

London Borough of Merton
Civic Centre
London Road
Morden
SM4 5DX

06 September 2021

Dear Sir/Madam,

CONSULTATION ON THE MERTON PRE-SUBMISSION LOCAL PLAN (REGULATION 19)

CBRE Limited (Planning) (CBRE) acts as planning consultants to Kingston Space Properties (KSP) in respect to their land interests of approximately 5.5ha at Willow Lane Industrial Estate, Mitcham. CBRE is instructed to submit representations to the Regulation 19 Consultation on the London Borough of Merton Pre-Submission Local Plan.

KSP support the objective of the Local Plan to promote economic growth in the Borough and the role of Strategic Industrial Locations (SIL) such as Willow Lane Industrial Estate in achieving this. KSP are submitting these representations in the context of intensification of employment uses.

These representations follow those previously submitted to the Regulation 18 Consultation of the draft Merton Local Plan on 1st February 2021.

Strategic Industrial Locations (SILs)

KSP are generally supportive of the Local Plan's aims to protect and intensify designated industrial land across Merton. However, whilst supported land uses are not identified in draft Policy EC 13.2, paragraph 13.2.18 informing the policy states that proposals for manufacturing (Class B2) and distribution (Class B8) will be welcomed, proposals for research and development, light industrial or particular sui generis uses may be supported where the nature of the development requires an industrial location.

This approach is not consistent with the economic policies in the London Plan (March 2021), with Policy E5 (Strategic Industrial Locations) stating that development should be supported where proposed uses fall within industrial-type activities. The types of activities listed in Policy E4 (Land for Industry, Logistics and Services to Support London's Economic Function) include light and general industrial (Class E(g)iii)/B2 and flexible (Class E(g)iii)/B2/B8 space to accommodate services that support the wider London economy.

The proposed limitation of light industrial (Class E(g)iii) and research and development (Class E(g)ii) uses in SILs and other designated industrial sites directly conflicts with Policies E4 and E5 of the London Plan, and therefore is not considered sound in accordance with paragraph 35 of the National Planning Policy Framework.

Amenity

KSP welcome the inclusion of part i of draft Policy EC 13.2, which states that the Council prioritises industrial and distribution uses that could operate 24-hours and are not compatible with homes, schools and other sensitive uses. The approach is consistent with the London Plan and meets the current market demands and expectations which is essential for KSP for attracting prospective tenants.

Supporting paragraph 13.2.18 identifies the need for businesses in designated industrial areas to operate without excessive constraints from nearby homes, with paragraph 13.1.11 reinforcing the Council wanting to support these sites which can continue to safely accommodate modern business operations in an urban setting. This is strongly supported by KSP, particularly in the context of Willow Lane which is an established industrial site and meeting modern day operational requirements for tenants.

However, paragraph 13.2.21 notes that proposals for new development or change of use will not be granted where there will be harm to the amenities of occupants of neighbouring buildings in the absence of any mitigation. As identified in draft Policy EC 13.2, a primary characteristic of SILs is to enable businesses to operate 24-hours, therefore the paragraph as drafted is considered to conflict with this. In accordance with part D of London Plan Policy E5 for proposals not to compromise the integrity or effectiveness of the locations in accommodating industrial-type activities to operate on a 24-hour basis, we suggest clarity is added in the form of the Agent of Change principle. This approach would reflect that stated in paragraph 13.1.11 and provide consistent approaches in the Local Plan.

Small and Medium Businesses

Draft strategic Policy EC13.1 references that a strong supply of appropriate space for small businesses should be provided across the Borough, in locations which optimise the needs of business while minimising disruption to local amenity.

London Plan Policy E2 states that provision and protection should be made, where appropriate, for a range of B Use Class business space in terms of type, use and size, noting that the space should be fit for purpose with regard to the type and use. Given the 24-hour nature of SILs and in certain locations, from a management and commercial perspective, accommodating smaller businesses within the same area as larger industrial units is not possible operationally. Clarification should be included in draft Policy EC13.1 to identify the type of employment land small businesses will be directed to, and if this is a requirement for industrial sites, policy should include flexibility that such uses should not undermine the operation and function of the wider SIL and neighbouring uses.

Draft Policy EC 13.2 includes reference to the provision of shared workspace, flexible or co-working space. The supporting text to this policy references office floorspace, however the policy as drafted does not specify the type of employment uses where this is required. The policy should be specific on where shared and flexible workspaces are required. It is expected such provision would not be a requirement for industrial sites, however if so it should be explicit in policy such space should not compromise the function of SILs to operate on a 24-hour basis.

Planning Obligations

KSP is supportive of ensuring that developments contribute towards local employment initiatives. Draft Policy EC 13.4 includes a number of obligations, however the policy does not include flexibility to

account for changes in the economic climate. The obligations as drafted, particularly parts c and e, are considered by KSP to be challenging and flexibility should be built into the policy.

Summary

Overall, KSP are supportive of the approach to protect and enhance employment land within SILs to grow the Borough's economy. The protection of SILs for 24-hour operation alongside intensification of employment uses is welcomed, however as set out above, we consider further clarifications and amendments are required to enable the Local Plan to be found sound and consistent with the London Plan.

We trust the above comments are helpful in the context of advancing the Local Plan and would be grateful if you can confirm receipt of these representations. Should you wish to discuss these representations in detail, please do not hesitate to contact me or my colleague James Sheppard (james.sheppard@cbre.com).

Yours sincerely,

A handwritten signature in black ink, appearing to be 'KL', with a long horizontal flourish extending to the right.

KELLY LIPPETT
SENIOR PLANNER