

Local Plan Independent Examination

OPDC Response to Matter and Issue 13

Matter 13: Whether the inclusion or exclusion of land from SIL is justified (derived from the thirty-first Key Issues of table 5 of Key document 5 identified at Regulation 19(1) stage and the second identified in table 7 of Key document 5 at Regulation 19(2) stage and representations 2/P4/1 from Ashia Centur and 2/P8/14 from Grand Union Alliance and 2/P9/1 amongst others. At Regulation 18 stage, Midland Terrace RG and Old Oak Interim Forum sought greater release of SIL land and a number of organisations sought a buffer between industry and residential land. This matter and issue includes consideration of representations relating to individual sites)

Although I am content with the officers' response to this Matter set out in Appendices E and J to Key document 5, a Hearing session will be required if representors exercise their right to be heard.

OPDC response:

- 1.1. OPDC considers that the inclusion or exclusion of land from SIL as proposed is justified.

OAPF

- 1.2. The Further Alterations to the London Plan (2015) and the current London Plan (document OSD27) and the adopted Old Oak and Park Royal Opportunity Area Framework (document OSD30) established the principle of redevelopment in the OPDC area. They identify Old Oak and Park Royal as Opportunity Areas, with targets to deliver 1,500 homes and 10,000 additional jobs in Park Royal and 55,000 new jobs and 24,000 new homes to capitalise on the public transport improvements envisaged in Old Oak.
- 1.3. Principle L1 in the Opportunity Area Framework (document OSD30) proposes that the Old Oak area should be comprehensively redeveloped. To facilitate this, the OAPF supports the de-designation of the Strategic Industrial Location (SIL) in Old Oak and its consolidation into Park Royal as shown in Figure 17 of the OAPF. Therefore, the de-designation of SIL and its broad extent is a long established principle accepted at the strategic level in the OAPF. Principle L1 explained that the official de-designation process for SIL in Old Oak would be dealt with through OPDC's Local Plan.

The role of strategic industrial land

- 1.4. The NPPF requires local planning authorities to support economic growth and plan proactively to meet the development needs of business (paragraphs 19- 20). SILs are London's main reservoir of industrial capacity. They have been given strategic protection in the London Plan because their scale and relatively homogenous character means they can accommodate activities, including 24 hour operations, which elsewhere might raise tensions with other land uses. Park Royal is 450 hectares and represents London's largest area of SIL. It is home to around 1,700 businesses who employ over 40,000 people. Key sectors include food manufacturing and transport, logistics and wholesale.

- 1.5. OPDC's Industrial Land Review Study (document SD47) developed spatial scenarios in line with the principles set out in the OAPF (document SD30). However, the Study acknowledged that all three of the host boroughs released more industrial land between 2010-2015 than was planned for and that the planned release of industrial land in Old Oak would exacerbate the shortage of industrial land in the area. The Study recommended that the remaining SIL in Park Royal be protected, strengthened and intensified to address this impact and also to ensure that the Mayor's target for an additional 10,000 jobs in Park Royal can be met.
- 1.6. The London Industrial Land Supply & Economy Study (document OSD25) and London Industrial Land Demand Study (document OSD24) have been published as employment evidence base alongside the new draft London Plan. They represent the most up to date evidence on industrial land supply and demand for London.
- 1.7. The London Industrial Land Supply & Economy Study (document OSD25) confirmed that there has been an accelerated loss of industrial land to other uses. In addition to this, the London Industrial Land Demand Study (document OSD24) takes the position that lower levels of SIL release are required to ensure sufficient land is retained across London to meet expected industrial demand.
- 1.8. As a consequence of this up to date evidence, Policy E4 in the Draft New London Plan (document OSD14) seeks to introduce stronger safeguards by setting out the objective for no net loss of industrial floorspace capacity across London. OPDC is also identified in the 'provide capacity' category for industrial space, which means that additional industrial capacity must be provided within the OPDC area. The Industrial Land Review Addendum (document SD47) explains the plan led approach to achieving no net loss in the OPDC area.
- 1.9. Given the London-wide loss of industrial land and the proposal to de-designate SIL in Old Oak, it is becoming increasingly important to continue to designate remaining industrial land in Park Royal and ensure that development proposals, are making the best use of land and are suitably intensifying industrial activities.
- 1.10. OPDC considers that the proposed SIL boundary is justified by providing an appropriate response to:
 - The principles supported in the OAPF (document OSD30), by taking forward the strategic release of SIL in Old Oak;
 - The need to retain SIL in Park Royal given the up to date evidence on the diminished supply of industrial land across London and planned releases; and
 - The need to achieve a net gain in floorspace and the London Plan jobs target.

Representations received

- 1.11. A draft Policies Map showing detailed SIL boundaries was published as part of both the Regulation 19(1) and 19(2) consultations. Responses received put forward alternative approaches in relation to specific sites and broader locations (see below).
- 1.12. Most of these sites were considered as part of the Industrial Land Addendum (document SD47). The Addendum includes a qualitative assessment of sites to determine if further changes to the SIL boundary are required. This and other evidence referred to below inform the approach taken in OPDC's Local Plan for each of these sites.

Twyford Tip

- 1.13. Twyford Tip site was included in the SIL designation on the 2010 Brent Local Plan Policies Map. The site benefits from extant planning permission which was granted over 25 years ago in September 1993 for mixed use development and a Lawful Development Certificate was granted 12 years ago in 2006. Despite the fact that the owner/developer has the opportunity to develop out the extant permission, works have not progressed and there does not appear to have been any site clearance works and no buildings have been erected.

- 1.14. Representations cites a number of reasons why development has been delayed including:
- significant delay to the project due to the need to go through the appeal process to obtain a Lawful Development Certificate, as well as subsequent High Court and Court of Appeal challenge;
 - The recession which commenced in 2008;
 - The site is contaminated and mitigation will be costly; and
 - The continued designation of the site as SIL significantly increases risk which in turn is frustrating funding of the project.
- 1.15. On the first point, the project was already delayed by 13 years before the application for certificate of lawfulness and associated appeal process got underway. Furthermore, a number of years have elapsed since the appeal and court challenges were resolved. Therefore, this does not appear to be the substantive reason for development not coming forward.
- 1.16. On the second point, for the same reasons as above – that the project had already been delayed before the onset of the recession – this is not considered to be the key reason for the site not being delivered.
- 1.17. On the third point, OPDC commissioned its own evidence in the Land at Abbey Road Study (document SD59) to assess the likely cost of remediating the contamination on site and the viability of developing the site for a variety of SIL and non-SIL uses. This evidence base indicates that, given the level of contamination and associated site clearance costs, an industrial use is likely to be the most deliverable end use and there is potential to deliver industrial intensification. The site owner/developer has cited the benefits that the consented scheme would bring to the area, but given that this scheme is unlikely to be deliverable any associated benefits would also not be realised in any case.
- 1.18. On the final point, there is no evidence that the continued SIL designation is frustrating development on this site as the designation does not affect the ability of the applicant to implement the consented scheme.
- 1.19. OPDC also carried out a separate qualitative assessment in the Industrial Land Addendum (document SD47) and this determined that it is not appropriate to de-designate this site on the basis that:
- The Twyford Tip site at 5 hectares is one of the largest vacant sites in single ownership in the SIL boundary.
 - The site is in a good prominent location for industrial uses as it has good access to local and strategic transport routes and access to the canal provides potential for freight by water. Industrial uses would be more compatible with surrounding uses, including the safeguarded waste site which abuts the boundary to the south and shares an access road within the Twyford Tip site.
 - As identified in the Land at Abbey Road Study (document OSD59), an industrial use is likely to be the most deliverable end use and there is potential for the site to deliver industrial intensification.
 - The site is not in close proximity to the Old Oak area and therefore would not contribute towards comprehensive development of the area as envisaged in the OAPF (document OSD30).
- 1.20. Based on the reasons set out in paragraphs 1.15-1.20 above, and the need to retain and provide additional industrial capacity in the Park Royal area, OPDC considers that the inclusion of this site in SIL is justified.

Willesden bus depot

- 1.21. The Harlesden Bus Depot is required to continue to be designated as SIL in accordance with London Plan (document OSD27) Policy 2.17 to continue to provide strategic functions as a bus depot and rail freight site.
- 1.22. The site is currently occupied by an active bus garage use which is a SIL compliant use. Bus garages serve a specific strategic function and, in line with the Mayor's Land for Industry and Transport SPG (document OSD20), the redevelopment of these sites should be resisted unless a suitable alternative site can be found or TfL formally agrees that the garage is no longer required. TfL has confirmed that there is an ongoing need for this function and demand for bus services will increase linked to the redevelopment of Old Oak. The site is well located to maintain the local bus network and to meet rising demand associated with planned growth. The bus operator has indicated that the current site employs circa 400 jobs and includes an onsite training facility. Therefore, this is a significant employment generator.
- 1.23. In addition to this, there is a vacant building at the rear of the site which could be bought back into use delivering additional SIL capacity. Notwithstanding whether the bus garage could be relocated, there is a need to retain and provide industrial capacity in the Park Royal area. Therefore, the loss of this land and potential industrial capacity would exacerbate existing land supply issues.
- 1.24. The other alternative, the potential to mitigate the potential loss of the bus garage through co-location of this use as part of a mixed development, is also challenging as bus garages have very specific design related operational requirements, including 24 hour operations. This has also been confirmed by TfL.
- 1.25. OPDC responded to concerns regarding adjacency to residential uses, environmental impacts and the provision of a high quality frontage to Station Road. Policy P8 has been updated to address these concerns while continuing to retain the SIL designation. Relevant policy components include:
 - requiring active and positive frontages on to the public realm
 - ensuring impacts of SIL uses are mitigated for surrounding housing and publicly accessible open space
- 1.26. Based on the reasons set out in paragraphs 1.22-1.25 above, and the need to retain and provide additional industrial capacity in the Park Royal area, OPDC considers that the inclusion of this site in SIL is justified.

Old Park Royal and Channel Gate

- 1.27. Representations at Regulation 18 stage suggested that the Local Plan should include a mixed use zone/buffer around existing residential areas covering part of Old Park Royal and Channel Gate Places, introducing residential and A, B and D use classes.
- 1.28. The Old Park Royal site is mostly surrounded by SIL. A limited part of the Old Park Royal area is adjacent to the proposed mixed use area of Acton Wells which is separated from Old Oak North and South by railway infrastructure. The introduction of other uses through co-location, given the relationship of this land with the rest of SIL would undermine the integrity and effectiveness of the wider SIL area.
- 1.29. Old Park Royal is currently occupied with broad industrial type activities and home to a high concentration of small businesses and highest density of units. There is a cluster of intensification opportunity sites in Old Park Royal identified in the Park Royal Intensification Study (document SD49), including the Bashley Road site which has been included as a site allocation because it has capacity to deliver 30,100sqm of industrial intensification. Policy P5 includes provisions to deliver improvements to support the function and improve quality of this area. The release of SIL in this location and of this magnitude, is considered to have a negative impact in terms of both industrial floorspace and jobs, and exacerbate industrial land supply shortages.

- 1.30. Channel Gate is currently being used as a HS2 construction site, but when this has finished, the site has capacity to deliver 124,000 sqm of industrial floorspace and 7,600 of the 10,000 jobs due to be delivered in Park Royal. Channel Gate is identified as a site allocation and has the potential to make the largest contribution to industrial intensification. If these opportunities were lost then the impacts would be the same as stated in paragraph 1.329 in relation to Old Park Royal.
- 1.31. OPDC has responded to concerns raised about the impacts of industrial uses and access to local services by including provisions to protect amenity (SP9, D6, EU4 and EU5), to improve the range of services in Park Royal Centre (P6), including A, B and D use classes, and enhancing walking and cycling connections in Park Royal.
- 1.32. Based on the reasons set out in paragraphs 1.28-1.31 above, and the need to retain and provide additional industrial capacity in the Park Royal area, OPDC considers that the inclusion of these sites in SIL is justified.

Plantagenet House and Windsor House

- 1.33. This site falls within the Channel Gate Place (policy P9) and is part of the Channel Gate site allocation. As mentioned above, the site allocation has capacity to deliver 124,000sqm of industrial floorspace and 7,600 jobs. It is therefore a critical contributor towards jobs targets and the delivery of industrial floorspace. Based on the assessment criteria in the Industrial Land Review Addendum (document SD47) it is not considered appropriate to exclude this site from SIL.
- 1.34. The site is contiguous with the rest of SIL and is part of the Channel Gate site allocation. Given this relationship, careful planning is needed to ensure its comprehensive redevelopment. Annexing this area or the introduction of sensitive uses which de-designation would encourage/allow would compromise the wider development potential of this site and the integrity of the SIL designation.
- 1.35. Based on the reasons set out in paragraphs 1.33-1.34 above, and the need to retain and provide additional industrial capacity in the Park Royal area, OPDC considers that the inclusion of this site in SIL is justified. The alternative approach put forward, to de-designate the site would undermine the delivery of the Channel Gate site allocation, which is set to deliver 124,000sqm of industrial floorspace and 7,600 jobs.

Goodhall Street and Ursula Lapp Estate

- 1.36. This site was considered in the Industrial Land Addendum (document SD47) and this determined that it is appropriate to de-designate this site subject to the co-location of industrial uses as part of future redevelopment for the reasons set out below:
 - The site is adjacent to a residential area which is also a conservation area to the south. It also abuts railway land and SIL to the north and south/east. The interface with the rest of the SIL boundary is very limited and the site is effectively cut off from the wider SIL area and safeguarded Powerday waste site by railway lines. The site is accessed via a road adjacent to the residential area. The less sensitive relationship of the site with rest with wider SIL, means that its release is less likely to cause harm to the functioning of other SIL activities.
 - The current uses on site include broad industrial type activities and floorspace. The site includes small industrial units which may be suitable for SME businesses. However, given closer proximity to residential uses, the range of SIL compliant uses that are/could be attracted here are more limited and could be co-located as part of future development if the site were de-designated. The opportunity to co-locate industrial uses would mean that industrial capacity could be retained on this site.
 - The site is in close proximity to the Old Oak area and redevelopment for mixed uses would be compatible with the existing residential area and could contribute towards comprehensive development of the area.

- 1.37. Based on the reasons set out above, OPDC considers that the exclusion of this site in SIL is justified.

Western Road

- 1.38. The site has been identified within the proposed SIL designation since the Regulation 18 consultation stage. The rationale for designating this site as SIL is as follows:
- The site is suitable for SIL compliant uses – Planning permission (PP/2015/3534) was granted in 2016 for a B2 (General Industrial) use, therefore the suitability of the site has been assessed and the principle of industrial use has been accepted.
 - Would help meet industrial demand – paragraph 1.9 above highlights the ongoing need for space due to diminished supply across London and the de-designation of SIL in Old Oak. The site is approximately 0.2ha of land and the scheme proposed approximately 500sqm of additional industrial floorspace, which is a net increase but there could be scope for industrial intensification
 - The site landowner have indicated that they want to use the site as a car pound. Depending on the specific nature of the activity, this could be a B8 use (associated with open storage of vehicles) or sui generis use. Sui generis uses that are industrial in nature may be appropriate in SIL. Therefore, the SIL designation would not compromise these aspirations. Furthermore, town centres should meet the needs for retail, leisure, office and main town centre uses as defined in the NPPF. Adequate capacity is provided within the proposed Park Royal neighbourhood centre boundary for these uses.
 - The site is bounded by SIL to the west and south, therefore its release has the potential to negatively impact on adjacent SIL sites
- 1.39. Based on the reasons set out in paragraph above, and the need to retain and provide additional industrial capacity in the Park Royal area, OPDC considers that the inclusion of this site in SIL is justified.