

**Hearing Statement: Issue 11,
Questions 50; 52; and 53**

LBB Local Plan Examination In Public

**Prepared by Savills (with input from Grant Mills
Wood) on behalf of Bellway Homes (Thames
Gateway)**

1. Issue 11 Are the policies for employment in Bromley justified, consistent with national policy and will they be effective?

- 1.1 The representations are made on behalf of Bellway Homes (Thames Gateway) with specific reference to the Maybrey Works site, in Lower Sydenham (**Appendix 1**).
- 1.2 The site is currently within the Lower Sydenham Business Area (LSBA) on the adopted Proposal Map, and is therefore protected under UDP Policy EMP4. The emerging Local Plan allocates the site as part of the Lower Sydenham Locally Significant Industrial Site (LSIS).
- 1.3 This statement demonstrates that the long term protection of this site is in conflict with the NPPF and that the site is a sustainable and deliverable brownfield site which can contribute towards meeting housing needs and the provision of viable commercial space. It should therefore be removed from the LSIS.

Question 50) Does the plan provide for the positive planning of employment growth and an adequate analysis of employment floorspace needs in the Borough?

- 1.4 It is unclear from the submitted evidence base what LBB's current employment need is and what their projected need over the plan period would be. The Proposed Submission version focuses on protecting designations and it is unclear as to whether these designations are appropriate. A wholesale review on employment needs should be undertaken to ensure policies and allocations positively plan to meet needs rather than taking preventative stance.
- 1.5 LBB's evidence base documents date between 2009 and 2016. With the most recent documents relating to Bromley Town Centre, Cray Business Corridor, Biggin Hill and Crystal Palace. We do not consider that there is up to date borough wide evidence to support and justify the emerging policy position in the Borough.
- 1.6 Notably the 'Economic Development and Employment Land Study' by GVA Grimley was (January 2010), was published nearly 8 years ago, predating the NPPF. The data used ranges from the early 1990's to late 1900's up to 2006/2007. The projections within the report run up to 2026, whereas the draft Local Plan is to set policies up to 2031. The findings of the report are considered to be out of date given the passage of time, the change in the prevailing policy framework and economic factors since 2007/8. Significant structural changes to the B class property market have come about following the major economic downturn from 2007/2008.
- 1.7 The methodology in LBB's Industrial Land and Premises Update (published August 2015) is not considered to be robust as industrial needs are not analysed and the findings are considered to be out of date as the report only considered changes up to 2014.
- 1.8 The supporting evidence for Chapter 6 of the draft Local Plan is unsound, and fails to meet the requirements of para 158 and 182 of the NPPF as the borough's employment needs are not clearly demonstrated and in turn cannot be positively planned for over the plan period. Up to date evidence should be prepared to demonstrate employment need.

Locally Significant Industrial Sites

Question 52) To what extent should these areas include retail and office uses? Should the policy allow for mixed use development where the need for the safeguarding of the land cannot be demonstrated?

- 1.9 Retail and office floorspace can contribute towards meeting the spatial needs of the a 21st Century economy in accordance with NPPF (para. 20 and para. 154). If no demand for employment floorspace can be demonstrated, policy could allow office and retail uses if appropriate on its own merits to accord with NPPF para.22. Noting however, that major office schemes should be directed to town centres. The provision of residential uses on accessible brownfield sites would be appropriate to assist in cross subsidising the redevelopment costs of bringing sites forward which were historically in industrial use.
- 1.10 Allowing mixed use development on LSIS sites, where safeguarding cannot be demonstrated, would enable the regeneration of brownfield sites to provide a sustainable range of uses in accordance with the NPPF (para.17 and 21). However, flexibility should be applied to allow other land uses and not just mixed use developments. Allowing the release of previously developed employment land for mixed use development would limit development on the Green Belt and Metropolitan Open Land.
- 1.11 At 13th July 2015 LBB presented to the Development Control committee 'Bromley's Local Plan – Potential Site Allocations, Draft Policy and Designation Alterations for Consultation' within the document Maybrey Works was identified for residential led mixed use development (**Appendix 2**). A supporting draft consultation document suggests approx 60 residential units. This clearly suggests that LBB Officers considered the site suitable for alternative uses including residential and had reasonably come to the view that the removal of the site from the wider employment allocation was justified.
- 1.12 Minutes from the meeting state:
- "The Maybury Works [sic] in Worsley Bridge Road was currently industrial, commercial and employment use. The former Dylon site located adjacent to this had been designated for commercial use. Redesignating The Maybury Works [sic] to mixed residential would result in an over-intensive use and a request to retain its current designation was requested. Members were informed that retaining the site's current designation would be difficult because whilst it provided employment for 40-60 people, approximately one third of the site remained unused."*
- 1.13 Following this, the assessment of the site was amended to confirm that the site was not a suitable allocation for residential led mixed use (**Appendix 3**). However, it should be noted that this is inconsistent with the fact that the adjoining Dylon site is currently being developed for residential uses.
- 1.14 In August 2017 Bellway submitted an appeal (APP/G5180/W/17/3181977) against the refusal of planning permission in May 2017 (LPA Ref: 16/05897/FULL1) for the redevelopment of the Maybrey Works site, Lower Sydenham, for:
- "Demolition of existing buildings and comprehensive redevelopment of the site to provide new buildings ranging from five to nine storeys in height comprising 159 residential units (Use Class C3) and 1,099sq m commercial floorspace (Use Class B1a-c), residents gym (Use Class D2) together with associated car and cycle parking, landscaping and infrastructure works".*
- 1.15 The appeal is due to be considered at Inquiry in May 2018.

Question 53) Are the following sites justified as being included under this policy?: Homebase, Oakfield Road; Enterprise House, Bromley Common; 38 Croydon Road, Beckenham; Bromley Industrial Centre; Sydenham Industrial Estate; and, Maybrey Works, Lower Sydenham.

- 1.16 The below section supports the re-allocation of the Maybrey Works site from the LSIS allocation to residential led mixed use development allocation.
- 1.17 The inclusion of the site within the LSIS allocation is in conflict with paragraph 22 of the NPPF. The site should be released for different land uses which meet the needs of the local community. Therefore protecting the site is not justified.

Demand for the Site/Existing Building Condition

- 1.18 The existing buildings on site date back to the 1930's and are in poor condition, including issues associated with damp, poor energy statistics and asbestos roofing.
- 1.19 To support aforementioned planning application Bellway prepared:
- an Employment Land Report (ELR) (December 2016) prepared by Grant Mills Wood (**Appendix 4**); and
 - addendum ELR (March 2017) prepared by Grant Mills Wood (**Appendix 5**)
- 1.20 The ELR and the addendum ELR undertaken by GMW concludes that the existing buildings are physically obsolete, uneconomic to refurbish, not capable of beneficial occupation and would not be re-let at an acceptable market rate given their poor condition.
- 1.21 The addendum ELR contains a 'Cost Advice for Refurbishment' report by GL Hearn demonstrates that refurbishment of the existing site is not suitable or viable to meet modern day requirements in the medium to long term. A cost breakdown and viability calculation associated with the refurbishment and re-occupation of the existing building (undertaken by GL Hearn) sets out that the cost of refurbishing the existing building on site would be £4,063,723. This is not viable or practical. That cost base will have increased since the report it was prepared due to rises in building costs in London caused by the numerous infrastructure projects.
- 1.22 Rental values for space within the buildings (after refurbishment) would not be sufficient to justify the costs. Further some existing accommodation would need to be demolished to improve access and circulation areas. Bellway's commercial agent, Grant Mills Wood, estimate a net lettable area of 48,960 square feet which following refurbishment would generate a negative value by reference to a residual appraisal. If a reasonable land cost was included within the appraisal the loss would increase to over £2m. As such Grant Mills Wood conclude that there is no prospect of the site being refurbished or redeveloped for B class uses given that it would not be financially viable to do so.
- 1.23 The existing units on the site are vacant, except for one unit which is let on a heavily subsidised rental basis. Empty units within the existing buildings have been actively marketed since 2008, as demonstrated in the Sinclair Jones marketing evidence from May 2009. The property was also intensively marketed during the period June 2015 to December 2016. The results of this 18 month exercise are provided in Section 5 of the of the Addendum Report (March 2017) which concluded that '*the property is no longer viable as an industrial building and should be released for alternative use*'.
- 1.24 The site continues to be marketed by Grant Mills Wood. Site particulars have been included within their email database and have been regularly distributed to clients since April 2017.. The site is advertised on their Website and site particulars will be published in the Estates Gazette and Property Week. At present no offers have been forthcoming for employment uses on the site.

- 1.25 The Grant Mills Wood ELR highlights that declining demand for manufacturing and warehouse users,, major distribution companies tend to seek “high bay” warehouses and focus on locations and large sites immediately adjacent to the motorway network, with direct access thereto and avoiding adjoining residential neighbourhood in light of the 24/7 working practices. No part of the Maybrey site is suitable for such uses particularly in view of:
- the low bridge on the access road that connects to Worsley Bridge Road, which restricts the size and height of vehicles that can access the site. This is a significant deterrent to potential distribution companies;
 - the site is not located adjacent to or close to the motorway network. This challenges the suitability of the site; and
 - residential uses exist to the north of the site and new residential development is under construction adjacent to the western boundary. The close proximity of surrounding residential further exacerbates the fact the site is not suitable for either industrial or warehouse uses.
- 1.26 GMW conclude that there is no reasonable prospect of new employment use on the site as a stand alone scheme.
- 1.27 The existing buildings have no prospect of being refurbished for employment uses. The vacant units have been marketed since 2008 and the current marketing exercises for the site is on-going, which demonstrates that there is not sufficient demand for an employment uses on the site.
- 1.28 The site is in a sustainable location close to shops and services, Lower Sydenham railway station, as such the redevelopment of the site for alternative uses including residential would accord with the NPPF and the Mayor’s ‘City for All Londoners’ (October 2016) aspiration to focus on mixed use development and the delivery of housing close around transport nodes.

No Demand for Employment Floorspace

- 1.29 The ELR prepared by Grant Mills Wood and the Marketing Evidence demonstrates that there is no demand for industrial uses on the Site. Reserving a site which is not suitable or needed for industrial uses does not mean it will ever come forward for such uses.
- 1.30 In considering the application submission for the site, Paragraph 22 of the GLA Stage 1 Report dated 5 March 2017 (**Appendix 6**) also explicitly states that there is a “*good local supply of employment floorspace and concludes that the release of poorly located land, on sites such as this, would not have an adverse impact on supply. This is accepted.*”
- 1.31 As there is no demand or need demonstrated for the site, releasing the site from the LSIS would accord with the NPPF.

Function of the LSIS

- 1.32 The redevelopment of the site would not comprise the function of the wider LSIS. The site is physically separated from the wider allocation by both the railway line and development coming forward on the Dylon Works site which adjoins the western boundary. The only road connection between the site and the wider Lower Sydenham Business Area/LSIS is via the A2218; however, the low railway bridge restricts the access of larger heavy goods vehicles. The isolated position of the site from the remainder of allocation would undermine the suitability of industrial floorspace on the site.
- 1.33 The existing unrestricted use of the site also conflicts with the existing and emerging residential character of the surrounding area. Any new industrial use on the site would introduce conflicting

nonconforming uses along the western boundary which would not be appropriate adjacent to the new residential uses.

- 1.34 The GLA Stage 2 Report dated 15 May 2017 (**Appendix 7**) for the application confirms that the site is separated from the rest of the Lower Sydenham Business Area and explicitly states '*development on this part of the LSIS would be unlikely to compromise the primary function of the LSIS*'. Bellway fully supports this position.
- 1.35 The supporting ELR prepared by Grant Mills Wood concludes that the release of poorly located land previously in industrial uses will not have an adverse impact upon the supply and demand balance in the Borough.
- 1.36 In summary we consider that de-allocation would not comprise the function of the wider LSIS or its capacity to continue to accommodate Class B uses in the medium to long term for industrial purposes because of this geographic separation. Releasing the site from the LSIS and reallocate for alternative uses would accord with the NPPF.

Redeveloping the Site: Scale and Design

- 1.37 A contextual analysis of the site would inform scale and design of any redevelopment proposal. Currently Bellway and LBB have differing views as to what scale and design would be considered appropriate on the site.
- 1.38 It is noted by both parties that the Dylon scheme has altered the character of the surrounding context. This change in character supports the ability to maximise the development potential of the site, subject to townscape considerations.
- 1.39 Development of the site could significantly improve the quality of the street scene in this location.
- 1.40 In this regards releasing the site from the LSIS would accord with the NPPF

2. Conclusions

- 2.1 For the reasons detailed above LB Bromley's Proposed Submission Draft Local Plan is unsound for the following reasons:
- the evidence base is not up to date and therefore lacks relevance;
 - it has not been informed by a sound assessment of the borough's housing and employment needs;
 - it has not been prepared with the object of contributing towards the achievement of sustainable development;
 - it has not been informed by a sound approach to the allocation of a sufficient number of suitable sites or through the Plan process;
- 2.2 Therefore the draft local Plan has not met the requirement of NPPF paragraph 182.
- 2.3 In order to make the Plan sound, the Maybrey Works site should be removed from the Lower Sydenham LSIS allocation. This is supported by Bellway's own evidence.

Appendix 1

Appendix 2

Appendix 3

Appendix4

Appendix 5

Appendix 6

