



# UNION 4 PLANNING

## **Caddick Developments**

### **WRITTEN REPRESENTATIONS**

On the Proposed Main Modifications to the  
Draft Revised Lambeth Local Plan 2020

In respect of 61 Lilford Road, Camberwell

**March 2021**



UNION4  
PLANNING

## Document Control

**Project:** 61 Lilford Road, Camberwell

**Client:** Caddick Developments

**Job Number:** U0037

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**Date:** March 2021

**Revision:** 01

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## **1.0 Introduction**

- 1.1 These written representations are submitted on behalf of BizSpace and Caddick Developments in respect of the current consultation on the proposed Main Modifications to the Draft Revised Lambeth Local Plan 2020.
- 1.2 At the Examination Hearing for the Draft Lambeth Local Plan our evidence largely focussed on Matters 3 and 4 which are considered further below in response to the proposed Main Modifications. The representations relate to the Lilford Business Centre at 61 Lilford Road, Camberwell, London, SE5 9HR.
- 1.3 Bizspace and Caddick are greatly concerned that the modifications as proposed (notably MM50) will discourage proposed investment that would lead to new and better employment space better suited to the needs of businesses serving the CSA.
- 1.4 The related policies fail to recognise the current nature of business space provided and the needs of existing owners and businesses to invest to ensure they meet and remain relevant to future needs.
- 1.5 The BizSpace site at 61 Lilford Road is situated within the south-western area of Camberwell. It forms part of the Key Industrial and Business Area (KIBA) referred to as 'Camberwell Trading Estate and Adjoining Sites' in the adopted Lambeth Local Plan. The southern part of the site is occupied by a part two-storey building, which fronts onto Lilford Road and forms a discrete zone. The building is known as Lilford Business Centre and provides offices on the frontage and workshop units to the rear, which are in light industrial use. The existing buildings are in need of substantial investment to retain and enhance the employment use of the site and this has not proven viable over recent years without enabling development.
- 1.6 BizSpace and Caddick are preparing plans for a mixed-use redevelopment of the site to include 1,969 sqm of light industrial floorspace, with 1,389 sqm of office floorspace. The proposals would provide for an increase of 149 sqm of light industrial space and an overall increase of 356 sqm in the combined employment floorspace on the site. This would provide two floors of employment accommodation and an intensification of light industrial use in both quantum and, importantly in quality – with all of the space now meeting GLA standards. This supports the role and function of the CSA.
- 1.7 It is not possible however, without the colocation of co-living accommodation using the air space which provides the necessary investment to make this happen. The commercial rents for employment space in this location do not support the scale of investment needed in isolation.

## **2.0 Lambeth Local Plan Proposed Main Modifications**

- 2.1 The Inspector has now produced a list of his proposed Main Modifications to the draft Plan and the Council is undertaking public consultation on these for six weeks. The Council's proposed Modifications are shown in red and those added by the Inspector in blue in the accompanying schedule.
- 2.2 For the purposes of these written representations, we have focused on the following proposed Main Modifications:
- Main Modifications to Policy H13 – MM23 to MM28;
  - Main Modifications to Policy ED3 – MM47 to MM52.
- 2.3 Our comments on each of these proposed Main Modifications are set out in Sections 3 and 4 of this document.

### 3.0 Main Modifications on Policy H13 – MM23 to MM28

- 3.1 Policy H13 of the Draft Revised Lambeth Local Plan sets out Lambeth Council's policy for large-scale purpose-built shared living.
- 3.2 The previous wording of the policy, as set out in the Submission Version of the Draft Local Plan, stated that large-scale purpose-built shared living will be supported in Waterloo and Vauxhall only. At the Examination Hearing, Union4 Planning suggested that the policy should move away from a geographic base to one based on a set of criteria which reflect the Council's concerns. This issue was raised as Matter 3.11 in the list of actions agreed during the Hearing sessions.

#### MM23

- 3.3 MM23 proposes the deletion of the reference to Waterloo and Vauxhall, thereby removing the geographic restriction on the location of large-scale purpose-built shared living. MM23 proposes that the criteria for locating shared living developments will include the following:
- the location has good or excellent public transport accessibility and is well-served by local services; and
  - includes a management plan that, to the satisfaction of the Council, will appropriately mitigate potential harm to residential amenity.
- 3.4 We would broadly welcome the changes to Policy H13, which are proposed as part of MM23. The removal of the geographic restriction will provide greater flexibility for the delivery of shared living proposals across the Borough, thereby addressing a need for single person households and high-quality affordable accommodation for young professionals.
- 3.5 Notwithstanding our broad support for MM23, we would question the insertion of the criterion requiring the locations for shared living developments to have "*good or excellent public transport accessibility*". Such a criterion has not been applied in those policies dealing with other forms of residential accommodation, such as Build to Rent which have very similar characteristics. We would submit that the inclusion of this criterion is not justified and positively prepared. It fails to understand that shared living accommodation is a form of residential use and can help to cater for a defined need, such as accommodation for key workers or staff in hospitals, which might not always arise in areas with good or excellent public transport accessibility. The provision of accommodation for healthcare workers close to Kings College Hospital and the Maudsley are a case in point. Provision within 'on call' distances is essential. These sit within residential areas outside town centres and the extensive HMOs that serve the staff occupy converted family housing stock that could be better used.

**MM24**

- 3.6 MM24 proposes the deletion of the paragraph stating that *"rents per room are set no higher than the mean rental level for a studio in the private rented sector in that postcode area (based on London Rent Map data)"*.
- 3.7 A restriction on the appropriate rental level would not be justified or reasonable in the context of the nature and quality of accommodation provided. It would also be contrary to national policy, as explained in the Secretary of State's letter to the Mayor of London, dated 13 March 2020. We therefore welcome MM24 of the proposed Main Modifications.

**MM25**

- 3.8 MM25 proposes changes to the wording on Paragraph 5.121, which again removes reference to the geographic restriction of shared living developments to Waterloo and Vauxhall. As is the case with MM23, the amended text refers to the requirement for shared living developments to have good or excellent public transport accessibility.
- 3.9 We are concerned that the proposed approach for the location of shared living developments, as set out in Paragraph 5.121, does not reflect the positive presumption of the NPPF and adds an additional criterion that is not consistent with the London Plan, the effect of which is to frustrate the provision of new shared living accommodation. This is a new form of accommodation that responds to the housing crisis facing London and the UK by offering an alternative to traditional HMOs, market and social housing models. It is precisely the sort of housing innovation the Government are seeking to encourage and can benefit specific groups such as key workers and help meet the needs of a mobile labour force.
- 3.10 Whilst we understand the broad rationale for preferring sites that are well-connected and well-served by public transport, the restriction of shared living to such locations is a flawed means of applying the policy and is not justified based on proportionate evidence.
- 3.11 Such an approach is overly restrictive for the reasons stated in para 3.5 above and fails to recognise that this particular form of accommodation can play an important role in supporting key workers and those employed by local institutions, irrespective of their location. Indeed, the approach is at odds with the social objectives of the NPPF and London Plan which seek to ensure that access to good quality housing is provided throughout London.

**MM26**

- 3.12 MM26 proposes changes to the wording of Paragraph 5.123, which involves the insertion of additional text referring to the communal space in shared living developments. The additional text requires that shared living accommodation provides *"at least one set of cooking facilities for every 2-5 persons and two sets for every 6-10 persons)"*. We are not clear where this requirement comes

from or on what standard it is based? We agree that the quality of the communal space and associated facilities are a key component of the shared living concept and there need to be adequate cooking facilities but fear this may be overly detailed and the level and nature of provision should reflect the nature of the scheme.

**MM27**

- 3.13 MM27 proposes the deletion of Paragraph 5.124, which stated that rent levels per room should be no higher than those for a studio in the existing private rented sector in the borough, based on London Rent Map levels by postcode area.
- 3.14 A restriction on the appropriate rental level would not be justified or reasonable in the context of the nature and quality of accommodation provided. It would also be contrary to national policy, as explained in the Secretary of State's letter to the Mayor of London, dated 13 March 2020. We therefore welcome MM24 of the proposed Main Modifications and support the proposed deletion of Paragraph 5.124, as set out in MM27.

## 4.0 Main Modifications on Policy ED3 – MM47 to MM52

- 4.1 Policy ED3 of the Draft Revised Lambeth Local Plan sets out Lambeth Council’s policy for the Key Industrial and Business Areas (KIBAs).

### MM47

- 4.2 MM47 proposes the inclusion of the word “business” in Clause (a) of Policy ED3. The policy wording, as set out in the Submission Version of the Local Plan, stated that development in KIBAs *“will be permitted only for industrial, storage and waste management uses, including green industries and other compatible industrial and commercial uses (excluding large scale retail)”*.
- 4.3 The reference to “business” in Clause (a) of the policy helps to address the concerns raised at the Examination Hearing regarding the potential loss of the existing flexibility in relation to the operation of a wide range of B1 uses within KIBAs. This was raised as Matter 4.4 by the Inspector and we consider that MM47 addresses the concerns raised.

### MM48

- 4.4 MM48 proposes a change to the wording of Clause (b) of Policy ED3. The Submission Version of the Local Plan referred to the intensification of Use Classes B1b, B1c, B2, B8 and industrial sui generis, whereas the proposed main modification refers to the *“intensification of business, light and general industry, storage and distribution uses”*.
- 4.5 We support the main modification proposed as MM48 for two reasons. Firstly, it recognises that some of the KIBAs cater for a range of existing bespoke business uses, which may include office spaces and do not fall with the definition of an industrial use. Secondly, it takes account of the changes to the Use Class Order from 1 September 2020, thereby enabling the policy to be effective in encouraging and maintaining investment in both business and industry and optimising employment use.

### MM49

- 4.6 MM49 proposes a change to the wording of Clause (c) of Policy ED3. The proposed wording states that *“Areas of KIBA land with potential for both industrial, business, light and general industry, storage and distribution uses intensification and co-location with residential and other uses (in accordance with London Plan policy E7 sections B and D) are shown on the Policies Map”*.
- 4.7 The amended text proposed by MM49 is more comprehensive than the text included in the Submission Version of the Local Plan. We support this main modification.

### MM50

- 4.8 MM50 proposes the deletion of Paragraphs 6.28 and 6.29 of the Draft Revised Lambeth Local Plan, with these paragraphs to be replaced by new text referring to the KIBAs. The thrust of this text is

to preclude mixed use development, even where such development delivers a net increase in employment space appropriate to the CSA. This cannot be right and is not consistent with the positive emphasis on mixed use development in the NPPF and the relevant policies (E6 and E7) of the new London Plan which promotes positive consideration of opportunities for employment intensification and colocation with other uses.

- 4.9 The text refers to the level of industrial floorspace capacity lost in Lambeth in recent years, which means that any scope for intensification within KIBAs must be prioritised for industrial floor-space capacity, rather than to allow space for non-industrial uses. The new text also refers to the Council's Review of KIBAs which was undertaken to inform the partial review of the Lambeth Local Plan in 2015. This was followed by the Review of KIBAs 2019, updated in 2020. Further to this, it sets out that *"only three KIBAs or parts of KIBAs are identified on the Policies Map as having potential for industrial intensification and co-location with other uses, based on particular circumstances affecting those locations"*.
- 4.10 The policy approach and the text set out in MM50 overlooks the dynamics of the KIBAs, their existing make-up and the agents of change that may be required to provide for the intensification of industrial and other floorspace to support the CSA. It does not promote the innovation or investment sought in the modifications.
- 4.11 If, the aim is to:
- 'enable sufficient land of the right type is available in the right places and at the right time to support growth and innovation and be flexible enough to accommodate needs not anticipated in the Plan, allow for new and flexible working practices and enable a rapid response to changes in economic circumstances and optimise employment use'*
- 4.12 It is our contention that MM50 does not do so. It does not support investment in the renewal of the existing stock of employment premises to meet changing needs or to look positively at opportunities for new ways of working which includes as one example mixed use.
- 4.13 The modification is a defence of the traditional stance to KIBAs and not a forward-looking approach that seeks to harness the positive power of change.
- 4.14 It also does not provide sufficient justification for restricting industrial intensification and co-location to only three KIBAs.
- 4.15 Our representations and evidence at the Examination Hearing sought the identification of the Lilford Road Business Centre as an area where mixed-use redevelopment involving the co-location of new employment space (capable of trebling employment density for CSA activities) and integrated with co-living accommodation should be supported, consistent with London Plan policy E6 which deals with locally significant industrial sites and policy E7, both of which reference the need to positively identify opportunities for intensification and colocation.

- 4.16 This can be achieved either through either:
- the amendment of Policy ED3 to support mixed-use redevelopment within KIBAs where it can demonstrate a qualitative and/or quantitative enhancement in the nature and type of CSA employment space provided and provision of new housing (including the potential for large-scale, purpose-built shared living), or
  - the identification of the Lilford Business Centre as being appropriate for mixed-use redevelopment under the terms of Clause (c) of the policy providing this increases the quantity and quality of industrial and business floorspace.
- 4.17 The proposed modifications refer to the approach to industrial intensification following that set out in the London Plan and the guidance in the Mayor's Industrial Intensification Primer. However, it fails to acknowledge that the fundamental principle of the Mayors approach is intensification through use of airspace by having multi level development, including colocation with residential uses.
- 4.18 The Mayor's Industrial Primer (attached) demonstrates numerous examples of successful colocation with mixed use and there is no basis in the modifications or evidence to restrict such positive re-use of existing, outworn employment stock.
- 4.19 To unduly restrict such opportunities and innovation is directly at odds with policy E6 and E7 of the London Plan and the Secretary of State's letter to the Mayor of the 29 January 21.
- 4.20 We wish to reiterate that the approach to employment, as set out in Policy ED3, needs updating to reflect the future of employment and the need to increase employment density and productivity through new investment, much of which can only come from mixed-use developments designed carefully to deliver a growth in jobs, training and homes. This is entirely consistent with the Primer and achieving a net increase in employment to serve the CSA.
- 4.21 The proposed changes under MM50 are not sufficient to address the complex restrictions on development in employment areas, which restricts growth and innovation and inhibits the provision of more and better employment space.
- 4.22 Policy ED3 stifles mixed-use development, other than in a very limited number of cases, which is contrary to the policies of the NPPF. Mixed-use development can be controlled to provide enhanced quantum and nature of employment space, as well as new homes, services and other essential development in the unused airspace above brownfield sites.
- 4.23 Policy ED3 and the main modification proposed as MM50 would effectively retain the status quo. Restricting co-location to three KIBAs does not positively promote growth and innovation. This will have the effect of preventing the main agents of change that can stimulate the growth.

- 4.24 Paragraph 80 of the NPPF states that policies should actively help to create the conditions in which businesses can invest, expand and adapt. It says that significant weight should be placed on the need to support economic growth, taking account of business needs and opportunities for development. The right time and the right place is when business needs better space and in locations where they can grow. Every effort should be made to support such growth and restrictions proposed do little to support such investment.
- 4.25 In our earlier evidence, we pointed to the fact (as set out in the Local Plan evidence base) that the development of non-office employment space in KIBAs had been minimal under such policies in the past and that this would not change unless a more positive employment focussed policy was adopted. The only positive change in employment space was in major mixed-use schemes (mainly) in the north of the Borough, where these delivered principally new office space.
- 4.26 The approach to KIBAs should instead allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. MM50 and the broader Policy ED3 fails to do this and fails to address the inherent age and need for investment required to bring employment space up to standard that is fit for purpose.
- 4.27 One of the key challenges identified by the Government in the UK and also reflected in London is increasing productivity. A key component of this is increasing the productivity of employment space. This requires more efficient, usable employment space that better suits the needs of modern businesses and higher employment densities. This simply cannot be delivered using existing, often old, and outworn employment stock designed for another era and another purpose. This is especially true in London where there is clearly limited land supply.
- 4.28 The Secretary of State for Housing, Communities and Local Government issued a letter to the Mayor of London on 13 March 2020. The focus of the Secretary of State's letter was the need to increase the level and rate of housing delivery through the removal of policy constraints on the redevelopment of employment land for mixed or residential use. The letter described housing delivery in London as "*deeply disappointing*" and referred to an average of just 37,000 homes a year over the past three years. Further to this, it was noted that the housing targets in the London Plan fall well short of the identified need.
- 4.29 We accept that Policy H1 of the Draft Revised Lambeth Local Plan commits the Council to maximise the supply of additional homes in the borough to meet and exceed Lambeth's housing requirement for the ten-year period. However, given that these targets are some 21% short of need across all boroughs, this requires fresh thinking and a more pro-active approach to the identification of suitable housing sites.
- 4.30 The letter from the Secretary of State is very clear in setting out that leaving thousands of homes a year needed but unplanned for will exacerbate the affordability challenges within and around the

capital. It is, therefore, incumbent upon all local planning authorities to seek to maximise housing growth.

- 4.31 It is recognised that pressure for housing and lack of supply is a major problem in London. In this regard, where there is the opportunity to provide additional housing in an acceptable manner, such opportunities should be taken. Policy H1 of the new London Plan states that boroughs should *"optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions"*.

- 4.32 Reliance on meeting the London Plan housing targets is not sufficient to meet the Secretary of State's objectives. his letter of the 29 January 21 advised:

*'Notwithstanding the above you still have a very long way to go to meet London's full housing need, something your plan clearly and starkly fails to achieve. Londoners deserve better and I will be seeking to work with those ambitious London Boroughs who want to deliver over and above the housing targets you have set them; something that would not have been possible without my earlier directions.'*

- 4.33 We consider that the proposed main modification set out in MM50 is fundamentally flawed. This fails to recognise the circumstances and market forces that might be required to deliver the requisite level of industrial intensification and the modernisation of employment floorspace which is required on many sites to meet the needs of the CSA and follow the principles of London Plan policies E6 and E7 and the Mayor's Industrial Primer.

- 4.34 The BizSpace site at 61 Lilford Road is an example of where the Council has failed to do so. This site is capable of providing a net increase in employment space and over 250 units of shared living accommodation, which would add to the flexibility of supply identified under Policy H1 and in the housing trajectory. Without the flexibility to invest, the existing rental levels cannot support business and industrial investment and the site is likely to continue to become increasingly obsolescent.

- 4.35 We consider that the approach to KIBAs in MM50 will not achieve the stated objectives and could go much further in its commitment to maximising housing delivery, particularly in terms of the need to actively consider co-location and land use intensification, which is relevant in terms of the Key Industrial and Business Areas (KIBAs).

## **MM51**

- 4.36 MM51 proposes a series of changes to the text in Paragraph 6.30 of the Draft Revised Lambeth Local Plan. This proposed main modification arises from Action 17 arising from the Examination Hearing and from changes in the Use Classes Order on 1 September 2020. This change is intended to address concerns in relation to the loss of the existing flexibility in relation to the operation of a wide range of B1 uses within KIBAs with the Council's concern that Lambeth's limited supply of

industrial land is in danger of being lost through its incompatibility with some forms of light industry/offices and other uses such as residential.

- 4.37 We agree with the proposed main modification, as it is important to recognise that some KIBAs cater for existing office uses, many of which are small independent businesses which might have difficulty securing suitable workspaces elsewhere in the Borough. This is particularly true of the Lilford Business Centre in the Camberwell Trading Estate KIBA, which includes a number of office occupants. It is important that there is scope to retain office workspaces within Class E.
- 4.38 MM51 also states that proposals for additional floorspace in KIBAs for office use only will not generally be permitted in KIBAs because office space is a main town centre use and none of the KIBAs is located in a town centre. We have no objection to this wording, as we recognise that the objective of the Council's employment policy is to achieve the intensification of industrial uses within the KIBAs. To this end, the flexibility that we are seeking is to facilitate co-location with other uses where this would actually allow for an uplift in industrial floorspace, thereby achieving the objective of industrial intensification.

#### **MM52**

- 4.39 MM52 proposes new text in Paragraph 6.31 of the Draft Revised Lambeth Local Plan. The new text is intended to address the changes to the Use Classes Order on 1 September 2020. The new text states that *"where necessary and justified, the Council will use conditions and/or planning obligations to limit uses consented within Class E in order to achieve the objectives of this policy and to avoid the proliferation of main town centre uses in KIBAs"*.
- 4.40 We support this main modification, which is intended to facilitate the industrial intensification of the KIBAs and the retention of the industrial integrity of the KIBA sites.

## 5.0 Summary and Conclusions

- 5.1 In summary, these representations are submitted on behalf of BizSpace and Caddick Developments in respect of the current consultation on the proposed Main Modifications to the Draft Revised Lambeth Local Plan.
- 5.2 Our representations relate to the proposed Main Modifications to Policy H13 and Policy ED3, together with the Main Modifications to the supporting text for those policies.
- 5.3 We would broadly welcome the changes to Policy H13, which are proposed as part of MM23. The removal of the geographic restriction will provide greater flexibility for the delivery of shared living proposals across the Borough, thereby addressing a need for single person households and high-quality affordable accommodation for young professionals.
- 5.4 Notwithstanding our broad support for MM23, we would question the insertion of the criterion requiring the locations for shared living developments to have "*good or excellent public transport accessibility*". We would submit that the inclusion of this criterion is not justified and positively prepared.
- 5.5 We remain concerned with regard to Policy ED3 and the proposed Main Modifications associated with this policy. We fully recognise the importance of retaining industrial floorspace capacity in Lambeth and that any scope for intensification within KIBAs must be prioritised for industrial floorspace capacity. However, the policy approach and supporting text, as set out in the Main Modifications, overlooks the dynamics of an industrial area and the agents of change that may be required to provide for the intensification of industrial land. It is our contention that the Main Modifications do not provide sufficient justification for restricting industrial intensification and co-location to only three KIBAs.
- 5.6 To conclude, we consider that careful consideration is required for the Main Modifications to Policies H13 and ED3 of the Draft Revised Lambeth Local Plan to facilitate a more joined-up approach in maximising the efficiency of KIBA sites, urban regeneration and the sustainable use of urban land.