

MATTER 4 – ECONOMIC DEVELOPMENT, RETAIL AND TOWN CENTRE USES

4.8 – HOTELS AND OTHER VISITOR ACCOMMODATION

1. This Hearing Statement has been prepared on behalf of Tucan Investments Ltd, the owners of a vacant office building at 43 – 59 Clapham Road, SW9 0JD. Planning permission was granted at the site in May 2016 (ref: 14/05187/FUL) for the change of use of the office building to a hotel.
2. This Statement builds upon previous representations made at Regulation 19 to the London Borough of Lambeth's (LBL) Draft Revised Lambeth Local Plan (DRLLP) and responds to the Matters, Issues and Questions (MIQ) identified by the Inspector. It specifically addresses Matter 4 – Economic Development, Retail and Town Centre Uses, part 4.8 (iii):

In relation to policy ED14: (iii) Is the proposal not to permit additional visitor accommodation outside town centres justified?

3. The following questions have been addressed.

What particular part of the document is unsound?

4. It is considered that Policy ED14 part a) as follows fails the soundness test as set out in paragraph 35 of the National Planning Policy Framework (NPPF):

Policy ED14: Hotels and Other Visitor Accommodation

In accordance with London Plan Policy E10:

- a) *Outside of the Waterloo CAZ boundary and Vauxhall Opportunity Area and CAZ boundaries visitor accommodation (C1) will be supported in major and district town centres. In these locations visitor accommodation should be of an appropriate scale for the proposed location and not unacceptably harm the balance and mix of uses in the area, including services for the local residential community. Additional visitor accommodation outside town centres will not be permitted.*

Which soundness tests(s) does it fail?

5. It is considered that the restriction within Policy ED14 preventing additional visitor accommodation outside of town centres has *not been positively prepared and is not justified, effective or consistent with national policy.*

Why does it fail?

6. The Intend to Publish draft London Plan deals with visitor infrastructure in Policy E10. Part G states that:

In outer London and those parts of inner London outside the CAZ, serviced accommodation should be promoted in town centres and within Opportunity Areas (in accordance with the sequential test as set out in Policy SD7 Town centres: development principles and Development Plan Documents) where they are well-connected by public transport, particularly to central London.

7. This is similar to the existing adopted London Plan Policy 4.5. Paragraph 6.10.3 of the draft London Plan states that:

Boroughs in the CAZ are encouraged to direct strategically-significant serviced accommodation (defined as more than 20,000 sqm in the CAZ) towards the CAZ Opportunity Areas. Concentrations of serviced accommodation within parts of the CAZ that might constrain other important strategic activities and land

uses (for example offices and other commercial, cultural and leisure uses) or erode the mixed-use character of an area should be avoided. Boroughs in outer and inner London beyond the CAZ are encouraged to plan proactively for new serviced accommodation in town centres to help spread the benefits of tourism to the whole of the capital.

8. The draft London Plan policy therefore continues the encouragement of hotel development, focusing on town centres.
9. Within the draft London Plan 'main town centre uses' include hotels. The sequential approach for main town centre uses is set out within draft London Plan Policy SD7:
 - A. *When considering development proposals, boroughs should take a town centres first approach, discouraging out-of-centre development of main town centre uses in accordance with Parts A1 - A3, with limited exceptions for existing viable office locations in outer London (see Policy E1 Offices). Boroughs should:*
 - 1) *apply the sequential test to applications for main town centre uses, requiring them to be located in town centres. If no suitable town centre sites are available or expected to become available within a reasonable period, consideration should be given to sites on the edge of centres that are, or can be, well integrated with the existing centre, local walking and cycle networks, and public transport. Out of centre sites should only be considered if it is demonstrated that no suitable sites are (or are expected to become) available within town centre or edge of centre locations. Applications that fail the sequential test should be refused*
 - 2) *require an impact assessment on proposals for new, or extensions to existing, edge or out-of-centre development for retail, leisure and office uses that are not in accordance with the Development Plan. Applications that are likely to have a significant adverse impact should be refused*
10. Part B of draft London Plan Policy SD7 requires Boroughs to support the town centres first approach in their Development Plans.
11. This sequential approach is similar to that in the NPPF, paragraphs 85 and 86, and reflects long established policy.
12. In addition, Policy ED7 part d) of the DRLLP also allows for a sequential approach for main town centre uses.
13. The highly restrictive nature of Policy ED14 which does not allow for the sequential test in accordance with the town centres first approach is therefore inconsistent with the NPPF, London Plan and other policies within the DRLLP.
14. Furthermore, Annex 2 of the NPPF states that '*references to town centres or centres apply to city centres, town centres, district centres and local centres but exclude small parades of shops of purely neighbourhood significance.*' The DRLLP provides no justification as to why local centres are excluded from part a) of Policy ED14. LBL's Topic Paper 5: Visitor Accommodation (May 2020) contends at paragraph 4.5 that the approach to directing new visitor accommodation to major and district centres will assist in ensuring that the role of local centres in meeting the day to day needs of communities is maintained. This is not substantiated or evidenced further.
15. It is therefore concluded that there is no evidence to effectively support the position that visitor accommodation should only be directed to higher order centres or why the definition of town centres in Annex 2 of the NPPF has not been followed.
16. In addition to above inconsistencies, it is also considered that the policy is unduly restrictive and does not effectively allow for changing market requirements within the Plan period. LBL's Topic Paper 5

acknowledges that it is important for Lambeth to contribute to London's need for visitor accommodation and that the proposed approach within Policy ED14 is intended to indeed promote new visitor accommodation across the Borough, whilst managing existing concentrations.

17. Referencing draft London Plan estimates, Topic Paper 5 notes that in terms of distribution of demand across boroughs, Lambeth is projected to require a net increase of 3,051 rooms between 2015 and 2041, which equates to 5.2% of all growth across London. In relation to supply, Lambeth is projected to need to contribute 3,368 additional rooms between 2015 and 2041. The Topic Paper concludes that there is a very strong pipeline of serviced visitor accommodation in Lambeth and no shortage of supply to meet anticipated demand.
18. Policy ED14 appears to have been framed around a conclusion that a strong pipeline now justifies locational restrictions and the absence of a town centre first approach.
19. However, it should be noted that draft London Plan Policy ED10 does not set a target for the number of new hotel rooms, and the above figures are not a target or an apportionment but simply a projection.
20. In addition, draft London Plan Policy E10 part c) requires a sufficient supply and range of serviced accommodation to be maintained and as noted above paragraph 6.10.3 encourages Boroughs to plan proactively for new serviced accommodation in town centres.
21. It is therefore concluded that Policy ED14 has not been positively prepared for the whole Plan period and is unduly restrictive in not allowing for changing market requirements.
22. In conclusion Policy ED14 part a) is considered to fail all four soundness tests contained within paragraph 35 of the NPPF as follows:
 - *Positively prepared* - it has not been positively prepared as it will restrict the development of visitor accommodation in the Borough and is therefore contrary to the DRLLP's wider aims of achieving sustainable development.
 - *Justified* – it is not considered to provide an appropriate strategy as the restrictions controlling the location of visitor accommodation are not based on proportionate evidence.
 - *Effective* – it is unduly restrictive and does not allow for changing market requirements within the Plan period or the sequential approach.
 - *Consistent* – it is not consistent with the NPPF or draft London Plan.

How could the document be made sound and what is the precise change that is sought?

23. For the reasons set out above it is considered that the following changes could be made to make Policy ED14 part a) sound:

Policy ED14: Hotels and Other Visitor Accommodation

In accordance with London Plan Policy E10:

- a) *Outside of the Waterloo CAZ boundary and Vauxhall Opportunity Area and CAZ boundaries visitor accommodation (C1) will be supported in ~~major and district~~ town centres. In these locations visitor accommodation should be of an appropriate scale for the proposed location and not unacceptably harm the balance and mix of uses in the area, including services for the local residential community. ~~Additional visitor accommodation outside town centres will not be permitted.~~ Visitor accommodation outside of town centres will be subject to the sequential test as contained within paragraph 86 of the NPPF and Policy SD7 of the draft London Plan.*