

# SEGRO Responses to ED88

( 2 September 2013 )

## Introduction

1. SEGRO have been invited to comment upon the Council's 'latest' response (ED88) to the Inspector's further questions as set out in ED87.
2. These comments must be read in the context of SEGRO's earlier submissions at the EIP that the former GSK site is not and never has been SIL and thus its loss is not required to be mitigated.
3. Further, consistent with the Council's approach in ED82, ED68 and ED5, SEGRO submits that the Council has once again failed to answer the Inspector's precise question or to provide the evidence requested.
4. The very fact that the Inspector has had, yet again, to ask the LPA for an explanation of its case and for any evidence base to support the allocation of the OIS 7 site south of the canal as SIL demonstrates that the allocation is not soundly based, as SEGRO has repeatedly submitted.

## The Council's Admitted Lack of Rigour

5. It is astonishing that the Council should, for the first time, suggest that it did not apply a rigorous approach to industrial land management or take into account the London Plan or Industrial SPG in preparing the Publication DPD and the Council's submission in ED88 appears to be an admission that it was not soundly prepared.
6. The Council has thus accepted that its approach to several site allocations affecting by SIL (table 1), including the land north of the canal within OIS7/8 (the former GSK site) was not soundly based. In doing so, the Council accepts that the sole reason for the approach now proposed on SEGRO's land is not based upon a sound process.
7. The weakness of the Council's position is highlighted by the fact that, rather than going back and reviewing the process of industrial land release and the site allocations associated with this, it simply sought to 'cover up' its mistakes through a wholly un-tested, un-justified and un-sound application of SIL to the SEGRO land.

8. In doing so, the Council is in effect asking the Inspector to paper over the cracks of a DPD that is not sound; but in doing so, the Council has not provided the Inspector with the information necessary to demonstrate that there has been an adequate process of assessment or that there is an evidence base that can be relied upon.
9. With a clear mixed-use site allocation for SEGRO's element of OIS 7 in the adopted CS, it is clearly unfair that the Council should now seek to depart from its adopted CS DPD which was, and indeed still is, supported by all parties and found to be sound; with a Sites DPD that is inconsistent and wholly unsound in its approach.
10. On the evidence before the Inspector, including the admissions by the Council, we submit that the Council's approach to SEGRO's land is clearly not sound.

### **The Inspector's Question & the Council's Response**

11. The Inspector's request in ED87 was for, an explanation of how the Council arrived at its conclusion that the loss of SIL to the north of OIS 7 needed to be compensated for by the designation of land to south of the canal as SIL which implies that there is a critical mass of SIL required to ensure that Greenford performs its strategic role. For example, it is asked whether the Council undertook any analysis of (a) the sufficiency of SIL; (b) the risk to the strategic role of Greenford if the OIS 7 site was not included as SIL; and (c) how much SIL is necessary to maintain Greenford's strategic role.
12. The Council's response in ED88 appears to offer no more than a re-presentation of an earlier table summarising what it believes to be employment land changes. It fails to provide any evidence of the analysis it purports to have undertaken between what it now suggests was an unsound 'Publication' draft DPD and what is clearly an un-sound 'Submission' DPD.
13. The first and second paragraphs of ED87 assert that the Council "thoroughly reviewed and reflected on the available evidence base to validate the GLA response" but the Council conspicuously fails to produce that review. Had there been any such assessment, it could and should have been produced as part of the evidence base in support of the Submission DPD or even for the EIP itself. Had it done so, SEGRO could and would have commented on the adequacy of the Council's "review" and the conclusions it reached. Instead, the Council has consistently and until now relied on the Employment Land

Review (2010) and the GLA's response dated 3 September 2012 to the Publication Draft to justify the allocation.

14. SEGRO has already made submissions as to the lack of support that the ELR provides for the allocation of OIS 7 as SIL (it recommends a mixed use) and does not repeat them here. As for the GLA's position, it has never provided evidence of what, if any, consideration it gave to the need to designate the land to the south of the canal as SIL. In any event, it is for the Council to justify that the allocation of the OIS 7 site as SIL is soundly based.
  15. The Council's 11<sup>th</sup> hour assertion it now makes, that it undertook its own review after the GLA's response, is wholly inconsistent with its earlier position and the manner in which the Council now claims to have undertaken that review, but without disclosing any evidence of such a review; does not provide the Inspector with the evidence to conclude that the allocation of OIS 7 is soundly based.
  16. The table referred to in the fourth paragraph repeats what was provided in ED82. It does not, as the Inspector requested, provide the explanation or evidence that was specifically sought of how the Council as to how it concluded what the critical mass of SIL in Greenford should be if it is to perform its strategic role, or why OIS 7 was required in order for Greenford to perform that role. The only thing that can be gained from the table is that the Council is willing to release a net 2.77 ha of SIL, but not 12.77 ha of SIL.
  17. Consequently, the only answer to the Inspector's specific question is that there is *no* evidence of any analysis which explains how the Council concluded that it was necessary to allocate the OIS 7 site as SIL to maintain a critical mass of employment land so as to ensure that Greenford performed its strategic role.
  18. It is submitted that the EIP process and the Council's inability to answer the Inspector's specific questions has effectively demonstrated the lack of any credible evidence base for the allocation of OIS 7 as SIL and that the allocation is unsound.
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