best practice examples such as the redevelopment of the Former Nestle Factory in Hayes.

- In relation to part (B) ‘*other uses*’ should be defined in greater detail and include additional commercial (e.g. Class B1, A1, A2 and A3) and social (Class D1) uses.
- With regards to the criteria set out above our client has concern regarding the limiting nature of part 3) as the residential element of a proposal could act as the enabling element to facilitate SIL intensification and consolidation. The client urges the Mayor to omit this wording.
- The client is supportive of the principle of transferring some SIL land for a mix of uses including residential (set out under paragraph 6.7.2), but requests that the reference to Policy H4 is removed as it does not relate to affordable housing thresholds discussed in the text.
- **Draft Policy H6**
 - The application of the fifty percent threshold across all types of industrial land (suitable for release for other uses) requires further refinement and consideration in terms of the viability constraints associated with industrial redevelopment .
 - Applying a blanket threshold to all types of industrial land is not sufficiently flexible to consider the differing characteristics and viability considerations associated with each industrial land type.

We trust that you will consider our representations when revising the Submission Version of the Draft London Plan and would be happy to discuss these with you further should you find this of assistance. If you have any queries, please do not hesitate to contact me.

Yours sincerely

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