

Lewisham Local Plan: Statement of Common Ground between London Borough of Lewisham and Kitewood Estates Ltd in relation to Site Allocation LWA SA 09 – Willow Way Locally Significant Industrial Site (LSIS)

Submission Stage (Regulation 22)

March 2024

1. Introduction

- 1.1. This is a Statement of Common Ground (SoCG) that sets out details of the joint working and cooperation that has taken place, and the future cooperation that is required, between the London Borough of Lewisham (Lewisham Council) and Kitewood Estates Ltd throughout the preparation of the Borough's new Local Plan.
- 1.2. To date, Lewisham Council has consulted on: the preferred options of the Local Plan through the Regulation 18 consultation during January and April 2021, and the publication draft of the Local Plan through the Regulation 19 consultation during March and April 2023.
- 1.3. At each stage of the plan making process Lewisham Council has prepared a range of evidence base documents and published them on Lewisham Council's website. These have informed the policies within the new Local Plan.
- 1.4. Lewisham Council submitted the new Local Plan to the Secretary of State and the Planning Inspectorate in November 2023.
- 1.5. The Council notes that Kitewood Estates Ltd submitted a formal written representation during the Regulation 18 and 19 consultations. Their comments were particularly focussed upon the evolving developing proposals for their land interest. The Council welcomes this representation and has since formulated a comprehensive response within a submitted Duty to Cooperate response table, available at: https://lewisham.gov.uk/-/media/appendix-3-regulation-22-draft-local-plan-consultation-written-representationstable_final-nov-2023.ashx?la=en

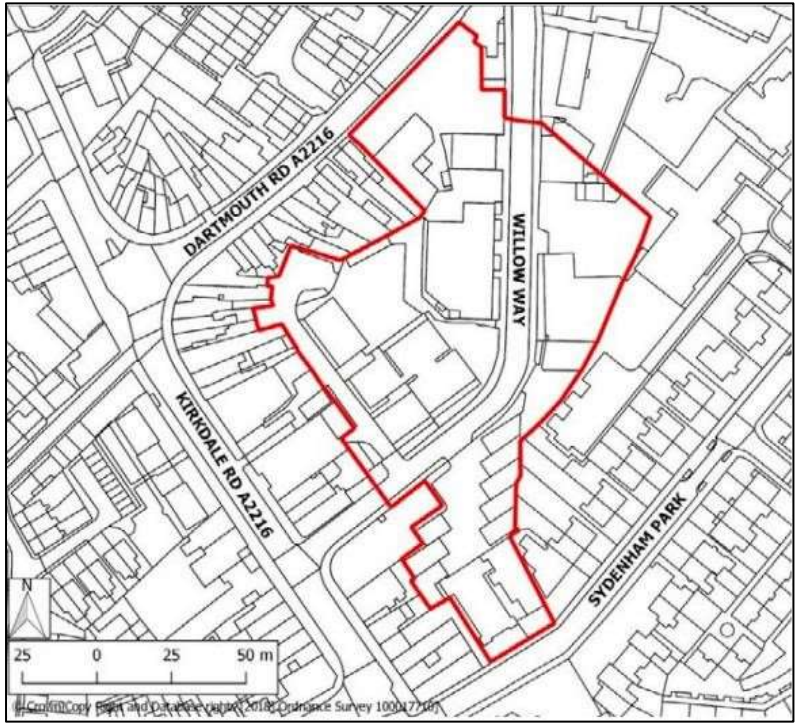
2. Relevant Bodies and Strategic Geography

- 2.1. The two relevant parties for the purpose of this SoCG are Lewisham Council and Kitewood Estates Ltd (the development partners), in relation to new Lewisham Local Plan site allocation LWA SA 09 'Willow Way LSIS' – the site's boundaries are shown in Map 2.

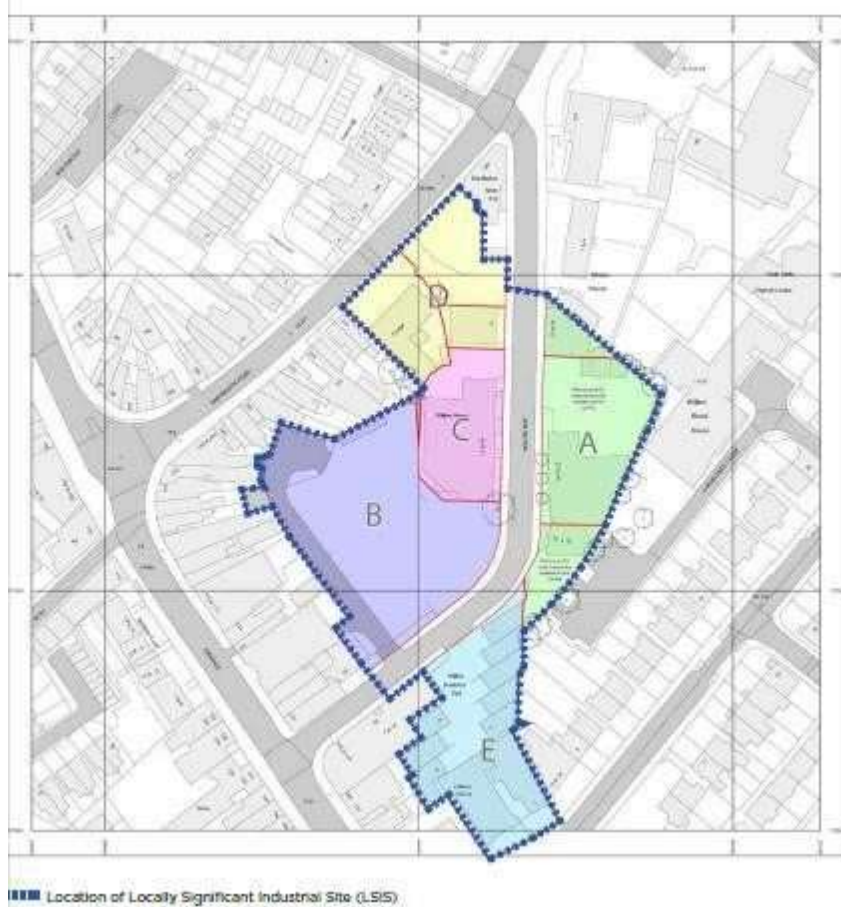
- 2.2. Located in South-East London, Lewisham is an inner London Borough. It is bordered by Boroughs of Bromley, Greenwich and Southwark and the River Thames – as shown in Map 1.
- 2.3. Kitewood Estates Ltd is one of the owners of the Willow Way site (Willow Way Employment Location (comprising 10-24, 21-57, the now vacant former Council Offices and Depot Willow Way, Units 1-8 Willow Business Park and Church Hall and 1 Sydenham Park), SE26).
- 2.4. Kitewood Estates Ltd controls 21- 57 Willow Way ('Site A') which was recently consented at Appeal and 12-24 Willow Way ('Site C'). Kitewood Estates Ltd is also in agreement with the Council to deliver the vacant site of the former Council Offices and Depot (Site B').
- 2.5. While Kitewood Estates Ltd is one of the development partners within the designated site allocation, it is recognized that there may be other parcels of land and involved parties within the allocation boundary. As deemed necessary, the Council will initiate Statements of Common Ground with remaining Landowners where possible.



Map 1: The London borough of Lewisham



Map 2: Boundaries of site allocation LWA SA 09



3. Key Strategic Matters

- 3.1. The new Lewisham Local Plan states that all development proposals should contribute to the achievement of its strategic objectives, the spatial strategy for the Borough and further

support the priorities for Lewisham’s neighbourhoods and places. In addition, the new Local Plan sets out development management planning policies across a range of topic areas that seek to guide place-making. It is important that the development management policies are not considered in isolation – the new Local Plan must be considered in its entirety.

- 3.2. The site allocation is subject to the following planning designations and site considerations:
- Growth Corridor
 - Local Employment Location (LEL) now referred to by the council as a Locally Significant Industrial Site
 - adjacent Conservation Area
 - adjacent Local Centre
 - Area of Special Local Character
 - Flood Zone 1
 - Critical Drainage Area
 - adjacent Locally Listed Building.

4. Willow Way LSIS Site Allocation: Indicative Capacity and Principle of Development

- 4.1. To help to facilitate Good Growth in Lewisham the new Local Plan includes site allocation policies. These are detailed policies for strategic development sites that are critical to the delivery of the spatial strategy. The sites will play an important role in addressing the Borough’s needs for new housing, workspace and main town centre uses, along with supporting infrastructure (including community, transport, and green infrastructure).
- 4.2. The site allocation LWA SA 09 in the new Local Plan, identifies the opportunity for comprehensive employment led mixed-use redevelopment. Co-location of compatible commercial, main town centre and residential uses. Reconfiguration of buildings and spaces to facilitate a new layout alongside the existing Willow Way with new and improved connectivity, both into and through the site along with public realm and environmental enhancements.
- 4.3. The site comprises the Willow Way LEL (now referred to by the Council as a Locally Significant Industrial Site), which is located adjacent to Upper Sydenham/Kirkdale local centre and spans both sides of Willow Way. The site includes vacant land and a mix of lower density employment uses, 9 existing residential units at 1 Sydenham Park and a nursery. Redevelopment and site intensification, along with the co-location of employment and other uses, will provide a more optimal use of land and enable the delivery of new and improved workspace to support the long-term viability of the LSIS. Development will also enable public realm enhancements to improve the quality of the townscape around the local centre, and help to make the area a safer and more attractive place for business and community activity.

Indicative capacity:

- 4.4. The new Local Plan Regulation 22 submission version sets out an indicative capacity of:
- 175 net residential units,

- 6,705 gross employment floorspace (m²) and
 - 0 main town centre gross floor space.
- 4.5. The indicative site capacities, serve as a starting point for significantly boosting the supply of housing in order to meet Borough's housing needs, particularly in respect of improving the delivery of genuinely affordable and market housing. They have been determined through rigorous site assessment, consultations, Lewisham Call for sites (2015 and 2018) and the London SHLAA, to identify that the site is suitable for development, available and achievable, and with reasonable prospect of being delivered. Where relevant, consideration has also been given to capacities being proposed during the pre-application stage and within the planning application.
- 4.6. The indicative capacity for the employment floorspace (6,705 m²) includes the retention of existing quantum of employment floorspace and any uplift resulting from intensification.
- 4.7. Note that the capacities set out in paragraph 4.4 relate to the whole of the site and predate the appeal decision set out in paragraph 4.9.

Current site status:

- 4.8. The application Ref 22/129789, dated 22 December 2022, was refused by notice dated 23 March 2023. The development proposed is Demolition of existing buildings and redevelopment of the site comprising a block rising to 5/6 storeys accommodating 1,401sqm of employment floorspace (Use Classes E(g)(i)(ii)(iii)) at ground and mezzanine floors and 60 residential units (Use Class C3) above, with associated landscaping, amenity areas, cycle, car parking and refuse/recycling stores at 21- 57 Willow Way, London, SE26.
- 4.9. An appeal was made by Kitewood Estates under section 78 of the Town and Country Planning Act 1990 against the decision of London Borough of Lewisham to refuse to grant planning permission.
- 4.10. The appeal was allowed and planning permission was granted for Demolition of existing buildings and redevelopment of part of the site comprising a block rising to 5/6 storeys accommodating 1,401sqm of employment floorspace (Use Classes E(g)(i)(ii)(iii)) at ground and mezzanine floors and 60 residential units (Use Class C3) above, with associated landscaping, amenity areas, cycle, car parking and refuse/recycling stores at 21- 57 Willow Way, London, SE26. at 21-57 Willow Way, London, SE26 4QP in accordance with the terms of the application, Ref 22/129789, dated 22 December 2022.
- 4.11. Current estimates of site capacity can be found within Lewisham Council's updated housing trajectory document (PD18), available at: https://lewisham.gov.uk/-/media/final-updatedhousing-trajectory_021123.ashx?la=en
- 4.12. **Record of Agreement:**
- A** *Kitewood Estates Ltd and Lewisham Council agree to the principle of development for the site for employment, main town centre and residential uses.*
- B** *Both parties accept the site capacities identified in the new Local Plan LWA SA 09 are indicative. The optimal capacity of a site must be established on a case-by-case*

basis using the design-led approach, and having regard to relevant planning policies.

C *Both parties agree to engaging collaboratively throughout a planning application process to ensure optimal outcomes for the site.*

5. Development Requirements and Guidelines

Development requirements:

- 5.1. Landowners must work in partnership and in accordance with a masterplan, to ensure the appropriate co-ordination, phasing and balance of uses across the site, in line with Policy DM3 (Masterplans and comprehensive development). This must address the site's relationship with the Upper Sydenham / Kirkdale local centre, to improve the functional relationship with neighbouring uses and the public realm, along with townscape character.
- 5.2. The site contains an MOT centre which is in active use ('Site D'). Development proposals must adequately address the operational requirements of the MOT centre in order to secure a viable future for it. Attempts should be made to engage the landowner of the MOT centre on the masterplan proposals.
- 5.3. Development must not result in a net loss of industrial capacity, or compromise the function of the employment location, in line with Policy EC6 (Locally Significant Industrial Sites).
- 5.4. Positive frontages along Willow Way, Dartmouth Road and Sydenham Park, with active ground floor frontages. Positive frontages elsewhere throughout the site, where new routes are introduced.
- 5.5. The site must be fully re-integrated with the surrounding street network to improve access and permeability in the local area. This includes a clear hierarchy of routes, with a legible and safe network of walking and cycle routes, through the site. Particular consideration must be given to the access and servicing arrangements for commercial uses.
- 5.6. Delivery of new and improved public realm and open space, in accordance with a site-wide public realm strategy.
- 5.7. Development proposals must not adversely impact on the amenity of the public house located outside of the site boundary, in line with Policy EC19 (Public houses).

Development Guidelines:

- 5.8. Non-employment uses, including residential uses, must be sensitively integrated into the development in order to ensure the protection of amenity for all site users, along with safe and convenient access. This will require careful consideration of the operational requirements of existing and potential future employment uses.
- 5.9. Main town centre uses may be acceptable but these must be ancillary to the commercial uses and not detract from viability of the local centre.
- 5.10. Enhanced permeability off Willow Way will be an essential element of the design. Proposals will be expected to investigate, and where feasible, deliver a new route(s) linking from Willow Way to Kirkdale and Dartmouth Roads.
- 5.11. Additional planting and landscaping should be integrated to enhance the public realm and encourage movement by walking and cycling along Willow Way.

- 5.12. Development should provide for a coherent building line along Willow Way, taking into account the redevelopment of the former Sydenham Police Station site.
- 5.13. The design of development must respond positively to the local context, giving particular consideration to heritage assets, including the Sydenham Park Conservation Area, Halifax Street Conservation Area, Jews Walk Conservation Area, Area of Special Local Character, as well as listed building and locally listed buildings along Kirkdale.
- 5.14. Applicants should work in partnership with Thames Water and engage with them early to manage surface water, divert existing sewers where applicable and ensure infra-structure upgrades are delivered ahead of the site being occupied through a housing phasing plan.
- 5.15. **Record of Agreement:**
- D Both parties agree to the development requirements specified in the new Local Plan for the Willow Way LSIS site.**
 - E Both parties agree to the development guidelines specified in the Local Plan for the Willow Way LSIS Site.**

6. Timeframe for Delivery

Years 1-5 (2024/25)	Years 6 - 10	Years 11 – 15	Beyond 15 Years
x	Yes	x	x

- 6.1 **Record of Agreement:**
- F Both parties agree to the indicative timeframe for delivery outlined in the new Local Plan.**
 - G Both parties agree to work together positively to secure delivery/ completions during the period 6-10 years to contribute to an improvement in housing delivery performance.**
 - H Kitewood Estates Ltd agrees to be transparent about deliverable timeframes and promptly notify Lewisham Council of any changes or delays to site delivery.**
 - I Both parties agree that Site A (the Appeal site) can be delivered without delay.**
 - J Both parties entered into a Planning Performance Agreement (PPA) to engage in pre-application discussion to produce a masterplan for the LSIS. The masterplan will show the retention of floorspace on Site E; possible proposals for Site D; and the redevelopment and intensification of Sites A, B and C.**

7. Governance Agreements



- 7.1. Normally SoCGs are prepared and then maintained on an ongoing basis; and be made publicly available to allow transparency. This is particular the case in respect of SoCGs between Lewisham Council and its plan-making and infrastructure delivery partners. However, this SoCG has been prepared with a development industry partner with the specific intent of demonstrating the overall soundness of the Local Plan, its site allocations and planning policies. It seeks to demonstrate how the development industry supports the new Lewisham Local Plan site allocation LWA SA 09 and will contribute towards on-the-ground delivery in a timely manner.

7.2. This SOCG will be revisited whenever agreements on outstanding matters have been reached.

8. Signatories

8.1 The signatories below confirm that this is an accurate record of the matters requiring cooperation between the two parties. When signing this SoCG:

- The Planning Policy Manager (or equivalent) is the lead Officer responsible for managing the SoCG,
- The Director of Planning (or equivalent) is responsible for signing off the SoCG.

Organisation	Name	Position	Signature	Date
London Borough of Lewisham	Nick Fenwick	Director of Planning		8th July 2024
Kitewood Estates Ltd	Sara Sweeney	Planning Director		05/07/2024