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9 June 2014

Dear Sirs,

**LEWISHAM: DRAFT DEVELOPMENT MANAGEMENT LOCAL PLAN  
WRITTEN REPRESENTATIONS ON BEHALF OF SHURGARD UK  
LIMITED**

I write in respect of the above and on behalf of my client Shurgard UK Ltd. Draft Development Management Local Plan, more specifically DM Policy 10, is unsound as it does not comply with national planning policy. Shurgard UK Ltd therefore object to the above document and wish to further detail the points raised at the examination hearings which took place in February 2014.

These representations initially set out relevant planning policy framework and subsequently demonstrate the proposed amended wording is unsound and cannot be supported.

**Relevant Legislation / Planning Policy**

*National Planning Policy Framework (March 2012)*

The Framework was adopted in March 2012, with a presumption in favour of sustainable development as a central policy tenant. Paragraph 8 of the Framework states that: '*Economic growth can secure higher social and environmental standards, and well designed buildings and places can improve the lives of people and communities*'. Additionally, paragraph 14 states that at the heart of the Framework is the presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking.

Paragraph 17 sets out the core land use principles which should underpin both plan-making and decision taking. The 12 principles include the need to encourage the effective use of land by reusing land that has been previously developed.

Paragraph 182 sets out the four criteria to confirm a “sound” local plan, namely:

- i. Positively Prepared: preparation reflective of strategy which seeks to meet objectively assessed development and infrastructure requirements;
- ii. Justified: reliant upon a proportionate evidence base and considered against reasonable alternatives;
- iii. Effective: plan policies should be deliverable over the plan period; and
- iv. Consistent: plan policies should reflect national policy

#### *The London Plan*

The Strategic Development Plan relevant to the London Borough of Lewisham is set out in the London Plan 2011 and other relevant Supplementary Planning Guidance issued by the Mayor of London. The purpose of the London Plan is to promote economic and social development and environmental improvement for Greater London. It is intended to provide an overall strategy for development in London and ensure that a consistent approach is taken during policy formulation by each of the London Boroughs. The latest adopted version was published in July 2011. Draft alterations to this document were published in January 2014.

Adopted Policy 4.4 sets out the details requiring how the LPA should manage / plan for adequate industrial land across the borough.

#### *Lewisham Core Strategy*

The Core Strategy sets out a hierarchy of defined employment land, principally (i) Strategic Industrial Land, (ii) Local Employment Locations and (iii) Mixed Use Employment Locations.

Sites that comprise these designations are generally protected for employment use. With regard to Local Employment Locations (LEL), Core Strategy sub-text to Policy 5 states LELs usually accommodate better quality purpose built small industrial/workshop units for which the ELS [Employment Land Supply] identifies a demand.

Core Strategy Policy 3 clearly identifies B1, B2 and B8 uses as being acceptable upon LEL designated land.

#### *Draft Development Management Plan*

The draft policy (DM10) regarding Local Employment Locations states:

*(2) ‘permission for self-storage facilities and larger scale storage facilities and warehouses (Use Class B8) will not be granted unless part of the development re-provides the floorspace for small and medium enterprises in line with Core Strategy Policy 3 which protects Local Employment Areas for a range of uses’.*

#### **Representations regarding emerging Policy DM10**

Draft Policy DM10 is unsound as it is not:

- a. Positively Prepared;
- b. Justified;
- c. Effective; or
- d. Consistent with National Policy

**Positively Prepared:** The LPA refer to a limited evidence base (see below) to identify a specific land use and emerging industry. This directly conflicts with NPPF Paragraph 14 highlighting a presumption in favour of sustainable development. For plan-making this means the LPA should positively seek opportunity to meet objectively assessed development needs of their area, with sufficient flexibility to adapt to rapid change. NPPF Policy 21 requires that when drawing up local plans, the LPA should identify and plan for new or emerging sectors likely to locate in their area.

Self-storage represents an emerging and growing market which caters for a modern employment demographic. The requirement with draft Policy DM10 to accommodate business floorspace for small-medium enterprises (SME) is unnecessary and conflicts with NPPF Paragraphs 14 and 21 in particular. It is demonstrated below that self-storage provides an important function in delivering flexible space for local business and enterprise. The negative approach taken by the LPA on the basis of limited evidence regarding employment generation results in a plan which is not positively prepared and is therefore unsound in this regard.

**Justified:** In formulating the emerging policy the LPA have not reviewed the impact self storage has upon employment generation. The LPA fail to rely upon evidence to reinforce their position that self storage represents a less intensive employment use upon scarcely available local employment land. In preparation of the Core Strategy, the LPA undertook a review of employment land supply which resulted in considerable contraction of identified employment land, thereby reducing available land for this purpose, and failing to account for emerging land use requirements. This fails to reflect NPPF Policy 21 in particular which requires LPAs to support existing business sectors and plan for new or emerging sectors to locate in their area.

The imposition of a punitive restriction on self-storage use within designated LEL sites cannot represent a positively prepared plan, mindful of the conflict with NPPF Paragraph 21. Further, the LPA have failed to demonstrate any evidence that this approach can be supported, other than reference to one site (Stanton Square) within the LPA response to Inspector's Questions regarding emerging Policy DM10, during public examination in February 2014. Mindful of the employment generation evidence below, the policy as drafted conflicts with this requirement, is not justified and therefore is unsound.

The proposed B8 Use for self storage provides two facets of employment generation:

- a. Direct generation through operation of the unit; and
- b. Indirect generation through use of the facility by business customers

Such facilities theoretically create between 3-5 full time equivalent (FTE) jobs including managerial and assistant staff within the unit on a shift basis, 7-days a week.

Indirect employment generation effects of self-storage facilities are significant, however. Within 'Use Class B, Distribution or Storage' Self-Storage generates and supports a relatively high level of employment activity. A typical Shurgard store (c10,000sq.m/ 1100 units) is likely to harbour 100-200 business users, with a minimum employment ratio of 1:1 unit/ job opportunity this represents a significant level of employment generation (average 150 jobs). The enclosure to this representation comprises employment density data published by Driver's Jonas on behalf of the HCA. This demonstrates B8 Use harbours 1 job (FTE) per 70sq.m floorspace.

This level of employment generation represents a significant proportion and positively contributes to improved employment opportunities within the area as advocated by the NPPF, The London Plan and The Lewisham Core Strategy. It therefore contributes to the objectives set out by Policy DM10 and the requirement to provide dedicated employment floorspace for SME is unnecessary.

The role of self storage facilities in employment provision was dealt with at appeal at 155 Lewisham Way, New Cross, with the Inspector confirming that the B8 use proposed was concurrent with the development plan. The Inspector noted (Appeal ref APP/C5690/A/09/2113180) that as a B8 use self storage is acceptable in principle within defined employment sites. Whilst he noted it is difficult to quantify indirect employment generation to the proposal, he confirmed that as the (then UDP) policy did not refer directly to employment density, the proposal was compliant with the most directly relevant development plan policy. He concludes that the weight given to employment density and generation should be limited as self storage does not represent a loss of an employment use.

Emerging Policy DM10 references the punitive restriction of self storage within LELs in order to comply with Core Strategy Policy 3, however this clearly accepts the principle of B8 use on such designated land. The Council's reference to one specific site within their response to the DM Policies Examination appears to be dictating their position on a borough wide basis, despite no reference to a proportionate evidence base. The emerging policy is therefore unsound.

**Effective:** Business customers also stay with Shurgard longer than the residential customer profile, thereby ensuring continuity in employment provision and support, with the average occupancy for a business customer in the UK at 12 months. The facility allows secure, accessible and flexible business storage space for a wide variety of local businesses and enterprise.

The typical uses from a business perspective are:

- To provide a distribution base;
- Storage of seasonal stock;
- Storage of surplus goods;
- Storage of office equipment;
- Items being stored as a consequence of expansion, contraction or relocation.

Analysis of occupancy characteristics of similar scale units operated by Shurgard demonstrate that a significant level of occupancy to local businesses and tradespersons active within the surrounding areas, through provision of secure storage facilities on a flexible basis. This type of development therefore supports various additional local businesses and assists in generating additional jobs in the borough as well as maintaining existing jobs. In adopting a strategy of contraction of designated employment land, the LPA have not provided sufficient flexibility within the development plan to account for emerging employment land uses which support the overall objective of DM10 (i.e. to provide floorspace for local SMEs).

Analysis of the existing/ established business users within Shurgard's London portfolio of stores demonstrates that business occupiers range from multi-national commercial organisations to individual start-up enterprises. A significant proportion of government and public sector organisations also regularly use self-storage facilities. This reflects current and emerging trends in the local employment market and will ensure this element of the plan is effective. The punitive restriction within emerging policy DM10 is therefore unsound as it is not effective.

**Consistent with National Policy:** It is demonstrated above that the emerging policy as drafted conflicts with NPPF policies 14 and 21. Further, emerging Policy DM10 conflicts with Core Strategy Spatial Policy 3 (identifying B8 as appropriate land use) and Spatial Policy 4 *Local Hubs* which states that for example the LEL at Stanton Square B Use Class (offices, industry and warehousing/storage) and specifically storage type uses are appropriate. The inconsistency within the draft policy is unsound and therefore cannot be adopted as drafted.

### **Conclusion**

It is demonstrated above that the potential of the site for use in B8 clearly complies with the LPA objectives for the use of the site as a Local Employment Location. The requirement to specifically require floorspace for local SME is already met through self storage use and the draft wording is therefore unnecessary. Draft Policy DM10 is therefore:

- Not Positively Prepared – punitive restriction which targets a specific land use
- Not Justified - LPA policy formulation fails to account for employment generation evidence of self storage facilities
- Not effective – emerging policy fails to account for an emerging market and does not account for land use requirements over the plan period.

Mindful of the position detailed above, it is clear that paragraph 2 of emerging Policy DM10 is unsound and cannot be supported. Paragraph 2 should therefore be removed in its entirety from the policy prior to adoption.

I trust this is in order, however please do not hesitate to contact either Mairead Murphy or me should you have any queries. I would be grateful for further dialogue / participation in seeking to arrive at a sound policy basis in respect of DM10.

Yours sincerely



**Alun Evans**  
**Senior Associate Director**