



# **‘Shaping the Borough’ - Waltham Forest Local Plan (LP1) Examination**

## **Response to the Inspectors’ Matters, Issues & Questions**

### **Matter 4: Employment and the Vitality and Viability of Centres**

January 2022

**Context - The Plan does not identify additional sites for employment, additional floorspace is expected to be delivered through intensification and consolidation of existing employment areas.**

**Note - On 1 September 2020, the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (UCO 2020) came into force. The Regulations create some new use classes, including Class E - Commercial, business and service uses.**

**Issue 1 - Whether the assessment of the need for employment and the employment floorspace requirement is soundly based and whether the Plan sets out a positively prepared strategy for the economy**

**Q78 Which employment sectors are forecast to generate the additional 8,100 jobs set out in the Greater London Authority forecast and does this reflect the Borough's circumstances in terms of historical rates of jobs growth and the sectors envisaged for growth?**

The approximately 8,100 net new jobs forecast to be created over the plan period are drawn from the GLA's borough-specific total employment forecasts which has then been translated into sectors based on Experian data which estimate of sector-based employment shares. The data used in the study is the December 2018 Local Market Forecasts, which provide borough level projections across 38 categories representing B and non-B class sectors.

In the long-run, the borough has experienced a loss of jobs, as the historical manufacturing base in the Lee Valley has diminished, with the borough experiencing a negative compound annual growth rate in employee jobs from 1971-1989 and 1971-2015<sup>1</sup>.

The sectors which show the greatest levels of positive growth are; administrative & supportive services (2,100 jobs); education (1,700 jobs); residential care & social work (1,700 jobs); and health services (1,600 jobs).

Sectors which relate particularly to B class employment activity such as specialised construction activities, construction of buildings, professional services, and computing & information services, are also showing growth over the period. However, a number of sectors accommodating B class

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<sup>1</sup> The Evidence Base for London's Local Industrial Strategy – Final report, 2020, p.157-157, available at: <https://www.london.gov.uk/sites/default/files/lis-evidence-base-final.pdf>

employment activity such as a range of manufacturing activities and media activities show zero growth levels over the period.

The sectors showing the greatest projected decline in job numbers over the period are printing & recorded media (-200 jobs); other manufacturing (-200 jobs); manufacture of non-metal products (-100 jobs); manufacture of metal products (-100 jobs); manufacture of textile and clothing (-100 jobs); manufacture of food, drinks and tobacco (-100 jobs); public administration and defence (-100 jobs). The growing and shrinking sectors show the dominance of sectors linked to the ongoing expansion of the borough population in driving economic growth, those services that are required to serve a resident population (Residential Care, Health, Education) are amongst the most significant growth areas. Forecasts also suggest that the borough will be subject to similar influences as the national economy, with an anticipated growth in distribution activities and the professional services in particular.

**Q79 Would the jobs created be likely to meet the requirements of the Borough's working population? Are there any identified skills shortages and how would these be addressed?**

The borough is a part of the functional economic region of Greater London. The borough's job density has been rising since 2010, when it was at a low of around 0.37, returning to the highest level for over a decade in 2019 at 0.49. Meanwhile, Greater London has a job density of 1.03<sup>2</sup>. The borough has a net deficit in terms of commuting pattern, with more people leaving for work than commuting into Waltham Forest.

The growth of sectors which will provide additional jobs over the plan period will require labour supply at various skill levels. The borough's skills base is below the London average ranking 22 out of the 33 local authorities. In 2020, with 47.7% of the working age (aged 16-65) have degree level qualifications, 14.7% a level 4 qualification or equivalent and 14.2% of the population with Level 2 qualifications. It has an average population with no qualifications at 4.5%<sup>3</sup>. Unemployment is higher than before the pandemic. In 2021 NOMIS shows that 16,725 residents 16 – 64 (9%) are unemployed, compared with 7.3% across London<sup>4</sup>. The skills profile of the borough's working population has been improving over recent years, however noting the observed challenge faced in terms of

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<sup>2</sup> ONS Jobs density, 2019, available at:

<https://www.nomisweb.co.uk/reports/lmp/la/1946157278/report.aspx#tabjobs>

<sup>3</sup> Highest qualification levels obtained for working-age population by London borough, 2020, available at: <https://www.trustforlondon.org.uk/data/qualifications-obtained-borough/>

<sup>4</sup> Employment and Unemployment, 2021, available at:

<https://www.nomisweb.co.uk/reports/lmp/la/1946157278/report.aspx?#tabempunemp>

overall skills mix and level of employment, the Council has prioritised job creation in its public service strategy. Investment has been made in the Employment, Business and Skills directorate to help more residents get a job including support to get the right skills.

The Council is taking a sectoral approach to targeting support where there is evidence that skill shortages are keenest and where there is the greatest opportunity to train local residents to move into these jobs; this is particularly true for growing sectors<sup>5</sup>. These sectors are creative and cultural, construction, green and environmental, health and care, hospitality and transport. For each sector an “academy” will provide the support needed for residents to identify the right opportunities for them and get the skills they need to succeed. These Jobs Creation Academies are a unique approach focussed across each of our five key growth sectors to upskill and reskill our residents. We will bring together the sectoral expertise of our job generators: businesses, employers, suppliers, investors and developers and match this with employment support, training providers and enterprise agencies to ensure our businesses can grow and create new opportunities for newly skilled residents to access.

**Q80 How has the need for employment been translated into the floorspace requirement of 52,000 square metres set out in Policies 2 and 25? Is the approach in relation to the following factors justified?**

To establish the floorspace requirement of 52,000sqm from the employment projections, the following series of steps and assumptions were considered.

1) Experian Forecast

Experian’s December 2018 Local Market Forecast were used as the starting point, these were the most up to date forecasts available at the time of preparing the study.

Compared to the GLA Employment Projections (2017), the Experian Forecast provides borough-level projections across 38 categories representing B and non-B class sectors (para 2.37-2.38, page 10, ELS 2019). Therefore, this forecast provides the ability for future growth projections to be translated into floorspace requirements.

2) Sectors

As noted above, the Experian forecast provides estimates for 38 economic sectors across the full range of activity types which align to Standard Industry Classification (SIC) codes, allowing them to be translated into

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<sup>5</sup> Jobs Recovery Reset Cabinet Report, 2021, available at: <https://democracy.walthamforest.gov.uk/documents/s80623/Jobs%20Recovery%20Reset%20Cabinet%20report.pdf>

floorspace requirements and aligned with planning use classes (para 2.40, Page 10-11, ELS 2019). This approach is common across such studies and the Avison Young approach to this translation has been found sound at Examination previously.

The employment land requirement forecast uses this detailed sector breakdown as the basis for aggregating groups of activity into land use types. This approach provides a land and floorspace requirement for 'office' (B1a/b), 'industrial' (B1c/B2) and 'warehousing' (B8) activity (para 2.42, page 11, ELS 2019).

### 3) Calculating floorspace and land requirements

The translation from jobs to floorspace necessitates an assumption of employment density, and the Employment Density matrix in the HCA Density Guide (Employment Density Matrix, Page 29, HCA Density Guide Third Edition 2015) is used as a starting point for understanding the space implications of employment growth. These are national assumptions about the space requirements of particular job sectors and have been refined further by considering the way in which utilisation of space has and is likely to occur in Waltham Forest (which has been evidenced by Section 2 – Demand Analysis, ELS 2019). This is set out in para 2.44 of the ELS (2019), and noted below for reference, clearly stating the basis for refinement of the floorspace assumption (**emphasis added**):

- B1a/b (office) – 12 sqm per employee (NIA). **This reflects a potential mix of professional services, technology media and telecoms, and other corporate activities** – albeit all at a relatively small scale.
- B1c/B2 (light industrial) - 36sqm per employee (GIA). **This reflects the on-going demand for industrial space and also provides a reasonable mid-point estimate for future studio and creative workshop requirements (such as the planned density for Maker Spaces)**
- B8 (industrial) – 70sqm per employee (GEA). **This reflects the likely distribution role as a location for final mile activities rather than strategic distribution.**

As shown, both office and light industrial assumptions are in NIA and GIA. To convert this to a land assumption, conversion to GEA is necessary.

An assumption of 20% (NIA to GEA) and 5% (GIA to GEA) has been considered (para 2.44, page 11, ELS 2019). This is in line with HCA Density Guide (para 2.10 – 2.12, page 4-5, HCA Density Guide Third Edition 2015).

The approach taken in the ELS, is consistent with the good practice and accords with the NPPF and PPG's guidance on estimating future need. However, it is acknowledged that both demand and the typologies of space which end up being delivered do not always correspond quite so

neatly to the categories of space which the much more detailed and complex sectoral floorspace requirements outline. For clarity, this complexity is aggregated to the groups of activity set out above: office (B1a/b), industrial (B1c/B2) and warehousing/distribution/logistics (B8). Further to the amended UCO introducing Class E – Commercial, Business and Service, the Use Class descriptor included in Policy 25 makes reference to Class E Part G i, ii; Class E Part G iii, B2; and B8 floorspace, and as comprising the relevant (previously B-class) employment uses which are referred to in the ELS.

To translate the GEA floorspace estimates into land requirements plot ratio assumptions are then used, which reflect the standard site coverage of development with allowance for parking, access, servicing etc (para 2.45, page 11, ELS 2019):

- B1a/b – 1.5
- B1c/B2 – 0.4
- B8 – 0.4

This is in line with Avison Young’s experience in property and planning, and reflect conversations with industry professionals, including developers. These are the accepted parameters that align with the general guidance in the HCA Density Guidance (third edition).

An allowance for windfall loss and churn and has not been included in this assumption.

The assumption towards windfall has been made on the grounds that the borough has in the past lost employment land. Losses have occurred where stock was under-utilised or did not meet occupier requirements, which means it was not making a significant positive contribution to the economy and would not cause displacement from other sites. The policy approach to meeting future growth should therefore seek to identify and allocate sufficient space (in quantitative and qualitative terms) to meet the needs of the existing and future economy, rather than attempting to ‘reinstate’ activity (in scale and nature) that has been lost and not likely to return. As such no allowance for windfall has been made in this assessment (para 2.47, page 12, ELS 2019).

In terms of churn this has not been factored in to the ELS, as there is a recognised naturally occurring level of vacancy in stock that will continue in the future, without a need for identifying specific amount of floorspace to support movement of businesses between stock (para 2.48, page 12, ELS 2019). The Industrial Land Audit (ILA) 2021, identified several sites which if intensified at the maximum employment potential, collectively had the ability to provide a significant proportion of new floorspace - above the 52,000sqm requirement (page 190, ILA, 2021). This effectively supports the rationale to omit a level of churn from the calculations.

#### 4) Sensitivities

Sensitivities to the employment densities and plot ratios are used to tailor the base projection to reflect Waltham Forest specific dynamics.

Three sensitivities are applied to the base assumptions of job density which modify the floorspace requirement in each group.

4.1) Sensitivity 1 increases the employment density, reducing the sqm per job from 70 to 50 (refer to the table on page 18, ELS 2019). This reflects the nature of warehousing activity that is likely to occur within the borough. Rather than strategic distribution centres which are more likely to be located in the urban periphery where land values are lower, the borough's expected form of distribution-type development is of a smaller 'final-mile' offer, which has typically higher employment densities, partly as a result of lower automation and partly as a result of the presence of more delivery drivers. As this reflects the type of development expected to come forward in the future, this assumption helps to ensure that the estimation of future need is accurately matched to the space requirements of the types of businesses expected.

4.2) Sensitivity 2 proceeds from the observation that future industrial-type employment is unlikely to take place at the same density as historic manufacturing did. This is in part a reaction to cost pressures, but also the reduced size of machine components and less automation as London becomes more of a location for design function rather than mass production. The new generation of industrial-type space has generally increased employment density within the industrial sector. As such, the study increased industrial employment density to 25sqm per employee (refer to table on page 19, ELS 2019). This includes an acknowledgement that some spaces will be 'shared' – such as Blackhorse Workshops – which generate a more efficient use of space.

4.3) Sensitivity 3 changes the assumed employment density in offices to 10sqm per employee in order to reflect more accurately the type of development which has been forthcoming (refer to table on page 20, ELS 2019). The ELS' assessment of the market in Waltham Forest suggests that rather than a generic corporate office offer, development is likely to be more focussed on smaller units in multi-let buildings which provide shared amenities, or in the form of co-working, where desks are shared through the working week. As shown by recent developments such as Crate St James, Central Parade, The Tramworks, or Switchboard studios these forms of development achieve higher employment densities as they are able to deliver more efficient spaces and do not require the same facilities as a large corporate office.

#### **i. No allowance for vacancies, loss of employment land or contingencies**

The recommendation of the Employment Land Study (ELS) (2019) is that a level of vacancy in the existing stock be assumed to continue, which more readily enables business moves. It is not considered needed to identify a specific level of vacancy which will perform this function, or to assume that of the new floorspace provided to meet newly arising needs, an amount will remain vacant. The ELS' assessment of employment land requirements does not make an allowance for employment floorspace to be lost to other activities. This is justified based on the finding of the study that losses have occurred where stock was under-utilised or did not meet occupier requirements, and not making a significant positive contribution to the economy and would not cause displacement from other sites<sup>6</sup>. The policy approach to meeting future growth is to seek to identify and allocate new provision and incentivise intensification and colocation of employment uses to replace space which is not fit for purpose. Further loss of employment land will not be supported except in specific circumstances where it is demonstrated to be substituted to another location in London or justified with reference to market evidence on non-designated sites. As such no allowance for windfall has been made in this assessment.

**ii) Assumptions for job densities, including any implications of the Use Classes Order as amended in 2020 and 2021 Class E**

As outlined above in response to Q80, please refer to part 3 (calculating floorspace and land requirements) which outlines the use of the HCA Guide (Third Edition) to determine job densities, the requirement to tailor this to the Waltham Forest context, and the implications of the UCO.

**iii. Gross developable area to net floorspace assumptions.**

The gross developable area to floorspace assumptions are industry standard assumptions. GEA figures are used when translating floorspace into land requirements, so for B1a/b (NIA) and B1c/B2 (GIA) floorspace which do not constitute GEA figures, these are increased by 20% and 5% respectively.

To translate the GEA floorspace estimates into land requirements plot ratio assumptions are then used, which reflect the standard site coverage of development with allowance for parking, access, servicing etc.: B1a/b – 1.5 · B1c/B2 – 0.4 · B8 – 0.4.

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<sup>6</sup> Employment Land Study, 2019, available at: <https://www.walthamforest.gov.uk/sites/default/files/2021-10/LBWF%20Employment%20Land%20Study%20Update%202019.pdf>

**Q81 Is the sensitivity 3 scenario set out in the Employment Land Study (2019) [EB6.1] realistic in terms of the likely future demand for distribution floorspace? Can additional Class B8 (storage and distribution) floorspace be delivered effectively through intensification of and co-location on existing employment sites?**

Sensitivity 3, as outlined above in response to Q80, deals with the density assumption in relation to office-type development. In relation to the likely demand for distribution floorspace, this is dealt with at sensitivity 1.

The Council considers that the assumptions which are used at sensitivity 1, principally that the type of distribution activity which the borough is most suitable for is final-mile servicing, to be accurate and realistic. This hypothesis has been supported by the nature of recent developer interest in employment sites in the borough. East London rents are currently setting records for last-mile, distribution uses. As such, the adjustment made to the employment densities are considered appropriate. As this is the case, this assumption is set out in both Sensitivity 2 and 3 (please refer to tables on page 19-20, ELS 2019).

The Employment Land Audit [KD13.1] was commissioned to better understand the scope for intensification. It reassessed which employment sites would be suitable to deliver industrial intensification on, and the likely uplift in terms of new industrial floorspace, and the typologies that would be suitable to deliver on these sites to meet occupier requirements. The study applied criteria (page 14, ILA 2021) to understand which sites have the most supportive conditions for intensification and colocation, and produced initial findings which show that there is considerable capacity for an uplift in industrial floorspace to be achieved, through the application of typologies with higher plot ratios than existing. B8-type space is acknowledged to be more challenging to deliver as part of colocation, as they can harm values achieved of other uses, and vice-versa.

The delivery of additional B8 type space is limited to a small number of sites which have the right conditions for successful operation. The most important factor for operation of a successful logistics and distribution facility is excellent access to the strategic road network. Locations with good proximity to a dense urban population (residential and businesses) as well as good access to the strategic road network have been a focus for both direct operators and third-party logistics companies. For larger scale warehouses with multiple levels, these sites also need to be relatively large (exceeding a reference size of 1.6 hectares) (please refer to typologies, pages 16-17, ILA 2021).

In Waltham Forest there are two locations which contain sites which best meet these requirements. The first is the North Circular Corridor, which benefits from connectivity to the A406 North Circular Road, and large, relatively consolidated land ownership. The second is in the south of the borough, around New Spitalfields/Temple Mills, which has excellent strategic road network connectivity provided by the A12, and proximity to Central London.

Noting the constraint on the land suitable for these uses, particularly given requirements for around-the-clock operation for some of these facilities, the Council proposes to make use of LP2 – Site Allocations to make allocations for B8 use specifically, to ensure that the identified need for industrial land over the plan period is met.

There are 5 sites which have been assessed as having no, or very slight limitations to additional servicing activity, and which all exceed 2 hectares. As the most suitable, well-located and sustainable locations for the delivery of new and additional floorspace for distribution and servicing, development proposals should seek to optimise the capacity for these uses which these sites present when preparing masterplans/planning applications.

The delivery of new industrial space, and B8 space in particular has long been assumed to be unviable without cross-subsidy from residential or other higher value development. Evidence suggests that this no longer holds, and industrial values are able to compete with, and in more prime locations, exceed residential land values<sup>7</sup>. This is borne out in viability work which we have undertaken as part of the testing of options for Lea Bridge Gateway, where for many sites the residual land values for industrial exceed mixed-use or residential<sup>8</sup>.

The Council accepts that in addition to maintaining and increasing the overall amount of industrial capacity which is to be provided through such intensification, it is important to ensure adequate protection for SIL specific capacity, so that uses which need greater separation from other uses, are able to continue effectively functioning 24 hours a day, 365 days a year.

As such, and in order to ensure that SIL capacity is maintained, the Council proposes a further modification to LP1 to upgrade the designation of Cork Tree Retail Park to SIL (rather than LSIS). This is reflective of the landowners' intended use of the site, as evidenced through their

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<sup>7</sup> Industrial Land Briefing – Emerging Evidence, December 2021.

<sup>8</sup> Lea Bridge Gateway SIL Vision, 2022

representations under Regulation 20 which explicitly support disallowing co-location on the site.

**Q82 Are the Strategic Industrial Locations (SIL), Locally Significant Industrial Sites (LSIS) and Borough Employment Areas (BEA) shown on Figure 9.1 and the visions set out in Appendix 2 of the Plan justified and in general conformity with the London Plan? What are the implications of allowing offices (Class E (G)(i)) on BEA? Are any main modifications necessary for soundness?**

The submitted Local Plan contains three industrial designations, SIL, LSIS and BEA. The Mayor in his letter of 14/12/2020 highlighted that he would prefer that Waltham Forest select one local industrial designation, either LSIS or BEA, to avoid confusion. The Mayor also highlighted that in his view, as a result of including uses falling within Class E G(i) – Office in the range of acceptable uses in BEA, the continued effective function of large amounts of industrial capacity in this designation could be jeopardised.

The Council has considered the concerns raised by the Mayor, and with reference to the Employment Land Study, proposed modifications to the Plan which would ensure that it is in general conformity with the London Plan, and advances a justified and effective strategy for managing change in the borough's employment and industrial areas.

SIL and LSIS are proposed to remain industrial land designations, and as such the introduction of uses which do not fall within the uses outlined as supported in Policies 26 and 27 will need to be supported by the Masterplan Approach to managing change in industrial areas, in line with Policy 30 and London Plan Policy E7. A modification is proposed to the 'visions' which are set out in Appendix 2 of the submitted Local Plan. The intention to include 'visions' was to reflect the evidence regarding the potential suitability of industrial and employment locations for other uses. The Council considers that given the importance of continued industrial function, the Masterplan Approach represents a more appropriate vehicle for defining which other uses may potentially be compatible and suitable for introduction to each location, and so the visions are proposed to be deleted [SOPC045 & 113].

Those areas formerly proposed to be designated as BEA are proposed to become LSIS, with the exception of Hatherley Mews, East London Office Centre, and E10 Business Centre, which are to remain as BEA [SOPC114 & 115]. BEA are not to be considered as industrial locations, but rather as locations for workspace and offices, in line with the existing uses of these sites. A modification is proposed to this effect at SOPC042.

**Q83 Is Policy 25 justified in directing distribution uses to locations within good proximity of the strategic road network? Should the policy also include reference to co-location?**

The most important factor for operation of a successful logistics and distribution facility is excellent access to the strategic road network. Locations with good proximity to a dense urban population (residential and businesses) as well as good access to the strategic road network have been a focus for both direct operators and third party logistics companies.

The Council considers that as Policy 25 deals solely with the quantity and preferred location for types of employment floorspace provision, reference to co-location would be incongruous. It is considered that co-location is best dealt with in *Policy 31 – Colocation design principles*.

**Q84 Overall, are Policies 2 and 25 positively prepared, justified, effective, consistent with national policy and in general conformity with the London Plan?**

The Council considers that Policies 2 and 25 have been positively prepared, justified and effective. They are supported by evidence from the Employment Land Study as detailed in the Council's response to the Inspectors' questions above. The policy approach is also justified in that it is the most appropriate strategy after considering alternatives in meeting the Council's objectively assessed need for employment. The Council's Sustainability Appraisal Report (see pages 74 and 81) considered the policy approach taken and concluded that this would have a significant positive effect.

With regard to conformity with the London Plan, the Council is preparing a Statement of Common Ground with the GLA to address outstanding issues following the publication of the new London Plan.

**Q85 Are any main modifications necessary for soundness?**

Modifications proposed as SOPC045 & 113-115.

**Issue 2 – Whether the Plan is positively prepared, justified, effective, consistent with national policy, and in general conformity with the London Plan, in relation to other Borough-wide policies for the local economy (Policies 26 – 35 and 38)**

**Policy 26 – Safeguarding and Managing Strategic Industrial Land**

**Q86 Is Policy 26 in general conformity with the London Plan in relation to the types of uses that will be supported on Strategic Industrial Land?**

Yes. The London Plan enumerates more 'industrial-type activities' set out in Part A of Policy E4 *Land for industry, logistics and services to support London's economic function* than the Local Plan outlines at Part A of Policy 26. Policy 26 and 27 could better correspond to the uses supported by the London Plan in industrial locations, and it is agreed to propose a modification to insert the line, 'and other uses supported by the London Plan at E4A' to Policy 26A and 27A.

**Policy 29 – Approach to Non-Designated Employment Land**

**Q87 Is Policy 29 justified including the 12-month marketing requirement in criterion D and are any main modifications necessary for general conformity with the London Plan and to address soundness issues?**

Policy 29 is designed to ensure that viable industrial sites are given effective protection. The Employment Land Audit concluded that many SMEs rely on secondary employment space, often of a more affordable nature, close to town centres with good public transport links. To ensure that Waltham Forest retains its diverse range of businesses the protection of these spaces is paramount.

The current dispersed portfolio of sites allows for the economy across the borough to support more sustainable patterns of living and working, with many employment sites close to places people live, or easily accessible by bike/foot from residential areas.

The 12-month marketing requirement at criterion D is aligned to the London Plan, which also requires evidence of marketing for at least 12 months. However, to ensure a better correspondence between the London Plan and the Local Plan, and to clarify the relationship with LP2 – Site

Allocations and avoid potential conflict, a modification is proposed at SOPC044 as follows:

### **Policy 29 - Approach to Non-Designated Employment Land**

- A. Development for industrial and related uses will be supported on non-designated employment areas where it provides fit for purpose and high-quality business space and upgrades existing poor or old stock;**
- B. Development which seeks to introduce residential or mixed-use elements to the employment location will only be supported where:**
- i) It provides fit for purpose and high-quality business space and upgrades existing poor or old stock; and**
  - ii) ~~B-~~It uses the Agent of Change principle to mitigate design and sensitivity impacts; and,**
  - iii) It provides replacement industrial, storage, or distribution floorspace as part of mixed-use intensification; or,**
  - iv) The loss of floorspace is justified with reference to marketing evidence of at least 12 months demonstrating no reasonable prospect of the site being retained in industrial and related uses; or,**
  - v) The proposal accords with an adopted allocation in a DPD for residential or mixed-use development.**
- ~~C. It delivers co-location of employment space with other uses including C3; E class uses and social and community infrastructure;~~
- ~~D. For non-employment uses, where there is no reasonable prospect of the site being retained or used for employment uses subject to market evidence of at least 12 months; or E. It delivers intensification, consolidation or co-location~~

### **Policy 30 – Industrial Masterplan Approach**

**Q88 Should Policy 30 set out a specific requirement for a masterplan as part of proposals for Borough Employment Areas/Strategic Industrial Land/Locally Significant Industrial Sites? Is it sufficiently clear what is meant by the reference to employment floorspace in part B of the policy?**

Development which proposes uses which are contained within the accepted uses outlined in Policy 26 and 27 as appropriate will not be required to produce a masterplan to be considered policy compliant. A masterplan is required in line with London Plan Policy E7 to manage change where uses other than industrial and related uses are proposed.

A modification is proposed to make clear that in SIL and LSIS, the requirement at part B of the policy should reflect the position that industrial floorspace (as opposed to more general employment floorspace) is required to be increased through development proposals or as a minimum re-provided.

The definition which was previously included in the London Plan was removed in response to Direction 4 from the SoS. The Council considers that a definition in policy should be provided, for clarity of interpretation, and to ensure that the policy is applied as intended to industrial land – and provides effective protection of industrial capacity in the borough.

Proposed Modification:

- B. Do not lead to an overall loss and seek to provide a net increase of employment **industrial** floorspace **capacity**<sup>1</sup> in the SIL, **or** LSIS or BEA location, **unless by agreement where capacity will be consolidated elsewhere in London in line with London Plan Policy E7;**
- H. Deliver intensification and consolidation of sub areas; providing **industrial** employment-space ahead of, **or in parallel with any initial enabling phase of** any other development;

**<sup>1</sup>Industrial floorspace capacity is:**

**The built floorspace across all complete floors (additional floors in multi-storey developments and basements where they exist); or if the site is utilised primarily for open-yard or -storage based uses, the benchmark figure for reprovision is calculated at 65% of the total site area.**

**Where sites are in waste use, capacity will be considered in through-put terms, in line with Policy 95 – Waste Management.**

**Q89 What is the role of the Industrial Intensification Supplementary Planning Document in providing more detail of the implementation of the Plan's employment policies?**

The Industrial Intensification Supplementary Planning Document is intended to provide further guidance on the Council's approach to Industrial Intensification.

It is intended to aid assessment and application of the wide variety of parameters which industrial intensification must work within. The document is intended to function as a transparent aid which makes clear how proposals for intensification are expected to be developed.

The document will provide an overarching vision for industrial land in the borough, outlining which locations have been considered to be most appropriate for various types of uses, in order to guide development to identify the most suitable sites. Proposals for new industrial space should respond to the identified needs for space for different sectors.

The SPD will set out a series of 'toolkits', which will to ensure the approaches taken to intensification meet our expectations. The Council appreciates that the requirements of the London Plan and the Local Plan in relation to industrial land are relatively complex, and in order to ensure that the expectations of landowners and developers are clear, the SPD will set out the 'Appropriate Approach' to take – outlining the requirements and routes to developing a policy-compliant application for different types of proposals on various locations in the borough.

The Employment Land Audit provides a starting point for identifying where intensification may be possible- criteria-based assessment has been used to identify where there may be potential areas to focus intensification. The SPD will outline this, so that interested parties are able to identify particular areas within industrial sites with the right sets of conditions to support the case for industrial intensification.

The document will provide further detail on business and landowner engagement, how to approach business relocation and affordability, and lessons drawn from the Council's experience of initial industrial intensification projects. Further guidance will include an outline of the drawings and materials expected to support the development of a masterplan, a business engagement methodology, and retention and relocation strategy methodology. Additionally, illustrations outlining the expectation regarding how baseline and reprovision of industrial capacity will be measured will be provided.

## **Policy 31 – Co-location Design Principles**

### **Q90 Is Policy 31 positively prepared and should it include reference to food and drink uses?**

The purpose of the Policy is to set out clearly the design mitigations which should be considered when developing proposals involving colocation of industrial and non-industrial uses. The Council considers that the policy is best kept at this level of generality, and that specific combinations of uses will have particular kinds of design mitigations which are more or less important. If necessary, this detail could be elaborated in the Industrial Intensification SPD.

### **Q91 What effect, if any, would permitted development rights for the change of use within Class E have on the Plan's strategy to intensify and consolidate employment development on existing sites?**

The Council notes the implications arising from the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 and changes to the General Permitted Development Order. The Council intends to review existing Article 4 Directions to disapply the class MA which grants deemed planning permission for change of use from commercial and business use (class E) to residential (class C3).

A report to the Council's Cabinet in the New Year (March 2022) proposes the following Article 4 Direction:

- Immediate Article 4 Direction to withdraw the permitted development rights granted by Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ('the GPDO') for changes of use from Class E (Commercial, Business and Service) to a dwellinghouse (Class C3) in the borough's designated centres (Walthamstow and the District Centres and Neighbourhood Centres) and designated employment areas (Strategic Industrial Locations and Locally Significant Industrial Locations).

Without the ability to effectively manage what are considered to be appropriate uses in the borough's industrial areas, there will be a significant risk that the spatial strategy which the plan outlines will be undermined. In practice, the high land values in the industrial sector at present offer some protection against a wave of conversions in the borough's industrial areas, but the Council will be seeking as a matter of some significance to confirm the Directions and ensure adequate protection for the pattern of development which the plan promotes.

**Q92 What evidence justifies the threshold in Policy 33 of 1,000m2 for the delivery of affordable workspaces as part of new employment development?**

Policy 33 is intended to operate, in reflection of the evidence which demonstrates that the delivery of affordable workspace is varies in its viability, on a case-by-case basis. The Viability study outlines that the inclusion of affordable workspace can be accommodated in schemes, with a nominal impact on viability, with the impact shown to be less than 5% affordable housing on one of the schemes tested and between 5% and 15% affordable housing elsewhere<sup>9</sup>. As such, proposals which trigger an affordable workspace requirement will be asked to submit an Affordable Workspace Statement, which will include set out how the applicant proposes to implement affordable workspace and should include details of:

- Affordable workspace model
- Target sectors
- Length of tenancy offered
- Affordability evidence
- Proposed finish/fit out
- Marketing

As a starting point for dialogue with developers to agree appropriate terms of affordability, the minimum level of discount and quantum expected will be a discount of 10% on market rents on 10% of floorspace into perpetuity.

In introducing a requirement for proposals which would trigger affordable workspace to be sought, regard has been had to the burden on applicants and on the Council to establish and agree the appropriate terms of affordability. The 1,000m2 threshold has been chosen as an appropriate minimum size to apply the policy to in order to be proportionate as it relates to large-scale major development which is likely to be more capable of supporting an element of affordable managed workspace. This has been supported in the approach taken by other London Boroughs in adopted local plans<sup>10</sup>.

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<sup>9</sup> Waltham Forest Local Plan Viability Study,

<sup>10</sup> Tower Hamlets, Camden, Islington, Affordable Workspace Evidence Base

Policy Review, 2018, available at: [https://www.towerhamlets.gov.uk/Documents/Planning-and-building-control/Strategic-Planning/Local-Plan/Submission\\_2018/Affordable\\_Workspace\\_Evidence\\_Base\\_2018.pdf](https://www.towerhamlets.gov.uk/Documents/Planning-and-building-control/Strategic-Planning/Local-Plan/Submission_2018/Affordable_Workspace_Evidence_Base_2018.pdf)

## **Policy 35 – Railway Arches**

### **Q93 Is Policy 35 positively prepared and justified in relation to the uses that will be supported in railway arches?**

#### **i. Is further clarity required on arches that are located within Borough Employment Areas/Strategic Industrial Land/Locally Significant Industrial Sites?**

The Council considers that a modification to Policy 35 is necessary in order to set out clearly how the policy applies within designated industrial locations.

In response to this question, it is proposed to amend Policy 35 by including the words in bold where it reads as follows:

#### Policy 35 - Railway Arches

New development in the borough's railway arches, ~~where it is not in an identified SIL, LSIS or BEA,~~ will be encouraged by:

#### **A. Supporting industrial uses in SIL and LSIS in line with Policy 26 and 27, and the introduction of other uses including those falling within class E, and drinking establishments as part of an agreed masterplan;**

A. **B.** Supporting current and future B2, B8, Class E, **and drinking establishment** uses **in arches outside of designated locations** especially with proximity to stations, in Town Centres or as part of wider regeneration schemes;

~~B.~~ **C.** Promoting improvements to the appearance of railway arches through upgrades, active frontages and improvements to public realm;

~~C.~~ **D.** Supporting development that does not have adverse impact on the railway line;

~~D.~~ **E.** Ensuring development does not obstruct the public highway and pedestrian public realm; and

~~E.~~ **F.** Ensuring new development adheres adopts suitable design mitigations **in line with Policy 59 - Amenity.**

**ii. Is the reference to their role in providing 'affordable' locations for employment activities in paragraph 9.51 justified?**

The Council proposes that the word 'affordable' in paragraph 9.51 is substituted for 'low cost'.

**Policy 38 – Blackhorse Lane Creative Enterprise Zone**

**Q94 Is the policy justified and how would it be implemented in practice?**

**i. Should the policy include flexibility for consideration of development viability?**

There are not requirements on development in the Blackhorse Lane CEZ above those outlined in Chapter 9. Consideration of development viability has been taken into account when developing Policy 33, as outlined above, and has shaped the operation of that policy. The CEZ designation supports the cultural and creative sector, and the priority in this area will be affordable workspace for cultural and creative sector. The Council considers that the policy is sufficiently flexible.

**ii. Should criterion C include creative workspaces?**

Yes. A modification is proposed to this effect.

In response to this question, it is proposed to amend Policy 35 by including the words in bold where it reads as follows:

C. Explore the opportunity to use temporary vacant builds and sites for meanwhile affordable **and creative** workspace or cultural uses;

**Q95 Overall, is the Plan positively prepared, justified, effective, consistent with national policy, and in general conformity with the London Plan in relation to other Borough-wide policies for the local economy?**

With the modifications proposed, the Council considers that the plan is in conformity with the London Plan, and outlines a strategy which seeks to meet identified needs for floorspace to support economic growth in line with national policy, in a way which can be demonstrated to be justified and will be effective.

**Q96 Are any main modifications necessary for soundness?**

Yes, as identified in response to the questions above.

**Issue 3 – Whether the Plan will contribute to the vitality and viability of Walthamstow town centre, the District Centres, Neighbourhood Centres, and the Local Retail Parades (Policies 39 – 47)**

**Policy 39 – Hierarchy of Centres**

**Q97 What evidence justifies the designations of the town, district and neighbourhood centres and the local retail parades in Policy 39?**

There is a well-established network of centres in Waltham Forest. This has been in existence for many years and is recognised in previous development plan documents and the London Plan 2021 (Annex 1, Town Centre Network, Table A1.1 - Town Centre Network, pages 478-489). The designations of Major and District Centres come from the London Plan. The Council designated the current Neighbourhood Centres and Local Retail Parades in the 2006 Unitary Development Plan. This was carried forward to currently adopted plan (Core Strategy 2012) and subsequently to the new Local Plan.

The borough's designated centres – Walthamstow, the District and Neighbourhood centres and Local Retail Parades have a special role to play in many aspects of life in Waltham Forest today. The Council recognises the challenges facing town centres and the decline of retailing with increasing trend towards online shopping. To maintain their vitality and viability, the Council's strategy seeks to consolidate retailing and town centre activities in the designated centres, while managing the decline of retailing in those locations outside these centres, where retail demand no longer exists. The plan strategy seeks to encourage changes of use in such declining areas to appropriate alternative uses such as housing, business, leisure, entertainment, and community uses. The backdrop to this strategy is the existence of a run of shops and commercial properties in long parades along the main road corridors inherited from Victorian times. The Council considers that there is a sustainable network of centres well distributed throughout the borough.

Policy SD8 of the London Plan 2021 states that the classification of International, Metropolitan and Major town centres can only be changed through the London Plan and that changes to the classification of District, Local and Neighbourhood centres can be brought forward in Local Plans.

Walthamstow is designated as a Major Centre in the London Plan. District centres are much smaller centres than Walthamstow in terms of the number and range of activities they provide but they are also an

important focus for public transport i.e., a focus point in the form of a train station, bus route interchange or major road intersection point. Neighbourhood centres provide services for local communities and represent a much smaller grouping of shops than the district centres. The cluster of shops and other commercial/ leisure activities serve as a focus for the community within the immediate walking distance. Local shopping parades represent the lowest level in the hierarchy. Typically, they comprise a small grouping of shops within one or two parades comprising the newsagent, a general grocery store, a post office and occasionally a pharmacy or other specialist shops of local nature. All these designations are shown on the Policies Map.

In preparing the new Local Plan, the Council considered requirements arising from both national and regional policy (London Plan). In particular, the recognition that the town centre network is dynamic, and the role and function of centres will change over time, therefore requiring individual centres within the network to be monitored and proactively managed.

Over the years such monitoring has taken place through the Council's Authority Monitoring Reports, the GLA Town Centre Health Check exercises and most recently through the Council's Town Centres and Retail Study, June 2019. As part of the latter study, the hierarchy of the centres in the borough was considered with regard to their health and spatial distribution. The study concluded that the existing network of centres should continue. See paragraph 6.4-6.6 of the Town Centres and Retail, 2019. The Council intends to proactively monitor changes in the evolution of town centres, with regard to boundaries and designations. The current strategy is to manage decline elsewhere outside the designated centres. See response to Q103.

**Q98 Is Policy 39 in general conformity with the London Plan in restricting uses in District Centres to those that will complement Walthamstow Town Centre, having regard to connections between those centres?**

The policy approach taken is in conformity with the London Plan. Policy SD8 (C) of the London Plan seeks to protect the higher order centres including International, Metropolitan and Major town centres. Walthamstow Town Centre is classified as 'Major Centre' in the London Plan 2021. This recognises the strategic importance of such centres.

Policy SD8 (D) of the London Plan mentions that International, Metropolitan and Major town centres should be the focus for the majority of higher order comparison goods retailing. The role of District Centres in complementing the strategic importance of higher order centres is

recognised in the London Plan (Policy SD8 (E)). Such centres are expected to focus on the consolidation of a viable range of functions, particularly convenience retailing, leisure, social infrastructure, local employment and workspace so as to ensure a sustainable network of centres in London.

In Policy SD7 (D) of the London Plan states that development proposals should ensure that commercial floorspace relates to the size and the role and function of a town centre and its catchment. The implication of this policy as well as the sequential test (also required by government policy and the London Plan) draws attention to the nature and scale of commercial development proposals and the catchment area the development is expected to serve.

As Walthamstow Town centre is the borough's largest centre, it is expected that large scale development which serves a significant part, if not all, of the Borough should be concentrated within this centre. This seeks to make the most of the agglomeration benefits and accessibility of Walthamstow Town Centre to ensure that sustainable patterns of development emerge without undermining its economic performance.

Policy 39 follows the strategic approach set out in the London Plan by restricting the size and scale of commercial development likely to occur in District Centres. This seeks to protect Walthamstow Town Centre in accordance with the London Plan. On this basis, District Centres will be expected to complement Walthamstow Town Centre by providing small to medium sized retail and commercial facilities. For example, larger scale development such as a shopping mall or department store would be expected to locate in Walthamstow Town Centre as it would normally serve a larger catchment (whole borough). However, the application of such policy restriction does not necessarily make it impossible for a District Centre to be considered acceptable in principle for such larger scale development. This would normally apply if there no sites suitable and available in Walthamstow Town Centre to support such development.

### **Policy 40 – New Retail, Office and Leisure Developments**

#### **Q99 Is the 200sqm threshold for impact assessments in Policy 40 based on robust evidence? How would the need for a 'broad brush' statement of impact be defined?**

Paragraph 90 of the NPPF requires development plans to indicate a proportionate, locally set threshold for assessment of the impact of new retail development and if it does not, then the national threshold of 2,500

sq m applies. The London Plan (Policy SD8) also makes reference to this national threshold but also note that London Boroughs' can also set alternative locally set thresholds. The Council has set a local threshold of 200 sqm carried over from the previous plan document - the Development Management Policies Document (Adopted 2013).

As background, the Council considers that many small developments can cumulatively impact on the vitality and viability of the designated centres/parades. This threshold is considered necessary to implement the Council's planning objective to consolidate town centre activities in the designated centres/parades, create a cohesive base to support the vitality and viability of these centres and manage the proliferation of retail/town centre uses elsewhere in the Borough generally. In applying this threshold, the Council wishes to ensure that vulnerable centres/local parades do not experience further decline from trade diversion arising from the development of out of centre retail, leisure and office developments.

The threshold of 200 sq m has been carefully considered. To put this into context, the Sainsbury's store in Walthamstow Town Centre has a floorspace of 2,765 sqm net, the Asda store in Selborne Walk shopping centre (Walthamstow) has a floorspace of 1,562 sq m net, whilst smaller Tesco Express, Iceland and Co-op stores across the borough have a floorspace in the region of 300-400 sqm net. In this context, the threshold figure of 200 sqm net is considered appropriate to avoid the proliferation of units that have the ability to draw strong levels of trade and compete directly with the District Centres and Neighbourhood Centres lower down in the hierarchy.

Paragraph 90 NPPF sets out the scope of impact assessments. The reference to 'broad brush' statements implies a 'light touch' approach, applicable to smaller schemes/local independent operators. Regarding its application, the same NPPF requirements as set out under Paragraph 90 (a) and (b) of the NPPF as below will normally apply:

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).

However, where extensive quantitative and qualitative analysis (covering population and expenditure forecasts, quantitative need, qualitative need, detailed site appraisals etc) will normally be required in the case of larger

scale proposals from established multiple operators, for flexibility these requirements will be waived for small scale operators. The concession applied to independent operators reflects the relatively small-scale nature of their operations and will take into account the Council's considered opinion on the likely adverse impacts of the proposed development on the vitality and viability of nearby centres. Typically, a case must be made as to why alternative vacant premises in nearby centres cannot be used for the same purpose.

**Q100 What implications, if any, does the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (the Regulations), SI 2020/757 and changes to the General Permitted Development Order have for the Article 4 directions in place?**

The Council notes the implications arising from the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (the Regulations), SI 2020/757 and changes to the General Permitted Development Order. The Council intends to review existing Article 4 Directions.

A report to the Council's Cabinet in the New Year (March 2022) proposes the following Article 4 Direction:

- Non-immediate Article 4 Direction to withdraw the permitted development rights granted by Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ('the GPDO') for changes of use from Class E (Commercial, Business and Service) to a dwellinghouse (Class C3) in the borough's designated centres (Walthamstow and the District Centres and Neighbourhood Centres) and designated employment areas (Strategic Industrial Locations and Locally Significant Industrial Locations).

**Policy 42 – Managing Changes of Use in Primary Shopping Areas**

**Q101 Is it clear what is meant by 'other uses' and would they be permitted in the primary shopping area as well as within the town centre boundary?**

The NPPF defines town centre uses as:

"Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities)" – NPPF 2021 (Annex 2 Glossary)

In practice there are a wide variety of uses that may wish to locate in the heart of a town centre (Primary Shopping Area) for several reasons

including the need to maximise opportunities for attraction and to gain from footfall. This includes 'other uses' outside Classes E of the Town and Country Planning (Use Classes) Order as amended, for example those in Class B, (General industrial and Storage or distribution), Class C2 (Residential institutions) Class C3 (Dwellinghouses), Class F (Local Community and Learning) and some other Sui Generis uses. The policy seeks to encourage Class E uses in the Primary Shopping Area. Paragraph 11.31 explains this point.

To help provide further clarity, it is proposed to include after the 1st sentence of paragraph 11.31 the following text:

**"Other uses include those in Class B, (General industrial, Storage or Distribution), Class C (Residential Institutions and Dwellinghouses), Class F (Local Community and Learning) and non-town centre uses within the Sui Generis Class."**

### **Policy 46 – Evening and Night-time Economy Uses**

#### **Q102 Does Policy 46 set out a robust approach to dealing with proposals for evening and night-time uses? How would potential conflicts with adjoining uses be addressed, for example residential?**

Policy 46 encourages evening and night-time economy uses in the most appropriate locations (particularly in Walthamstow Town Centre) in accordance with the London Plan 2021 (Policy HC6 supporting the night-time economy, and Figure 7.6). Policy 46 covers the key issues likely to be associated with such proposals. Clause D purposely draws attention to amenity considerations including conflicts with adjoining uses such as the amenity impacts on nearby residential occupiers.

As stated under Policy 1 (Policy 1 - Presumption in Favour of Sustainable Development), proposals will be expected to accord with the development plan as a whole. According Policy 46 must be read together with other policies that seek to protect residential amenity. Key policies include:

- Policy 7 (Encouraging Mixed Use Development), which while encouraging mixed uses draws attention to the use of planning conditions to protect the amenity of existing and future residents and businesses (Clause A(vii)). This will include restrictions on the hours of operation where necessary.

- Policy 53 (Noise, Vibration and Light Pollution), which considers the impact of noise and vibration as a material consideration in determining planning applications.
- Policy 59 (Amenity), which states that new development should respect the amenity of existing, future occupiers and neighbours in the surrounding area.

In this context, the Plan read as a whole, would not permit evening and night-time economy uses that would create potential conflicts with adjoining uses such as residential.

**Q103 Overall, does the Plan set out a positively prepared, justified, and effective strategy for the vitality and viability of the Borough's centres and local retail parades?**

The Plan sets out a positively prepared, justified, and effective strategy for the vitality and viability of the Borough's centres and local retail parades.

The Plan has been informed by evidence gathered and monitored over the years through the Authority Monitoring Reports, Landuse Surveys, Town Centre Health Checks and evidence base studies undertaken. The most recent evidence base study including retail capacity assessment was undertaken in 2019 as part of the Waltham Forest Town Centres and Retail study, 2019.

The Council recognises the challenges facing many town centres throughout the country. Paragraph 11.18 sets out the context for the policy approach taken. This seeks to encourage revitalisation, adaptation and regeneration of the borough's centres and parades. As background, there are several retail and commercial premises outside the designated centres and parades particularly along the main road corridors of the borough including Forest Road, Chingford Mount Road, Lea Bridge Road, Hoe Street, Leyton High Road and Leytonstone High Road inherited from Victorian times.

In managing the decline of retailing, the Council considers it necessary to safeguard residents' access to local shops by focussing retail activities in well-defined areas. This is mindful of the current challenges facing the retailing industry arising from the growth of online shopping, changing shopping patterns etc. Accordingly, the plan strategy seeks to consolidate retail and town centre activities within compact core areas (primary shopping areas) and generally within the boundaries of designated

centres and parades. Elsewhere in the borough generally, the plan strategy seeks to manage retail decline and to allow alternative uses such residential through the process of change.

The Council considers that a free-for-all (unrestricted approach) would undermine the Council's planning objective to safeguard and maintain the long-term vitality and viability of the borough's centres. Accordingly, Policy 42 (Managing Changes of Use in Primary Shopping Areas), Policy 43 (Managing Changes of Use Outside Primary Shopping Areas of Designated Centres), Policy 44 (Managing Changes of Use in Neighbourhood Centres and Local Retail Parades) and Policy 45 (Managing Changes of Use in Non-Designated Areas) are intended to support this planning objective.

The above policy approach is consistent with NPPF and the London Plan. Paragraph 86 of the NPPF requires local planning authorities to define the extent of town centres and primary shopping areas and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre. Policy SD6 (A4) of the London Plan mentions that the vitality and viability of London's varied town centres should be promoted and enhanced by strengthening the role of town centres as a main focus for Londoners' sense of place and local identity in the capital. Policy SD6 (B) supports adaptation and diversification of town centres in response to the challenges and opportunities presented by multi-channel shopping and changes in technology and consumer behaviour.

The policy approach taken is justified. It is considered that this is the most appropriate strategy to manage change in town centres to protect essential shopping and town centre facilities for residents. Clearly, Covid-19 pandemic has shifted a lot of working to homes in some sectors, so although there may be a case for relinquishing some commercial space locally, with more people working from home, there will still be the need for shopping and town centre facilities conveniently located in the borough to minimise travel and ensure that borough residents have reasonable access to local shopping and town centre facilities and services.

The NPPF sets out in paragraphs 8 that local planning authorities should ensure that "sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity" (NPPF 2019, paragraph 8). Furthermore, it mentions in paragraph 20 that strategic policies should set out an overall strategy and make sufficient provision for employment, retail, leisure, and other commercial development.

Regarding the effectiveness of the policy, the Council intends to implement the policy through the planning application process. The Council considers that changes of use could be managed to achieve a cohesive base of retail/town centre uses in the most sustainable locations. The challenge arises from the recent changes to the Use Class Order (UCO), in particular the introduction of the new Class E uses. The changes to the UCO present a particular challenge in that changes of use within the same use class are not considered development, which would be subject to development control. The amalgamation of several uses into one Use Class E means that change of use between retail, employment, industrial and some community services cannot be effectively monitored and controlled and therefore planned for.

Paragraph 11.48 of the Plan identifies the main tools the Council intends to use in implementing the policies set out in this chapter of the Plan. This includes Article 4 Directions. In order to address the consequences which will arise from the introduction of Class E and to plan positively in a way that is consistent with and meets all the requirements of the NPPF, and achieves general conformity with the London Plan, the Council considers that it will be necessary to introduce Article 4 Directions. This is supported by the London Plan (Policy SD9(D)) and will safeguard the vitality and viability of the borough's centres and parades. The Council also intends to use planning conditions and/or planning obligations where necessary to protect the vitality and viability of the boroughs town centres by putting restrictions on uses within new Class E development.

In addition, the Council intends to continue to work proactively with developers, property owners to encourage the relocation of town centre uses from outside the designated centre to the designated centres where the development of a cohesive base would support overall vitality and viability. The preparation of town centre strategies is also acknowledged in the Plan.

**Q104 Are any main modifications necessary for soundness?**

At this stage the Council considers that there are no further modifications necessary other than those listed in the Schedule of Proposed Modifications and that identified in response to Question 101 above.