

Local Plan Part 1 Representations.

Cork Tree Retail Park, Chingford, E4 8JA
14 December 2020 | Public

Introduction

Knight Frank LLP has been instructed by Prologis – landowners of Cork Tree Retail Park, Chingford, E4 8JA ('the site') – to submit representations in respect of the Local Plan Part 1 (Strategic Policies) Regulation 19 consultation.

The site has been designated as a 'Locally Significant Industrial Site' ('LSIS') within Part 1 (Strategic Policies) of the Local Plan. This written representation provides a detailed assessment of the site's position in the emerging Local Plan.

In summary:

- Prologis support the designation of the site as an LSIS – the uses considered to be acceptable under Policy 27 align with the planned operational use of the site;
- Any office space should be limited as far as possible and must be ancillary to the main operational land use. This is to avoid dilution of the LSIS allocation;
- The general approach of intensification is supported; and
- Co-location is not considered to be appropriate for the site and Prologis would seek to resist this approach if Policy 27 were to be amended in this manner.

Site Context

Background

The 2.4-hectare (5.8-acre) site is located along the western boundary of the London Borough of Waltham Forest ('LBWF') (the Local Planning Authority ['LPA']). This previously-developed site is bounded by Cork Tree Way and the Hall Lane Strategic Industrial Location to the north; by Hall Lane to the east; by Walthamstow Avenue and the North Circular Road to the south; and the grounds of the Grade II-listed Pumping House to the west.

Access to the site is via Cork Tree Way in the north-eastern corner of the site. Cork Tree Way is accessed via Hall Lane which in turn provides direct connectivity to the strategic highway network (the North Circular Road). The service yard to the rear of the main building is accessed via a separate slip route off Cork Tree Way.

The site currently comprises one large retail unit which is sub-divided into seven smaller retail units. The existing building is approximately 2-3-storays in terms of height and located in the centre of the site. The large retail unit covers approximately 0.8-hectares of the site, meaning the physical building covers approximately 33% of the overall site area.



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The remainder of the site comprises hardstanding, which is principally used as ancillary service / operational areas or for staff and visitor parking. The existing car park comprises 281 spaces, 12 of which are allocated as disabled parking spaces.

In terms of site-specific planning history, a review of the site's online planning history suggests that all planning applications submitted have related to the continued operational retail use of the site. It is our understanding – based on LBWF's online planning records – that the original planning permission for the retail park is that approved under LPA ref. 1988/1329. In 2011, planning permission was granted for the refurbishment, subdivision and insertion of mezzanines within the retail unit (LPA ref. 2011/0957). Since this date, there have been various amendments (s73 and s96a) to the extant planning permission. It is our understanding that the retail unit is still subject to a 'bulky goods' restrictive condition.

Based on the above, the use of the site would historically fall under the lawful use of 'A1' (Retail) of the Town and Country Planning (Use Classes) Order 1987 (as amended). Whilst, for the purpose of permitted developed rights, the site's A1 use will remain relevant until 31st July 2021, as a result of recent changes to the planning system, the site should now be defined as falling within Use Class E of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

We note that planning permission has been recently granted (March 2020) to facilitate the development of an A3 unit in the north-eastern section of the site at the corner of Cork Tree Way and Hall Lane (LPA ref. 190124).

Adopted Policy Position

Against the adopted Development Plan – which principally comprises the London Plan (2016); the Core Strategy (2012); Development Management Policies Development Plan Document (2013); and other adopted planning / supplementary guidance – the site is not identified as retail or employment land that must be protected. Generally speaking, under the adopted policy approach, LBWF seek to support applications for more productive uses on non-designated employment land.

The site is located entirely in Flood Zone 3, therefore meaning that it is at the highest risk of fluvial flooding. Industrial uses, generally speaking, have a lower sensitivity to flood risk, and we therefore do not see this as being a significant issue to the site's redevelopment. The site is not located within a conservation area, nor does it contain any listed buildings, however there are three Grade II-listed buildings adjacent to the site to the north-west.

Emerging Policy Position

In Part 1 (Strategic Policies) of the Local Plan, the site is designated as a 'Locally Significant Industrial Site' ('LSIS') (ref. LSIS1). The vision is that:

"The area will be a focus for logistics – storage and distribution, light industrial and wholesale uses".

The principal policy in respect of LSIS is Policy 27. In recognition of the importance of protecting and enhancing LSIS, the policy is broken down into three parts setting out the acceptable uses; support for new development; and the approach to intensification.

Part A stipulates that only the following uses will be acceptable:

- Industrial processes (Class E(g) (iii));
- General industry (Class B2);
- Storage / distribution (Class B8);

- Waste (Class B2/B8/Sui Generis); and
- Uses ancillary to the above.

Part B sets out that new development will be supported where it:

- *“Provides improved high-quality, fit-for-purpose business space and infrastructure; and*
- *Allows for future flexibility in the above uses, including future subdivision / and or amalgamation for a range of employment uses.”*

Part C states that a masterplan approach to the intensification of industrial capacity in LSIS will be supported (providing the masterplan accords with the requirements of Policy 30).

Local Plan Part 1 (Strategic Policies)

Background

The starting point for the designation of the site as an LSIS is Policy 4.4 of the London Plan which highlights the need to identify and protect LSIS sites where justified by evidence of demand.

Policy E6 of the ‘Intend to Publish’ London Plan stipulates that, in their Development Plans (which the new Local Plan will be once adopted), Boroughs should:

- 1) *“designate and define detailed boundaries and policies for Locally Significant Industrial Sites (LSIS) in policies maps **justified by evidence in local employment land reviews** taking into account the scope for intensification, colocation and substitution (set out in Policy E7 Industrial intensification, colocation and substitution)” **[our emphasis]***
- 2) *“**make clear the range of industrial and related uses that are acceptable in LSIS** including, where appropriate, hybrid or flexible B1c/B2/B8 suitable for SMEs and distinguish these from local employment areas that can accommodate a wider range of business uses.” **[our emphasis]***

In addition, the supporting text states at 6.61 that:

*“Boroughs may designate locations that have particular local importance for industrial and related functions as Locally Significant Industrial Sites. These designations **should be based on evidence in strategic and local demand assessments** and should complement provision in SILs.” **[our emphasis]***

The ‘Intend to Publish’ London Plan clearly sets out the importance of Local Planning Authorities not only justifying the designations and associated policies for LSIS through the evidence in local employment land reviews, but also the range of industrial and related uses that are acceptable in an LSIS.

To consider whether the designation of the site as an LSIS is justified, we have appraised the Council’s economic evidence base. The only document of direct relevance is the Employment Land Study (2019). We have also sought to assess the acceptability of the proposed LSIS designation in the context of the surrounding area and Prologis’s aspirations for the site.

Suitability of Cork Tree Retail Park & Prologis’s Vision

As set out in greater detail below, the site is in the optimum location for the type of land-use designation being pursued by LBWF.

The site benefits from direct connectivity to the North Circular Road and has its own access arrangements already in place. The site is also located within close proximity of other Strategic Industrial Locations (including the Hall Lane SIL, which adjoins the site to the north). The proposed land use(s) would therefore align with the setting and character of the surrounding area.

Prologis intend to use the site for storage / distribution purposes – which are typically identified as ‘B8’ uses – and therefore the proposed end land use(s) would align with Policy 27.

Given the adjacency of other industrial land uses and the North Circular Road; the potential 24-hour operation of the site; and the low PTAL rating, the site is not however considered to be appropriate for co-location. Furthermore, any office floorspace on-site should be limited, as far as possible, to avoid the dilution of the LSIS. Any office space that is provided must be ancillary and closely linked to the main operational use of the site.

Prologis would therefore like to see the site designated for typical employment uses only. It is our recommendation that the above comments are taken into consideration in the final drafting of Policy 27.

Employment Land Study (2019)

The Employment Land Study (‘ELS’) was prepared by Avison Young on behalf of LBWF in August 2019 to provide the principal employment evidence base to inform the Local Plan’s spatial strategy.

In employment terms, the Greater London Authority (‘GLA’) forecasts that the Borough will need to accommodate over 8,100 jobs during the Plan period to 2035 across all sectors, around a third of which would require new B-class employment space – predominantly within office and light industrial typologies. In addition, LBWF is designated in the ‘Intend to Publish’ London Plan as an authority that will need to ‘retain capacity’ of industrial floorspace.

The ELS states that this scale and nature of projected growth within the Borough would likely result in the need for an additional 52,000sq.m of B-class floorspace, broken down as follows:

- 18,848sq.m of office space;
- 36,604sq.m of distribution space; and
- -4,215sq.m of industrial space.

The ELS states at Para. 3.104 that:

“meeting the future employment growth requirements within the Borough will rely on the redevelopment and intensification of existing employment sites”.

However, the importance of identifying new employment sites must not be overlooked, and this is particularly important in seeking to ensure that the Borough’s employment land requirements remain apace with residential land requirements in order to avoid an unbalanced spatial strategy.

Since 2016, nine employment sites have been redeveloped for residential uses, further demonstrating the scale of the challenge for employment – and specifically industrial – land needs to compete with residential growth pressures. The loss of these sites equates to 22.4-hectares; the vast majority of which have been concentrated in the north and east of the Borough. The importance of not just retaining but also intensifying and designating new employment sites in these particular locations is key to a plan-led approach. The 2.4-hectare site should be considered positively in this regard; designation as an LSIS would help to make an important contribution to not just the Borough’s future employment land needs, but also offset recent harm caused by employment land losses to residential development.

The ELS also identifies three core floorspace types that it expects will be most required over the Plan period based on the projected needs; wider development and space trends in London; and the Borough's geographical context. These are:

- **Distribution and urban servicing floorspace** – The forecasts clearly identify a need to provide B8 floorspace, reflecting wider trends in the economy as people and businesses rely more on direct delivery of goods or stock. 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 site performs well in this regard and is considered an appropriate location for distribution space.
- **Industrious floorspace** – The forecasts for future growth in the Borough suggest that there will be an overall small reduction in the future supply of industrial space (i.e. B1(c) and B2) in the Borough, however this masks a more nuanced pattern of need in sectoral terms. Whilst the heavier industrial sectors are forecast to continue to decline, the forecasts suggest a range of activities which will require some light industrial space (potential mixed with office, storage or even 'shopfront' space). Again, the site is suitably-located and appropriate for these types of uses.
- **Higher density floorspace** – The Borough will also experience a need for additional higher density employment space, which will require new forms of development to accommodate activities that will occupy a range of office and studio-type spaces. This is likely to require a range of space types, from small studio spaces, flexible co-working spaces through to larger office 'suites'. However, based on ELS analysis it is unlikely that the market would seek large-scale 'corporate' office spaces, which provide large floorplates for single occupiers. The site is able to accommodate industrial / logistics uses but given the type of operation proposed (24-hour), co-location is not considered to be appropriate. Any office space on-site should be minimal and only ancillary to the main operational function of the site.

It should also be noted that the ELS identifies the North Circular Growth Area as being suitable for B2 / B8 uses (Para. 4.30), with the Area's good strategic road network connectivity recognised. The ELS recommends, inter alia, the following strategy:

- *"The connectivity and access provided to this area lends itself to a focus on larger industrial and distribution activities".* This is supported by Prologis.
- *"A mix of 'final mile' and industrious spaces are most likely to maximise the opportunity to increase employment activity within the cluster, particularly along the North Circular".* This is supported by Prologis.
- *"There are likely to be limited opportunities for co-location of employment and residential space given overall accessibility".* In light of the above comments about the unsuitability of the site for co-location, this is supported by Prologis.

The ELS demonstrates a clear need for additional B-class floorspace (c. 52,000sq.m) over the Plan period. The greatest land need is for additional storage / distribution space (which, at just over 36,000sq.m, accounts for over 70% of the overall employment land need within the Borough).

The designation of the site as an LSIS would not just contribute to ensuring that future employment land demand forecasts are addressed in the plan-making process, but also offset the recent conversion of employment land to residential development within the Borough.

Designation of the site as an LSIS would align with the 'brownfield-first' directive and ensure that the principles of recycling and reusing land as widely as possible to avoid unnecessary greenfield land release are being

adhered to. The site's strategic location, within close proximity of the North Circular, represents a logical and suitable location for an LSIS.

It is Prologis's contention that the principle of designating the site as an LSIS is justified when assessed against the Borough's employment evidence base. It is also Prologis's contention that the general approach in respect of addressing employment land needs is in accordance with the requirements established under Para. 35 of the National Planning Policy Framework. The proposed uses defined within Policy 27 as being acceptable within the LSIS are considered to be appropriate,

Summary

Taking the above into consideration, Prologis support the designation of Cork Tree Retail Park as an LSIS and consider it to form part of an appropriate strategy to ensure the Borough's employment land needs are met in full.

The Local Plan advocates the use of sustainable land use principles that provide employment opportunities and infrastructure for the successful delivery of the development strategy. The proposed LSIS designation of the site is considered to fit the existing and forthcoming circumstances of the site and can help to deliver employment opportunities in a well-connected and sustainable location, and thus align with some of the fundamental principles and objectives of the emerging Local Plan and NPPF.

Designation of the site as an LSIS would not just deliver a diverse quantum of economic benefits, it would also contribute positively to the Council's desire to locate employment opportunities in alternative locations across the Borough – particularly given recent employment land losses in the northern parts of LBWF – and avoid an imbalance towards simply enhancing existing employment sites.

We would request confirmation that these representations have been received and confirm that we would like to be involved in future stages of the Local Plan process. In particular, we would like to confirm our interest in appearing at the examination of the Plan at the appropriate time and would be grateful to receive updates as they are made available.

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