

Pre-Submission Publication Representation Form



Ref:

R059

(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" value="Ms"/>	<input type="text" value="Ms"/>
First name	<input type="text" value="Catriona"/>	<input type="text" value="Catriona"/>
Last name	<input type="text" value="Fraser"/>	<input type="text" value="Fraser"/>
Job title [†]	<input type="text"/>	<input type="text" value="Director"/>
Organisation [†]	<input type="text" value="Alumno Group (c/o Turley, Agent)"/>	<input type="text" value="Turley"/>
Address	<input type="text"/>	<input type="text" value="Lacon House"/>
	<input type="text"/>	<input type="text" value="84 Theobald's Road"/>
	<input type="text"/>	<input type="text" value="London"/>
	<input type="text"/>	<input type="text"/>
Postcode	<input type="text"/>	<input type="text" value="WC1X 8NL"/>
Telephone	<input type="text"/>	<input type="text" value="020 7851 4010"/>
Email [†]	<input type="text"/>	<input type="text" value="catriona.fraser@turley.co.uk"/>

[†] where relevant

13 March 2020
Delivered by email

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

Dear Sir/Madam,

**SUBMISSION OF REPRESENTATION TO THE LONDON BOROUGH OF LAMBETH
DRAFT REVISED LAMBETH LOCAL PLAN PROPOSED SUBMISSION VERSION (JANUARY 2020)**

On behalf of our client, Alumno Group, we hereby submit representations in relation to the Draft Revised Lambeth Local Plan. Alumno Group have a vested interest in the Borough and seeks to work alongside the London Borough of Lambeth (LB Lambeth) and key stakeholders to bring forward a vacant dilapidated building for redevelopment within Vauxhall.

Alumno Group

Alumno Group specialises in providing student accommodation and have a substantial portfolio of successful purpose-built student accommodation schemes across the UK. They have worked with universities, colleges and other key stakeholders to provide homes for more than 7,500 students (to date) in key cities such as London, Aberdeen, Glasgow, Birmingham, Norwich and Lemington Spa.

Alumno Group's portfolio aims at delivering student accommodation as part of a mixed use development to integrate and form part of a mixed and balanced community. Many of their developments integrate uses which are open to the community and provide social and economic benefits to the area including artists' studios and nurseries. They recently secured permission for a mixed use student accommodation scheme in Bermondsey Spa and contributed to the refurbishment of a neighbouring nursery school and children's centre, as well as delivering a new playground as part of this. Alumno Group's interest is in realising well considered and designed student accommodation whilst ensuring it is well managed, secure and maintained with ongoing engagement with the local community.

Whilst Alumno Group are supportive of many of the draft policies within the Proposed Submission Version of the Revised Lambeth Local Plan, the policy relating to Student Housing in its current draft form is not considered to be sound and does not allow sufficient flexibility to avoid undermining a viable delivery of key sites.

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A detailed breakdown of our representations on Policy H7 (Student Housing) is set out below as per the questions and format of Part B of LB Lambeth’s Pre-Submission Publication Representation Form. Our completed Part A of the submission form is appended to this letter and also attached separately.

Part B Question	Consultation Response
3. To which part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 does this representation relate	Policy H7 (Student Housing)
4. Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is:	
4.1 Legally compliant	Yes
4.2 Sound	No
4.3 Complies with the Yes No Duty to co-operate	Yes
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:	
5.1 Positively prepared	Yes
5.2 Justified	Yes
5.3 Effective	Yes
5.4 Consistent with national policy	Yes
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	<p>We do not consider this policy to be sound and compliant with National Policy on the basis that certain parts of this policy preclude development due to its current wording and evidence.</p> <p>Policy H7 Part A - IV</p> <p>Part IV of the policy states that proposals for student housing, also referred to as purpose-built student accommodation (PBSA), will be acceptable where it can be demonstrated that the development would not lead to an over-concentration of similar uses which may be detrimental to residential amenity or the balance and mix of uses in the area. We appreciate the need for communities to be mixed and balanced though it is not explicit within the Local Plan what this consists of, or what LB Lambeth envision this to be. We would make the argument that the provision of student housing contributes to the</p>

uses which create mixed and balanced communities. This should be further considered and justified within the Local Plan given the ambiguity surrounding this. In considering the spatial vision of Policy PN2 (Vauxhall), LB Lambeth's ambition is to generate a mixed and balanced community which includes a mix of town centre uses and the provision of new homes and jobs. We consider PBSA to be a form of residential accommodation and therefore in compliance with this vision.

This part of Policy H7 states that student housing would be unacceptable if a proposal would result in an over-concentration of similar uses, which may be detrimental to residential amenity or the balance and mix of uses in the area or place undue pressure on local infrastructure. We do not contest that a student housing scheme should be deemed unacceptable if it causes a detrimental impact on residential amenity or if it results in undue pressure on local infrastructure. However it is considered that the use of an over-concentration test is neither justified nor consistent with national policy in relation to Policy H7 and therefore PBSA.

Paragraph 5.126

Although not in relation to Policy H7, over-concentration is defined in Paragraph 5.126 of the subtext for Policy H13 (Large Scale Purpose Built Shared Living (PBSL)) as *"two uses of this nature, including purpose-built student accommodation, will not be permitted on adjacent sites; and there should be no more than two such uses within any given 500m radius"* for reasons that they have 'very high-density characteristics' and that it could 'result in particular local pressures on services and infrastructure'. The interpretation of the policy is therefore that the presence of two PBSL or PBSA uses within 500m of each other is unacceptable as this causes harmful pressure on local services and infrastructure however no proportionate evidence is provided to support why two uses within 500m of each other has an unacceptable impact. Consequently, as set out in Paragraph 35 of the National Planning Policy Framework (NPPF) it is considered this is not justified. Moreover, it is unclear to what degree student housing is

considered to be detrimental to residential amenity. It is considered that the impact on local services can be assessed fully at application stage through various technical reports relating to neighbouring amenity. Parallel to this, student management plans are required to mitigate potential impacts on the local community and managed sufficiently through conditions and S106 obligations/contributions, against this background we do not consider this part of the policy to be justified or consistent with other objectives within the Local Plan.

Furthermore, this approach of assessing two uses within 500m of each other as unacceptable, is an arbitrary approach which gives no consideration to the local context of the site. For example, in Vauxhall, whilst there may be two PBSA developments within 500m of each other, there is also a large amount of high density self-contained residential developments within the area meaning there is still a mixed and balanced community. Furthermore, as one of the most accessible and sustainable locations within the Borough, the presence of two PBSL and/or PBSA developments within 500m of each other at Vauxhall does not mean there will be an unacceptable impact on local services and infrastructure.

Notwithstanding the above, the Local Plan does not at any point define what a 'mixed and balanced community' is. The arbitrary distance of having the same use within 500m of each other does not automatically equate to 'over-concentration'. As noted above it must be considered in the round taking in to consideration the local context and surrounding development. Furthermore, Paragraph 16 of the NPPF specifically states "*Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals*". It is considered the use of over-concentration within the policy, and the two uses within each other 500m threshold is ambiguous and therefore not consistent with National Policy.

Paragraph 5.69

The supporting text to this policy, particularly in

Paragraph 5.69 notes that: *“Given the existing concentration, quantum and pipeline of this type of accommodation in Vauxhall, additional purpose-built student accommodation in the Vauxhall part of the NEV Opportunity Area is unlikely to be supported. The London Plan encourages new student accommodation away from existing concentrations in central London.”* Both the current and emerging London Plan do not explicitly highlight that this is the case but instead note that *“student accommodation... providers are encouraged to develop student accommodation in locations well-connected to local services by walking, cycling and public transport, as part of mixed use regeneration and redevelopment schemes”*. The initial draft of The London Plan did to some extent include reference to concentration however this was removed as part of the minor changes introduced in August 2018 in response to representations received from higher education providers and other key stakeholders.

Vauxhall remains one of the most accessible locations in the borough with many sites benefitting from having the highest Public Transport Accessibility Level's (PTAL). In addition, Vauxhall is within a 10 to 20 minute journey by public transportation to a number of higher education providers. The evidence base for the Draft Revised Lambeth Local Plan does not allude to the delivery of new student accommodation away from the Vauxhall area either. Whilst LB Lambeth's Student Accommodation Assessment (2018/2019) identifies a healthy supply of purpose-built student accommodation, reference is still made to growth in demand. Specifically, it refers to The Draft London Plan 2017 (as amended July 2019) which outlined an overall strategic requirement for purpose-built student accommodation in London which was established through the work of the Mayor's Academic Forum, and a requirement for 3,500 PBSA bed spaces to be provided annually over the Plan period has been identified. It is noted that PBSA, both existing and proposed, is typically located in the north of the borough however it is recognised that this is in part due the location of higher education providers and excellent public transport connections, particularly from Vauxhall and Waterloo. Against this

	<p>background, given that this is a strategic policy which will shape development for the next 15 years, we consider the supporting text to this policy (at Paragraph 5.69) to be unsound given that it is not effective to preclude development in this area over the lifetime of the Local Plan. In addition, this is contrary to the preceding text within Paragraph 5.69 which notes that schemes will be considered on a site-by-site basis which would be a more holistic approach to development given other significant elements to consider such as availability, suitability and viability as set out in the National Planning Policy Framework (Paragraph 67) for which a scheme can be fairly tested and justified against.</p> <p>For the reasons set out above, we therefore consider Part A IV is not positively prepared, effective, or justified, nor consistent with national policy and is therefore unsound.</p>
<p>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.</p>	<p>The NPPG (Paragraph 002 Reference ID: 10-002-20190509) clearly states that it is the responsibility of plan makers in collaboration with the local community, developers and other stakeholders, to create realistic, deliverable policies. In order for Policy H7 (Student Housing) to be both realistic, deliverable and sound it is considered the following changes are necessary.</p> <p><u>Policy H7 Part A IV</u></p> <p>In order for Part A IV to be sound it is considered that it should reflect the ambitions in the London Plan. Consequently it is suggested the policy is reworded as followed:</p> <p><i>“iv) would not lead to an over-concentration of similar uses which may be <u>an unacceptable detrimental impact</u> to residential amenity or the balance and mix of uses in the area or place undue pressure on local infrastructure;”</i></p> <p><u>Paragraph 5.69</u></p> <p>Paragraph 5.69 should also be amended to enable schemes to be considered on a site-by-site basis and not impede on development of this kind in certain areas of the Borough as amended in the Intend to Public London Plan. Consequently it is</p>

suggested the policy is reworded as followed:

“When considering the concentrations of students in a single area, the council will have regard to the character of the area, the existing mix of uses, and the particular impact on any permanent residential occupiers. Schemes will be considered on a site-by-site basis having regard to their scale and any existing concentrations (including any sites with extant planning permissions). ~~Given the existing concentration, quantum and pipeline of this type of accommodation in Vauxhall, additional purpose-built student accommodation in the Vauxhall part of the NEV Opportunity Area is unlikely to be supported. The London Plan encourages new student accommodation away from existing concentrations in central London.”~~

Paragraph 5.126

In relation to over-concentration and how this is defined within the Local Plan, Paragraph 5.126 should also then be amended to reflect this, as follows:

5.126. ~~Several~~ Schemes of this nature in close proximity, and/or in proximity with student housing schemes, could adversely affect the mix and balance of population in a neighbourhood or result in particular local pressures on services and infrastructure given their very high-density characteristics. The policy therefore would not support proposals which have been demonstrated to cause an unacceptable impact upon the amenity of nearby residential uses, or upon local services or infrastructure. ~~with potential to result in an overconcentration of such uses in a neighbourhood. Over-concentration, including purpose-built student accommodation,~~ This will be assessed on a case by case basis, having regard to the location of the site and local circumstances. ~~Generally two uses of this nature, including purpose built student accommodation, will not be permitted on adjacent sites; and there should be no more than two such uses within any given 500m~~

	<p>radius.</p> <p>For the avoidance of doubt, these representations on behalf of Alumno Group, consider the revised wording of Part A IV of Policy H7 should be revised to the following:</p> <p><i>“iv) would not lead to <u>an unacceptable detrimental impact</u> to residential amenity or place undue pressure on local infrastructure;”</i></p> <p>These representations also consider paragraphs 5.69 and 5.126 should then be updated to the following wording:</p> <p><i>5.69. “When considering the concentrations of students in a single area, the council will have regard to the character of the area, the existing mix of uses, and the particular impact on any permanent residential occupiers. Schemes will be considered on a site-by-site basis having regard to their scale and any existing concentrations (including any sites with extant planning permissions).”</i></p> <p><i>5.126. Schemes of this nature may result in particular local pressures on services and infrastructure given their very high-density characteristics. The policy therefore would not support proposals which have been demonstrated to cause an unacceptable impact upon the amenity of nearby residential uses, or upon local services or infrastructure. This will be assessed on a case by case basis, having regard to the location of the site and local circumstances.</i></p>
<p>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?</p>	<p>Yes</p>
<p>9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:</p>	<p>We consider the current wording of the policy to be unsound and precludes the development of student housing over the lifetime of the plan which may be detrimental to the spatial development of the Borough. As such, it is considered that representations are required to ensure that our client’s interests are protected and fully explained</p>

	to the Inspector.
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.	Yes
The publication of the inspector's recommendations following the independent examination.	Yes
The adoption of the Revised Lambeth Local Plan and Policies Map.	Yes

Points of Clarification

Policy PN2 - Vauxhall

As outlined above, Alumno Group, have an interest in a site located within the Vauxhall area and are broadly supportive of Policy PN2 and its ambition to deliver high-density mixed-use regeneration of the Vauxhall Area. Specifically, the policy supports town-centre-led development at Vauxhall Cross, Miles Street and Pascal Place, enhancing connectivity between Vauxhall Cross, the riverside and Nine Elms/Battersea to the south to contribute to the remaining potential for new homes and jobs.

Whilst we consider this policy to be legally compliant, sound and compliant with the duty to co-operate, there are elements within this that can benefit from additional flexibility. Part A of Policy PN2 promotes the delivery of the remaining potential for new homes and jobs though it fails to recognise that this could be delivered through a range of housing products including student housing which is considered to contribute to 1 conventional unit for every 2.5 student dwellings. To address this, we suggest amending the current wording to allow for additional flexibility to support a range of residential products within Vauxhall to help build a balanced and sustainable community. Consequently, it is suggested Part A is amended as follows with the additional wording highlighted in red;

a) Creating a sustainable mix of high density development and uses, both commercial and residential, contributing to the delivery of the remaining potential for a range of new homes and jobs, including construction jobs, in the Nine Elms Vauxhall area as a whole;

Conclusion

Overall, the draft policy H7 of the Revised Draft Lambeth Local Plan requires amending in order to enable the site to be both developable and deliverable as defined by the NPPF, to ensure that a viable development can be brought forward within the market context and still contribute to place-making.

We trust that you will consider our comments and respond accordingly. In the meantime we welcome the opportunity to discuss the comments with you further should you find this of assistance. If you have any queries, please do not hesitate to contact me or my colleague, Rachel Hearn, at this office.

Yours sincerely,

A handwritten signature in black ink that reads "C Fraser". The signature is written in a cursive, flowing style.

Catriona Fraser

Director

catriona.fraser@turley.co.uk

Appendix 1 – Pre-Submission Publication Representation Form - Part A

Pre-Submission Publication Representation Form



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

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Part A

1. Personal details*

* 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.

2. Agent's details (if applicable)

Title	Ms	Ms
First name	Catriona	Catriona
Last name	Fraser	Fraser
Job title [†]		Director
Organisation [†]	Alumno Group (c/o Turley, Agent)	Turley
Address		Lacon House
		84 Theobald's Road
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[†] where relevant