

Andrea Copsey
Programme Officer
The Planning Inspectorate

BY EMAIL ONLY: [REDACTED]

Date: 23 January 2023
Our ref: 66164/01/SSL/ADo/26199044v1

Dear Sir / Madam

Waltham Forest Local Plan Part 1 - Examination in Public Stage 2 Consultation and Hearing Sessions

This consultation response has been prepared by Lichfields and is submitted on behalf of Prologis UK Limited (“Prologis”) in the context of their ownership interest at Cork Tree Retail Park, Chingford E4 8JA (the “Site”). Lichfields are now representing Prologis at the Examination in Public (EiP), and have made a formal request with the Programme Officer that we wish to attend and participate in the hearings (provisionally set to resume on 7 March 2023). This has been accepted in principle subject to confirmation from the Inspectors.

This letter provides a formal consultation response to the Inspectors’ Further Matters, Issues and Questions (MIQs) relating to the Council’s new and updated evidence documents for the Local Plan Part 1, which runs to 12pm (noon) on 23rd January 2023. Specifically, it focuses on directly addressing the following individual question which partly relates to the Site (**Q4.1**):

MATTER 4: EMPLOYMENT AND THE VITALITY AND VIABILITY OF CENTRES

Employment Designations – Strategic Industrial Locations (SIL), Locally Significant Industrial Sites (LSIS) and Borough Employment Areas (BEAs)

Q4.1 – Are the revised Employment Land designations set out in the Topic Paper (paragraph 3.6.4.2) justified, necessary for soundness and in general conformity with the London Plan? In particular, is the re-designation of Cork Tree Retail Park from LSIS to SIL justified by the evidence and necessary for soundness?

This written response builds on the original representations previously submitted by Knight Frank LLP on behalf of Prologis to the Regulation 19 Local Plan Part 1 Submission (representation reference number **1259169**, dated 14 December 2020), which supported the Plan in principle and the designation of the Cork Tree Retail Park site as a LSIS.

Background: Cork Tree Retail Park

The Site

Cork Tree Retail Park comprises a 2.4 hectare (5.8 acre) site located along the western boundary of the London Borough of Waltham Forest (“LBWF”). This previously-developed site is bounded by Cork Tree Way and the adjacent Hall Lane industrial site to the north; by Hall Lane to the east and by Walthamstow Avenue and the North Circular Road to the south. As shown in the site ownership aerial plan (see Appendix A), the Site currently comprises one large retail unit which is sub-divided into seven smaller retail units, with the remainder containing hardstanding which is principally used as ancillary service/operational areas or for staff/visitor parking.

The Proposed Designation

The starting point for the designation of Cork Tree Retail Park within the emerging Local Plan sits within the employment evidence base as follows.

The Employment Land Study (“ELS”) (2019) prepared by Avison Young on behalf of LBWF provides the principal employment evidence base to inform the Local Plan’s spatial strategy. Overall, the ELS demonstrates that, given the scale and nature of projected growth within the Borough, there is a clear need to retain, intensify and designate new/additional B-class employment space, predominantly within office and light industrial typologies, and that “*meeting the future employment growth requirements within the Borough will rely on the redevelopment and intensification of existing employment sites*”.

The Local Plan Part 1 Submission (April 2021) subsequently sets out a requirement to deliver a minimum of 52,000sqm of additional employment floorspace across the Borough over the plan period. In line with the London Plan and as part of the strategy to meet this need – as set out within the ELS – the Plan therefore designates existing employment areas, comprising Strategic Industrial Locations (“SIL”), Locally Significant Industrial Sites (“LSIS”), and Borough Employment Areas (“BEA”).

The location of these designated employment sites is shown in Figure 9.1 of the Submission Plan, and includes the Cork Tree Retail Park site (reference LSIS1). The specified vision for the site is as follows:

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

Importantly, as shown in the appended plan, the designated Cork Tree Retail Park LSIS site lies directly between Site SIL 1 (Hall Lane) to the north, and Site SIL 2 to the south (North Circular Road).

Following the Plan’s submission, LBWF has undertaken further work to address the soundness issues highlighted in the Inspectors post hearing letter (5 May 2022). In terms of employment land, the letter points to the proposed ‘re-configuration’ of the Blackhorse Lane Site (SIL 3), with sections to be re-designated as LSIS and part to be taken out of any industrial land designation. The letter then confirms that to compensate for the loss of SIL capacity at Blackhorse Lane, the Council has proposed a main modification to upgrade the industrial designation of Cork Tree Retail Park from LSIS to SIL.

This modification reflects the Council’s discussions with the Greater London Authority (“GLA”) following the agreed Statement of Common Ground (“SoCG”) (March 2022), in which it was made clear that the submitted Plan was not considered to be in general conformity with the London Plan (2021). The subsequent GLA statement of general conformity (September 2022) confirms that the proposed

modifications as set out within the SoCG (which includes the re-designations of Blackhorse Lane and upgrade of the Cork Tree Retail Park from LSIS to SIL) are therefore necessary to bring the draft Plan into general conformity with the London Plan.

The proposed approach is set out in detail within the updated evidence base Examination Stage 2 Topic Paper (September 2022), which states:

"The GLA-agreed LPE54.2 Blackhorse Lane SIL Masterplan Stage 2 identifies the northern part of the existing SIL as offering the best potential for industrial use and intensification, coupled with the best access from the road network. This is the area which is to be retained as SIL and intensified. Through collaborative work on the masterplan, including engagement with landowners, businesses and the local community, it is agreed that the central and southern area of the existing SIL designation offers the potential to retain industrial space whilst also co-locating other uses including new homes. This part of the Blackhorse Lane SIL is proposed to be redesignated as Locally Significant Industrial Site (LSIS) to ensure that continued industrial function is safeguarded. This is elaborated in detail in Chapter 5 of LPE54.2 Blackhorse Lane SIL Masterplan Stage 2."

The masterplan achieves a net increase in the industrial capacity of the site, with intensification to deliver an increase of approximately 17,000 sqm of industrial floorspace. However, in order to retain the stock of SIL designated floorspace in the most appropriate locations across the borough, and contribute to the Local Plan target to deliver an increase in employment capacity, it is now proposed to designate Cork Retail Park as a SIL rather than a Locally Significant Industrial Site (LSIS)."

The Council's existing evidence base also clearly sets out the appropriateness for Cork Tree Retail Park to be designated as a SIL site. Specifically, the Employment Land Audit (ELA) (April 2021) reassesses the employment sites to establish the potential for intensification and the appropriate development approach for each broad location and within individual sites, based on the current context and how wider development trends will impact the place in the future.

In the assessment of Cork Tree Retail Park, the ELA notes that the site comprises underutilised land, with most of the site used for car parking and some vehicle servicing for the retail units. The criteria-based assessment for the retail park then goes on to state:

"There are not deemed to be any opportunities for intensification within the Site if considered in isolation. However, as aforementioned, there could be some opportunity to include this Site alongside the intensification of the adjoining Site, SIL 1".

The outcome table (on page 100 of the ELA) clearly demonstrates the supportive conditions of the site to enabling industrial intensification, including comparatively to other sites. This reflects the overall summary, which states:

"It is clear there is opportunity for large scale industrial intensification on all of the SIL sites (SIL1,2,3), BEA2 and Cork Tree Retail Park. As a general overview, these sites present the most supportive conditions to be considered for industrial intensification due to their relatively large size, the proximity to the North Circular, and the ownership structure."

The ELA concludes by setting out recommended potential designations for each site in terms of SIL, LSIS or BEA to align with the site conditions and employment space development opportunities identified throughout the assessment. It specifies that Cork Tree Retail Park is one of the sites that

should be the focus of industrial intensification within the Borough to make the most of the strategic land assets, connectivity, and strong market context within which they sit. The matrix table (page 193 of the ELA) therefore confirms that Cork Tree Retail Park would be considered suitable for **either a SIL or LSIS designation.**

As such, the Council's proposed modifications relating to the re-designation of industrial land, particularly in relation to the Site, are justified by robust evidence and necessary for soundness to ensure that the future employment growth requirements within the Borough are met, with no loss in the provision of designated SIL land.

The Need for SIL and the Suitability of Cork Tree Retail Park

In seeking to answer the Inspector's question which is the subject of this response (Q4.1), and drawing on the Council's evidence base, we therefore consider the following points:

- 1 At a strategic level, the London Plan (2021) highlights the importance of securing and enhancing strategic provision in SILs, particularly in north London in the Upper Lee Valley. Policy E5 requires Boroughs to define the detailed boundary of SILs in policies maps having regard to the scope for intensification, co-location, and substitution. The re-designation of Cork Tree Retail Park as SIL has been agreed with the GLA, who confirm in their Statement of Common Ground (March 2022) that this change is necessary to maintain SIL capacity across the Borough following the reduced SIL designation at Blackhorse Lane. This is confirmed by the new GLA Statement of General Conformity with the London Plan (September 2022), which concludes that the proposed modifications including those relating to industrial land would bring LBWF's Local Plan into general conformity with the London Plan.
- 2 LBWF's employment evidence base, including the ELS (2019) and the ELA (2021), demonstrates that the designation of SIL is fully justified to meet the future employment growth requirements within the Borough; the evidence confirms that there are limited opportunities to create additional capacity within the Borough without a strong focus on redevelopment and intensification of existing employment sites. There is a clear need (Policy 25 of the Local Plan) for additional B-class employment space, and the designation of SIL, LSIS and BEA – as assessed in detail within the ELA – sets out a justified and appropriate strategy for how this can be delivered.
- 3 The re-designation of Cork Tree Retail Park as SIL (in parallel with the re-designation of part of the Blackhorse Lane SIL as LSIS) is necessary to maintain SIL capacity across the Borough and to ensure that the stock of SIL designated floorspace is retained in the most appropriate locations. As shown in the industrial sites plan (see Appendix B) Cork Tree Retail Park is located in an important area of employment, in proximity to the adjoining SIL at Hall Lane as well as the SIL site south of North Circular Road. The SIL designation would therefore align with the setting and character of the surrounding area.
- 4 As stated within the ELA, the site also benefits from direct access to the North Circular via Hall Lane (A1009) and is surrounded by an effective strategic road network, making it a logical and suitable location that is attractive to industrial occupiers, particularly logistics and distribution operators. Further, the site is currently underutilised and has the potential to be used more productively and efficiently. The proposed re-designation therefore represents a strategic, plan-led decision to better utilise the Borough's supply of industrial land to meet the identified economic

floorspace need. Furthermore, the potential 24-hour operation of the site and the low PTAL rating, the site is not considered to be appropriate for co-location.

Summary

In summary, and as the sole landowner of the site, Prologis fully support the principle of designating Cork Tree Retail Park as SIL and its future use for industrial purposes. We consider its SIL designation to be sound and justified by the Borough's employment evidence base, in general conformity with the London Plan and entirely appropriate for the site. There have been no objections to the designation of the site as an industrial location and it will strongly support LBWF in meeting its revised need for SIL across the Borough.

In light of the considerations identified above, we also consider that the general approach in respect of addressing employment land needs, and the revised Employment Land designations, are in accordance with the requirements established under Paragraph 35 of the National Planning Policy Framework (i.e. they are justified and necessary for soundness). The proposed designations form part of an appropriate strategy to ensure the Borough's employment land needs are met in full, and the proposed re-designation at Cork Tree Retail Park as SIL is considered to fit the existing and forthcoming circumstances of the site. Importantly, the site will help to deliver employment opportunities in a well-connected strategic and sustainable location, which aligns with the fundamental principles and objectives of the emerging Local Plan and NPPF.

To support the above representations and to be in a position to answer any specific questions arising during the examination, we request that we wish to attend to participate in the hearings as landowner. We request two places which will likely be a representative from Prologis and Adam Donovan (Lichfields – Planning Director). We would be grateful for confirmation of this request and to be kept up to date of the examination progress.

In the meantime, please do not hesitate to contact me or my colleague Adam Donovan (07920251073) if you have any questions.

Yours sincerely



Adam Donovan
Planning Director

Copy Caroline Musker, Prologis

Appendix A – Prologis Site Ownership Plan



Appendix B – Proposed replacement Figure 9.1 (Topic Paper, 2022)

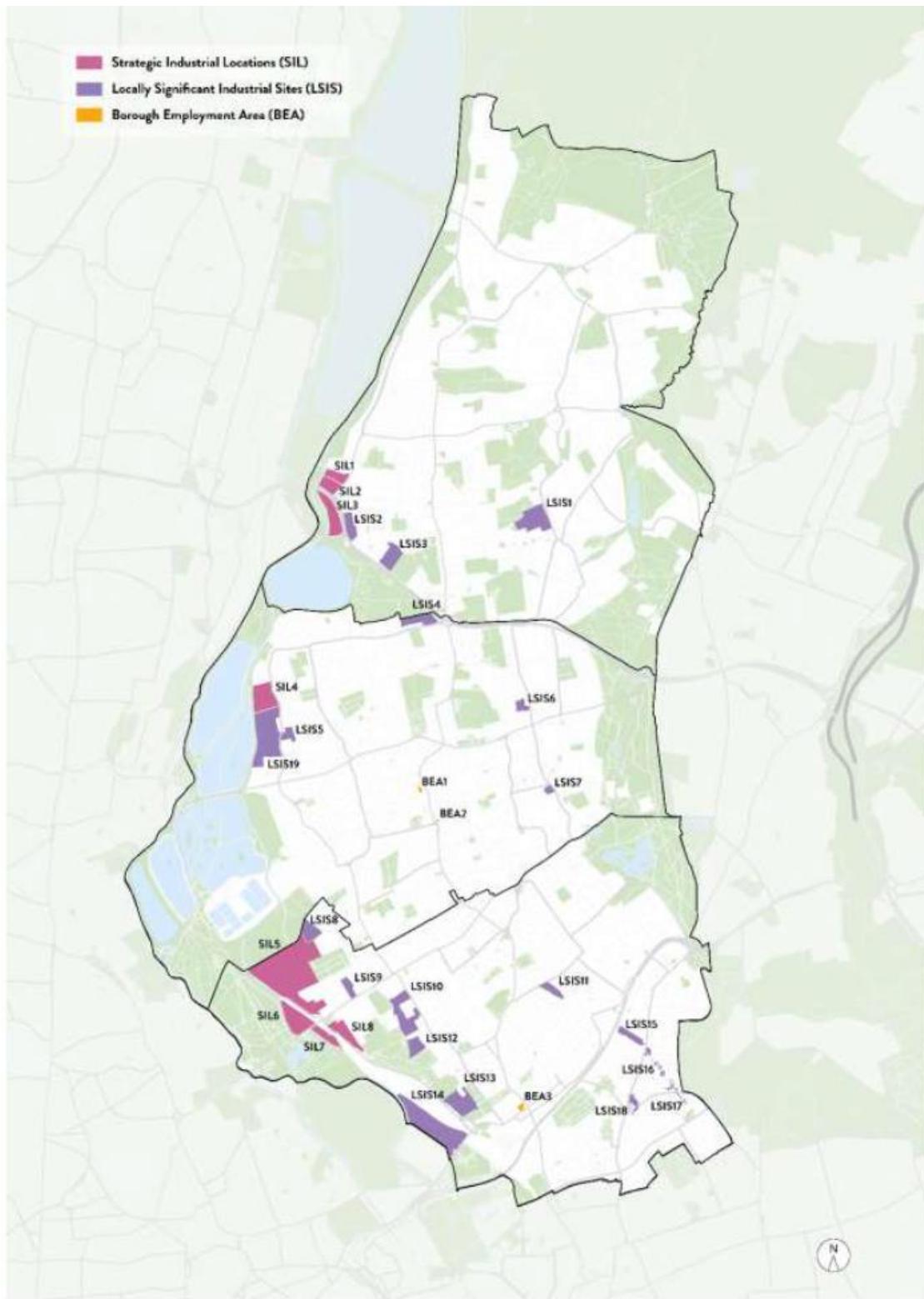


Figure 3: Proposed replacement to figure 9.1 in Local Plan (Regulation 19)