

Pre-Submission Publication Representation Form



| | | |
|------|-------------|-------------------------|
| Ref: | R051 | (for official use only) |
|------|-------------|-------------------------|

Name of the document (DPD) to which this representation relates:

| |
|--|
| Draft Revised Lambeth Local Plan Proposed Submission Version January 2020 (DRLLP PSV Jan 2020) and associated Proposed Changes to the Policies Map January 2020 (PCPM Jan 2020) |
|--|

Please return to: localplan@lambeth.gov.uk

or by post: Planning Policy Team, London Borough of Lambeth, PO Box 734 Winchester SO23 5DG

by 11pm on 13th March 2020.

Please read the Guidance Note and Privacy Notice attached to this form before completing the representation form or submitting your comments

This form has two parts –

Part A – Personal details (please see applicable privacy notices in Section 5 of the guidance note)

Part B – Your representation(s). Please fill in a separate sheet for each part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 you wish to make a representation about.

Part A

1. Personal details*

2. Agent's details (if applicable)

* If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

| | | |
|---------------|----------------------|-----------------------------|
| Title | <input type="text"/> | <input type="text"/> |
| First name | <input type="text"/> | TIFFANY |
| Last name | <input type="text"/> | MALLEN |
| Job title† | <input type="text"/> | SENIOR PLANNER |
| Organisation† | ROIFE JUDD PLANNING | ROIFE JUDD PLANNING |
| Address | <input type="text"/> | OLD CHURCH COURT |
| | <input type="text"/> | CLAYLANDS ROAD |
| | <input type="text"/> | THE OVAL |
| | <input type="text"/> | LONDON |
| Postcode | <input type="text"/> | SW8 1NZ |
| Telephone | <input type="text"/> | 020 7556 1500 |
| Email† | <input type="text"/> | tiffany.m@roife-judd.co.uk. |

† where relevant

Pre-Submission Publication Representation Form

Part B – please use a separate sheet for each representation

3. To which part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 does this representation relate? (Identify specific reference if possible)

Paragraph no. Policy no. Policies Map

4. Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is:

(please tick)

4.1 Legally compliant

Yes

No

4.2 Sound^

Yes

No

4.3 Complies with the Duty to co-operate

Yes

No

^ The considerations in relation to being 'sound' are explained in the notes at the back of this form. If

you have ticked 'No' to 4.2, please continue to Q5. Otherwise please go to Q6.

5. Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is unsound because it is not:

(please tick)

5.1 Positively prepared

5.2 Justified

5.3 Effective

5.4 Consistent with national policy

(Please tick only one option. A separate form should be used if you wish to raise more than one concern.)

6. Please give details of why you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible

If you wish to support the legal compliance or soundness of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 or their compliance with the duty to co-operate, please also use this box to set out your comments and then go to Q9.

Please refer to attached cover letter detailing representations.

(if required continue on the additional comments page attached)

Pre-Submission Publication Representation Form

7. Please set out what change(s) you consider necessary to make the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 legally compliant or sound, having regard to the test you have identified in Q5 above where this relates to soundness. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination.) You will need to say why this change will make the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of this part of policy or text. Please be as precise as possible.

Please refer to attached cover letter detailing representations and recommendations.

(if required continue on the additional comments page attached)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify your representation and your suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he/she identifies for examination.

8. If your representation is seeking a change to the DRLLP PSV Jan 2020 or associated PCPM Jan 2020, do you consider it necessary to participate at the oral part of the examination?

No I do not wish to participate at the oral examination

Yes I do wish to participate at the oral examination

Please note that while this will provide an initial indication of your wish to participate in hearing sessions(s), you may be asked at a later point to confirm your request to participate.

If you have selected 'No', your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

(if required continue on the additional comments page attached)

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination. You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

10. Please tick relevant boxes if you require notification of any of the following to your address stated in Part A:

That the DRLLP PSV Jan 2020 and associated PCPM Jan 2020 have been submitted for independent examination

The publication of the inspector's recommendations following the independent examination

The adoption of the Revised Lambeth Local Plan and Policies Map.

Signature

T. Atter RJP.

Date

13th March 2020

Please use this section for any additional/continued comments

TM/P6796
13 March 2020

Planning Policy Team
London Borough of Lambeth
PO Box 734
Winchester
SO23 5DG

Dear Sir/Madam,

**Representations on the Draft Revised Lambeth Local Plan- Proposed Submission Version
January 2020**

We write on behalf of Workspace Management Limited to make representations on the Draft Revised Lambeth Local Plan- Proposed Submission Version 2020. Our representations principally relate to Policy ED3: Key Industrial and Business Areas (KIBAs) and the relationship of the Policy to the New London Plan (December 2019). Workspace Management Limited has significant land interests within the borough, including; Cargo Works, China Works, Edinburgh House, Vox Studios, Kennington Business Park, Havelock Terrace and Parkhall Business Centre. The Draft Revised Lambeth Local Plan (DRLLP) will directly influence and impact the future development and operation of these sites and other KIBAs in the borough. As such Workspace are keen to discuss the impact of the policy with the Council to ensure it is proportionate and appropriate to the area.

The Draft Revised Lambeth Local Plan (herein referred to as the DRLLP) updates the spatial strategy, vision and strategic objectives of the Lambeth Local Plan (2015) and has been updated in light of the publication of the revised NPPF (2019) and the London Plan- Intend to Publish Version (2019) (herein referred to as LPITP), which is likely to be adopted late Spring 2020. Policy ED3 has been updated as part of the DRLLP.

We are aware that the letter written by Robert Jenrick to the Mayor of London dated 13th March 2020 has issued a number of directions to be incorporated into the London Plan before it can be published. One of these directions relates to industrial land and directs the removal of the requirement for 'no net loss of Industrial floorspace capacity across SIL and LSIS', as it is concluded that the approach to meeting those needs set out in E4 to E7 are unrealistic. This will have a direct impact to Lambeth's DRLLP, specifically Policy ED3.

Policy ED3: Key Industrial and Business Areas

Inconsistency with the New London Plan- Intend to Publish Version 2019

DRLLP Policy ED3 is considered to be inconsistent with the London Plan- Intend the Publish Version (2019)

Architecture Planning Interiors

Old Church Court, Claylands Road, The Oval, London SW8 1NZ

T 020 7556 1500

www.rolfe-judd.co.uk

London Borough of Lambeth
13 Mar 2020

LPITP Policy E4 states that London's land and premises for industry, logistics and services falls into three categories; Strategic Industrial Locations (SIL), Locally Significant Industrial Sites (LSIS) and Non-designated Industrial Sites. Lambeth's industrial categorisation is 'Retain Capacity'. This should ensure that in overall terms across London there is no net loss of industrial floorspace capacity (and operation yard space capacity) within designated SIL and LSIS (Policy E4). It must be noted that this policy seeks no net loss of industrial floorspace capacity across SIL/LSIS, not across individual site areas.

LPITP Policy E6: Locally Significant Industrial Sites, states that boroughs should take into account the scope for intensification, co-location and substitution (set out in Policy E7). Boroughs should make clear the range of industrial and related uses that are acceptable in LSIS and distinguish these from local employment areas that can accommodate a wider range of business uses. Policy E7 states that in LSIS, the scope for co-location industrial uses with residential and other uses may be considered. There are a number of criteria which the London Plan requires for this process of co-location, once of which is to ensure that the industrial uses within the LSIS are intensified to deliver an increase (or at least no net loss) of capacity in terms of industrial, storage and warehousing floorspace with appropriate provision of yard space for servicing.

The only site allocations in relation to employment land in Lambeth are KIBAs which are considered to be the equivalent of LSIS. Policy ED3 (a) states 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 other than where clause (c) applies. The DRLLP Policy ED3 removes 'business' uses as an appropriate use within KIBAs.

DRLLP Paragraph 6.30 acknowledges that some KIBAs include existing B1a office space but states that *going forward any potential for intensification within KIBAs should be for industrial uses. Proposals for additional B1a office floorspace in KIBAs will not generally be permitted.* The evidence for this as presented within the 'Review of KIBAs 2019' states that historically, a significant proportion of new floorspace permitted in KIBAs has been for flexible B1 or B1a space. However, the analysis of the Net B class floorspace approved 2009-2019 shows that within KIBAs there would be a net gain of floorspace across all use types and between 2018/2019 it shows that there is no net loss of B1c as a result of permissions.

Policy ED3 is not considered to be in accordance with the LPITP. It is considered that the DRLLP disregards the 'no net loss' principle and requires any uplift of floorspace in KIBAs to be industrial/storage/waste management uses, permitting no uplift of business (B1a) floorspace. The proposed Policy ED3 would suggest that Lambeth is required to 'provide capacity' of industrial floorspace as opposed to 'retain capacity', which would be incorrect.

Soundness

Lambeth's KIBAs were assessed and designated under the adopted definition which states that KIBAs comprise 'business, industrial, storage and waste management uses, including green industries and other compatible industrial and commercial uses, ancillary to, or providing for the needs of the KIBA'. The adopted Local Plan defines 'business, industrial and storage uses' to include all uses within the B use class (B1, B2 and B8).

The DRLLP Policy ED3 removes the 'business' element from the definition of KIBAs, without having regard for the current uses within the existing KIBAs. The proposed changes to existing KIBAs as

London Borough of Lambeth
13 Mar 2020

part of this Local Plan review removes parts of KIBAs which are residential or retail. This review does not remove parts of the KIBA which are predominantly business uses, even though they are no longer industrial in character. Furthermore, Lambeth have reviewed areas with the potential for industrial intensification and co-location with residential development. Lambeth have not reviewed areas which would be suitable for co-location with other uses, such as business uses.

If Lambeth seek to remove 'business uses' from their list of appropriate uses within KIBAs then the KIBAs which currently comprise predominantly business uses would no longer meet the definition or purpose of a KIBA and should be de-designated.

As highlighted within the Review of Key Industrial and Business Areas (2019) Durham Street KIBA and the Kennington Business Park KIBA are both predominantly occupied by Class B1 uses, with the majority in B1a (office) uses. The review of existing KIBAs states that the information on the types of businesses and occupation of the units located within each KIBA have been taken from the Valuation Office Agency. We consider that this does not reflect either an accurate or an up to date review of how these KIBAs are being occupied. As evidence of this, Durham Street KIBAs is almost solely office floorspace (Class B1a) and Kennington Park operates on a flexible B1 permission to allow a range of businesses and SMEs to use the space but is predominantly in use as offices (Class B1a). Both of these KIBAs have been recommended to be retained as KIBAs within the 'Review of KIBAs 2019' but these would no longer meet the proposed DRLLP definition of a KIBA.

Recommendations

We recommend that Lambeth either;

1. Redraft Policy ED3: KIBAS, to allow for employment uses within KIBAs. We recommend that this policy is redrafted to state that B1a uses will be supported providing there is no net loss of industrial floorspace capacity across the LSIS.

Or

2. Redefine all industrial sites to properly categorise and distinguish them between those that meet the definition of an LSIS (as per Policy E6(a) of the LPITP) and those that would more appropriately be designated as other employment land/business areas which can accommodate a wide range of business uses.

Impact of Policy ED3

It is noted that the London Office Policy Review (2017) forecasts that Lambeth will require a net increase of 160,627sqm of office floorspace between 2016-2041 to meet demand. Lambeth's Topic Paper 3: Workspace, which forms part of the evidence base for the DRLLP, states that the numbers of SMEs are falling and Lambeth concludes that this is a result of a reduction in stock availability and an increase in rents. There is therefore an identified need for new business floorspace, particularly those that can cater for SMEs in Lambeth and it is considered that the removal of business uses as appropriate uses within KIBAs will have a significant impact in the delivery of new business floorspace.

The draft Policy ED3 will have consequences for a number of sites within KIBAs coming forward for re-development and renewal. As a result of the proposed policy, the only way sites in KIBAs could increase employment floorspace and create jobs is if they propose industrial uses. This will have a direct impact on a number of businesses in KIBAs, such as Workspace, who manage a significant

London Borough of Lambeth
13 Mar 2020

amount of employment land within KIBAs in the borough under a flexible B1 permission. The change in policy would mean that new floorspace on these sites would have to operate differently to the existing managed workspace (being restricted to either B1c or B8 uses) which currently operates under flexible B1.

Kennington Business Park is owned and managed by Workspace and is a successful business centre catering for a large number of SMEs. The entirety of Kennington Park is a KIBA and operates under a 'flexible B1' which allows the businesses to operate and use the spaces as desired, providing maximum flexibility. Kennington Park is mixed in character and comprises a range of uses on site which comprises predominantly Office (Class B1a), with other uses such as Light industrial (Class B1c), Storage (Class B8), Education (D1), Gym (D2) and ancillary café uses. The type of businesses in this KIBA change frequently, which highlights the flexible nature of Workspace. This KIBA would no longer be in accordance with the proposed definition of a KIBA within the DRLLP as it is not predominantly industrial; neither would industrial uses be considered overly appropriate given the proximity to residential, which surround the site.

On this basis, should Lambeth seek to retain this proposed policy, then Kennington Park should be de-designated from the KIBA list, in accordance our policy recommendation (2).

Summary

Workspace recognises that there is a need to retain industrial floorspace within protected areas in London however, Workspace would like emphasis that the change to Policy ED3 within DRLLP is inconsistent with the New London Plan and will have a detrimental impact to the delivery of new business floorspace, particularly flexible floorspace for SMEs and the creation of jobs in the borough.

The draft Policy ED3 removes 'business uses' from the definition of KIBAs and permits no uplift of business floorspace (B1a) going forward. This is not in line with the New London Plan policy which requires no net loss of industrial capacity within LSIS and requires Lambeth to retain existing capacity. The policy has been altered without reviewing how the existing KIBAs operate in relation to the change and how they could be impacted.

We trust that Workspaces comments within this representation, including the suggested recommendations to the plan, will be carefully considered as part of the formulation of the Lambeth Local Plan and we would like the opportunity to appear at the forthcoming Examination in Public.

If you have any queries please do not hesitate to contact us on 020 7556 1500.

Yours sincerely

Tiffany Mallen

For and on behalf of
Rolfe Judd Planning Limited