

Survey:

What is your name? **Justin Mills**

What is your position (if applicable)? **Agent**

What is your organisation (if applicable)? **Amafh Investments Limited (c/o Contour Planning)**

1. Which part of the Plan are you commenting on?

Policy: Paragraph: Table: Map:

2. Do you consider the Plan is:

Legally compliant? Yes: No:

Sound? Yes: No:

3. If you believe the Plan to be unsound, is this because it is not:

Positively prepared

Justified

Effective

Consistent with national policy

4. Please give reasons for your objection or support:

We support the principle of the key Site Allocation of the Staples Corner Growth Area as a whole, however, we have the following concerns about how the policy is worded:

Planning Considerations:

- a) The policy is not in line with the draft London Plan's objectives (set out in Chapter 6, and in particular Policy E7) which states that the strategic objective is to "*ensure that in overall terms there is no net loss of industrial floorspace capacity (and operational yard space capacity) within designated SIL and LSIS.*" Instead, as currently worded, draft Policy BEGA2 seeks to prevent the loss of "employment floorspace". The London Plan is very specific about what uses are considered to be 'industrial' (specified in Part A of Policy E4), whereas the introduction of the ambiguous term 'employment floorspace' (within draft Policy BEGA2) creates confusion.
- b) Contrary to the London Plan (and its supporting evidence base – e.g. 'Industrial Intensification and Co-Location Study: Design and Delivery Testing') the policy does not provide guidance on what should happen in circumstances where there are non-SIL compliant uses within the wider Staples Corner area, and/or where they have

fallen into disrepair (and no longer usable). In this regard it is relevant to note that the GLA's 'Industrial Intensification and Co-Location Study: Design and Delivery Testing' advises (at Section 2.2) that "*non-industrial floorspace (e.g. B1A, A and D uses classes) which is accommodated on a designated industrial site and is not in use in support of an industrial activity (e.g. standalone offices, retail, leisure etc, tenanted by a non-industrial business) is not included in the industrial floorspace calculation, but is to be included in the potential industrial floorspace calculation that could be accommodated on the site at a 65% plot ratio*".

- c) The policy takes an inflexible stance to development coming forward in advance of the Staples Corner masterplan (which conflicts with the more flexible approach included in Paragraph 5.1.18 which states: "*small scale release of sites will be resisted, unless it can be shown that it will not undermine the outcomes of any likely adopted masterplan.*"). The suggested embargo on development taking place before the completion of the masterplan is inappropriate (due to its conflict with Paras 49 and 50 of the NPPF) and potentially damaging to the prospects of redevelopment occurring in the Growth Area (particularly in time for the completion of the new Brent Cross Thameslink station in 2022).
- d) The policy should include a timescale as to when the masterplan for the Staples Corner area will be completed/adopted, as without such guidance there is likely to be confusion and hiatus.
- e) Reference to the Brent Cross Thameslink station opening in 2024 is incorrect.
- f) The approach taken in the policy does not reflect the London Plan transport node policies (e.g. Policy GG2, GG5, D1A, D1B, E1 and E10) which seek to intensify the use of land to support additional homes and workspaces, and promoting higher density development and range of uses, in locations well-connected to existing and future public transport.
- g) The policy should allow other employment uses which are compatible with the industrial and employment nature of the Staples Corner SIL as part of mixed-use development, including residential, religious and community uses, hotel and conference centre.

5. What change(s) do you consider necessary to make the Plan legally compliant or sound?

- a) The policy should be amended to refer to the need for replacement 'industrial floorspace', instead of using the term 'employment floorspace'.
- b) Policy BEGA2 should be amended to make it clear that where sites/properties are not in industrial use (or last used for industrial use) and/or where they have fallen into disrepair (and no longer usable), then there is no policy requirement to provide like for like replacement industrial floorspace, but rather the 65% plot ratio (identified in the London Plan) should be used to achieve additional SIL compliant floorspace.
- c) The flexible approach taken in Para 5.2.18 should be introduced into Policy BEGA2, thereby allowing for an assessment of each application (in advance of a masterplan) on its merits. This approach would ensure that development proposals which are compliant with the requirements of the draft London Plan and other parts of the draft Local Plan can come forward in advance of the masterplan, provided it can be demonstrated that the future masterplan would not be compromised. Furthermore, the introduction of such flexibility (in advance of the masterplan) will also help the BEGA2 site allocation to be more in line with the requirements of the NPPF which, at Para 50, states that the refusal of planning applications which are deemed premature to an emerging development plan document "*will seldom be justified*".

- d) The policy should include a timescale for the completion and adoption of the masterplan (which should be in 2020).
- e) The policy should be amended to state that the Brent Cross Thameslink station will open in 2022.
- f) In line with the draft London Plan transport node policies, the density of development and range of uses appropriate within the Staples Corner growth area should be expanded (given the site's location in close proximity to the new public transport node which will open in 2022).
- g) The list of suitable used (as part of a mixed-use development) should be expanded beyond residential and employment uses to include religious and community uses, hotel and conference centre.

6. If your representation is seeking a change, do you wish to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

7. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Since the Policy BEGA2 has a direct impact on the nature and scale of development which Amafhh Investments Ltd may be able to achieve at is Staples Corner site, and since the draft policy conflicts with advice the Council has provided Amafhh in relation to a formal pre-application. Accordingly, the site owner wishes to orally present their case as to why the currently worded policy could affect the redevelopment potential of their property.

If you would like to comment on additional policies, please fix another sheet to this.

To ensure an effective and fair examination, it is important that the Inspector and all other participants in the examination process are able to know who has made representations on the plan. The LPA will therefore ensure that the names and addresses of those making representations can be made available and taken into account by the Inspector. The Council, its appointed Local Plan Programme Officer or the Planning Inspector appointed to undertake the Examination may also contact you regarding your response.

- Please indicate if you wish your personal data to be used for reasons other than identifying your representation and being contacted in relation to that representation.