

LLDC LOCAL PLAN REVIEW EXAMINATION

Further Submission on behalf of LaSalle Investment Management

Matter 4 Issue 4.4 (ii)

20 September 2019

1. This note has been prepared following the hearing session on Mater 4 Issue 4.4 (ii):

The policy covers the managed release of land to other employment uses and the importance of mitigating impacts of noise, nuisance and air quality and considering the proximity of incompatible uses (i.e. between existing and proposed uses). Is the Policy robust enough to adequately safeguard existing living conditions (especially but not exclusively in relation to residential development)? Does the policy deliver good neighbourliness?

2 LaSalle has been invited to submit further evidence to justify the suggested amendment to Policy B.1 Criterion 3 and supporting text, having regard to LLDC's concern that the proposed amendment could have an impact on viability of development proposals introducing residential use.

3. As Rapleys stated during the hearing session, the agent of change principle and the LLDC's proposed modification MM13 do not go far enough to protect the function and operation of Fish Island Strategic Industrial Location (SIL) where site allocations within the SIL allow for the introduction of residential use. This submission provides further evidence for the need for the Local Plan to provide appropriately robust safeguards in and around Fish Island SIL area so as to ensure the function and operation of the SIL now and in the future, specifically in the SIL area where residential use is being introduced.

4. In order to be found sound, LLDC's Plan must be in accordance with the London Plan, the most recent draft of which was published in July 2019 following the examination hearings. The Inspector's report is expected to be published in September 2019, shortly after which the London Plan is expected to be adopted. The London Plan is therefore at a very advanced stage, and should be granted appropriate weight and consideration when assessing the soundness of the LLDC Local Plan.

5. SIL is a London-wide strategic designation, and defined within the draft London Plan as 'London's largest concentrations of industrial, logistics and related capacity for uses that support the functioning of London's economy' and are protected for that use within emerging policy E5:

Strategic Industrial Locations should be managed proactively through a plan-led process to sustain them as London's largest concentrations of industrial, logistics and related capacity for uses that support the functioning of London's economy

6. The policy also states that local development plans should 'develop local policies to protect and intensify the function of SILs and enhance their attractiveness and competitiveness'.

7. As stated previously, it is fundamental for SILs to perform their intended strategic function that industrial activities on site and the surrounding parts of the SIL are not compromised in terms of their continued efficient function, access, service arrangements and days/ hours of operation noting that B2/B8 operators typically requiring 24 hour/7day a week operational/delivery requirements. Class B2 industrial use is distinguished from Class B1c industrial use appropriate in residential area, due to the nature of noise generating heavy industrial operation. Class B8 distribution/trade operators typically have 24 hour/7day a week delivery requirements, which generate road traffic noise as well as noise from the service yard.

8. Policy E5 of the draft London Plan relates to SILs. Included within the post-hearing changes (shown in green), Policy E5 clearly state that the process of intensification and / or consolidation must "ensure that ~~the~~ existing or potential industrial activities in SIL are not compromised or curtailed". It is, therefore, the clear responsibility of redevelopment schemes (including the introduction of sensitive use classes such as residential) to ensure that their proposals do not risk constraining any potential future B Class/Sui Generis uses from taking place in SIL.

9. The LLDC Local Plan should recognise the GLA's policy position by requiring development proposals in and around SIL to take into account any existing or future B Class/Sui Generis uses that may reasonable by supported within SIL (including those more unneighbourly than currently in operation). Sensitive uses should mitigate this appropriately

within their own schemes. Failure to do so risks compromising or curtailing potential B Class/Sui Generis activities in SIL, thereby the strategic objective and function of SIL; this is explicitly contrary to the wording of the draft London Plan.

10. We recognise the pressing need to increase the delivery of housing within London, and one way to facilitate this is through intensification and / or consolidation within industrial areas to allow for residential development to come forward where sustainable. However, this must not be to the detriment of the existing or future operation of SIL.

11. Policy E7 of the draft London Plan recognises this as well, and provides clear direction for managing the impact of such intensification and/or consolidation within SIL sites. Draft Policy E7 is clear that intensification/consolidation within the SIL to allow for the introduction of alternative uses will only be considered appropriate if:

The industrial and related activities on-site and in surrounding parts of the SIL, are not compromised in terms of their continued efficient function, access, service arrangements and days/hours of operation noting that many businesses have 7-day/24-hour access and operational requirements.

12. It is therefore clear from both draft policies E5 and E7 that whilst there is encouragement for SIL intensification and / or consolidation and the introduction there of non-traditional SIL uses, this should be in a manner which ensures that the existing or potential industrial activities in the remaining SIL are not compromised, now and in the future.

13. In order to provide SIL with a level of protection that is commensurate with that sought by the draft London Plan, LLDC's Local Plan should be in accordance with and reinforce the aims of draft Policies E5 and E7. Doing so will help to ensure that any existing or future B Class/Sui Generis in SIL are not compromised as a result of any sensitive use classes introduced nearby which have failed adequately to account for the reality of nearby SIL designations.

14. In particular, Local Plan policy should ensure that any applications for mixed use development within a intensified or consolidated SIL location, including potentially sensitive uses such as residential, must demonstrate that the proposal has been designed to ensure that the existing and potential industrial activated within the remaining SIL are not compromised or curtailed, in accordance with draft London Plan policy.

15. LLDC's Plan and proposed modification do not give adequate protection to SIL in this context. Therefore, changes to Policy B.1 should be made (as per the proposed wording in our Hearing Statement) in order to bring LLDC's policy position into line with the draft London Plan and to ensure that the intended purpose, function and operation of B.1a2 (Fish Island South SIL), as set out in Table 3 of the Local Plan, can continue to provide land for industrial/distribution sectors now and in the future. This proposed wording is repeated below for ease, with our recommended additions shown in green and bold:

Policy B.1 Criterion 3 and Supporting Text

The industrial floorspace capacity and job densities of the SIL will be protected and intensified, where appropriate. The intensification and consolidation of SIL for other uses will only be acceptable where identified within Table 3 and the relevant site allocations. **Notwithstanding the allocation, proposals that compromise the function, access and overall operation of existing SIL uses and land, having regard to Classes B2/B8 operational requirements in terms of noise generation and 24hour/7day a week operation/delivery, will be refused.**

Proposals should demonstrate an acceptable relationship with the existing SIL uses and ensure that noise-generating industrial uses remain viable and can continue or grow without unreasonable restrictions being placed on them, taking into account the function of SIL sites and industrial/warehousing operators' ability to operate 24 hours and 7 days a week. Mitigation measures should ensure that Classes B2/B8 operations will not have undue restrictions on noise generation or delivery hours.