

Representation	Officer Response
<p data-bbox="188 317 517 347">P28: Affordable Workspace</p> <p data-bbox="188 357 741 421">Organisation: Coin Street Community Builders NSPPSV363</p> <p data-bbox="188 464 1111 528">CSCB was unaware that LB Southwark maintained a 'Workspace Provider List' until we read the 'Fact box' on page 28.</p> <p data-bbox="188 571 1111 708">As an organisation that supports many small businesses, artists and sole traders - including the provision of design studios at Oxo Tower Wharf (Southwark) and Gabriel's Wharf (Lambeth), we would be grateful if we could be added to the Southwark List.</p>	<p data-bbox="1140 464 1966 528">Noted. Please see details on our website to apply to join Southwark's Workspace Provider List.</p>
<p data-bbox="188 719 329 783">Individual NSPPSV390</p> <p data-bbox="188 826 1014 890">I do not consider the NSP to be legal and sound. Please see below for criticism of specific policies and suggestions:</p> <p data-bbox="188 933 1111 1214">Policy (1) (pp.25) is not effective because does not explicitly guarantee life-for-like workspace for small and medium businesses affected by the proposals. The language is very non-committal (i.e. consideration of the feasibility) and could easily be exploited by developers to deny small business the right to have replacement premises within the local area. More explicit language must be used, such as guarantee, that absolutely commits the council and compels developers to provide affordable workspace for displaced businesses.</p> <p data-bbox="188 1257 1111 1431">There is no mathematical formulae in policies 1-4 (pp.25) that would suggest what the council or developers considers 'affordable'. Therefore they are not sound. The council cannot request an affordable price for workspace if they have not provided an explicit means of calculating this. This lack of clarity could be exploited by developers to minimise the amount of affordable</p>	<p data-bbox="1140 826 2063 1214">30 years was considered appropriate as this represents a long lease in a commercial market and would secure either the long term security of a business to continue or support a number of start-up businesses on to accelerator space. The fact box provides information on how affordable workspace can be delivered in different models and a definition of affordable workspace occupier will be included. The definition will be prepared in line with the London Plan. The in-lieu calculation will be set out in the viability study. The evidence base for New Southwark Plan is sound and will be considered by the Inspector at the EIP. The evidence base includes an affordable workspace study, Viability Study and other relevant evidence base documents.</p>

<p>workspace requirements. The council should conduct a census in the local area to find out average prices as they stand before the developments begin and then work out a formula based on local economic and financial means.</p> <p>All the policies are not sound because they are based on loose research, i.e. on pp. 27 'workspace demand in southwark'. There is no research to back-up the map on pp. 27 so the council cannot based their plans of such poor research. A census should be conducted to fully establish the facts of what types and prices of workspace are required as per the previous suggestion.</p>	
<p>Organisation: GLA NSPPSV66</p> <p>P28 Affordable workspace</p> <p>The Mayor welcomes an approach that seeks affordable workspace from developments, however he questions the viability of the 500sqm of employment floorspace threshold. Southwark should ensure that the proposed threshold is appropriate and viable for the range of employment uses and locations that fall with class B.</p>	<p>The proposed 500sqm threshold is appropriate and viable for the range of employment uses and locations identified for B Use Classes. The threshold is informed by the average size of a micro business unit at 50sqm, this is the minimum unit size which could be accommodated in proposals which include separate micro business units. In circumstances where this is not feasible to provide on site, an in-lieu payment will be required to secure off-site provision of affordable workspace.</p>
<p>Organisation: DP9 NSPPSV352</p> <p>There may be instances of small businesses choosing to relocate as part of</p>	<p>This policy states that development must retain small and independent</p>

<p>their individual consolidation plans or business needs, rather than being displaced by development. This policy should not apply in these situations, and therefore there should be no need for a business relocation strategy where evidence is provided that the business is relocating by its own accord.</p>	<p>businesses. If due to site constraints or viability this is not possible Policy P38 Business relocation states that where exiting small or independent businesses or small shops may be displaced by developed a business relocation strategy, written in consultation with affected businesses, must be provided.</p>
<p>Individual NSPPSV333</p> <p>The draft policy should be supported by up to date and publicly available viability evidence to demonstrate the proposed quantum of affordable workspace is deliverable, particularly in light of economic and political uncertainty that has arisen since the Council's original viability testing in 2015. This proposed policy, should also set out a definition of affordable workspace, clearly setting out the level of discount on rents expected by Southwark. This should be supported by viability evidence. The viability testing should be tested on appropriate rental levels for the full range of use classes that the draft Local Plan allocates, in addition to the B1 class uses already tested.</p>	<p>Noted. The evidence base for New Southwark Plan is sound and will be considered by the Inspector at the EIP. The evidence base includes an affordable workspace study, Viability Study and other relevant evidence base documents.</p>
<p>Organisation: JLL NSPPSV335</p> <p>On behalf of our client, Dorrington Plc, (hereafter 'Dorrington') we hereby submit a representation to the 'New Southwark Plan Proposed Submission Version: Amended Policies January 2019'. We object to draft Policy P28 'Affordable Workspace' which, in JLL's professional opinion, does not meet the legal tests of soundness, for the reasons set out in this letter.</p> <p>Part 3 of Policy P28 relates to all major B-Class development that provides over 500 sqm GIA of floorspace and requires such development to "deliver at least 10% of the proposed gross new employment floorspace as affordable workspace on site at discounted market rates." Part 3.2 proposes measures to secure the affordable workspace for at least 30 years at discounted</p>	<p>The evidence base for New Southwark Plan is sound and will be considered by the Inspector at the EIP. This policy is informed by the Affordable Workspace study, the Viability Study and other relevant evidence base documents.</p>

market rents appropriate to the viability of the businesses the space will be targeted for. Part 4 of Policy P28 seeks to secure an in-lieu payment for off-site affordable workspace if it is not feasible to provide affordable workspace on site.

Draft Policy P28's requirements for affordable workspace originates from Southwark's commitment to deliver 500 affordable workspaces for businesses by 2022, as detailed in the 'Council Plan 2018-2022'. The figure of 500 affordable workspaces is not underpinned by any evidence, other than the findings of the Employment Land Review (ELR) which simply found that, "small and independent businesses make up the majority of businesses in Southwark." There is no suggestion in the ELR that these businesses need special financial help. Consequently, this figure, which has resulted in draft Policy P28 does not appear to be underpinned by a proportionate evidence base.

Dorrington seeks to provide a wide range of office floorspace within the administrative boundary of the London Borough of Southwark. It invests considerable amounts of energy and resources into providing workspace for small and new businesses, as well as for larger established office users. As such, it is well placed to advise the policy makers at the Council that it is not appropriate to try and do both on the same site. Nor is it appropriate for one type of business to have to subsidise the other. Therefore, it objects to the requirement for developments that provide over 500 sqm of B-use floorspace to incorporate 10% to be offered at discounted rents. This, together with the requirements set out at Part 3.2 and Part 4 of draft Policy P28, are not justified and place an additional burden on development proposals.

In considering the principle of affordable workspace provision, it is important to recognise that:

1. There is no market failure that needs to be addressed by this planning

policy. There is a large supply of office floorspace within the London Borough of Southwark that provides a range of business unit sizes, locations and prices.

2. Unlike affordable housing, where there is a specific social need to help those that are less fortunate, businesses do not have the same social needs.

3. There are practical difficulties with provision, such as determining when a business has become 'too successful' to be allowed to occupy such accommodation. It is clearly counter-intuitive for those businesses which are successful, to then be penalised by having to move out of their accommodation.

4. All subsidised employment space distorts the market, giving an unfair advantage to businesses who benefit from it compared to those that do not. Related to the point above, it also provides a perverse disincentive for a business to succeed and it is not in the interests of the economy within the Borough to focus resources on weak businesses.

5. The requirement proposes an additional cost on business developments and 'taxing' B-use floorspace in this way will not only reduce the amount of business space that comes forward but will also make it more expensive for companies who occupy the unsubsidised space.

Organisation: DP9 Ltd on behalf of BL CW Holdings Ltd (British Land)
NSPPSV336

Policy P28 introduces a requirement for major developments to deliver at least 10% affordable workspace at discounted market rents. There is no evidence base to support this policy or evidence that there is sufficient demand for this amount of affordable workspace in the borough, who it will target and why it is required to mitigate the impact of development. The London Plan acknowledges affordable workspace may be required in

The evidence base for New Southwark Plan is sound and will be considered by the Inspector at the EIP. This policy is informed by the Affordable Workspace study, the Viability Study and other relevant evidence base documents. GIA has been added to the small shops definition.

targeted locations but it does not anticipate a borough wide, blanket policy without justification.

Given their extensive experience and portfolio of office developments across London, British Land also consider that placing obligations requiring affordable workspace would detrimentally constrain their ability to respond to occupier demand and offer a range of measures which could support start-up/growing businesses. The restrictive way in which the policy is worded will not achieve the strategic aim of the Council and for that reason is unsound.

On the basis that the Council's objective is to support start-ups, small and independent businesses which are vital to securing the future of Southwark's thriving economy, we suggest that it would also be appropriate for the Council to offer business rate relief to these businesses to assist in supporting their growth and success, which is a strategic objective of the Plan.

The Fact Box under Policy P28 should define the floorspace measurement of a small shop as 80 sq m GIA. We would also suggest that this definition better sits under Policy P29: Small Shops rather than an affordable workspace policy.

These representations are submitted alongside and should be read in conjunction with the comments submitted by British Land in relation to previous iterations of the New Southwark Plan.

Individual
NSPPSV337

Amend the policy to only require affordable workspace where there is an identified need rather than a blanket requirement across the whole Borough.

This policy is informed by the Affordable Workspace study, the Viability Study and other evidence base documents. The policy also makes a distinction between need and typologies across the borough.

Organisation: Aylesbury Leaseholders Action Group (ALAG)
NSPPSV341

On the basis of the above, it is requested that the proposed amendments to Policy P28 be removed and Policy P28 be reverted back to its original wording as per the previous iteration of the New Southwark Plan, and reference to “affordable” be deleted. Draft Policy P28 should therefore read:

P28: Small and Independent businesses

Development must:

1. Retain small and independent businesses. Where existing small and independent businesses are at risk of displacement from a development there should be full consideration of the feasibility and need to provide suitable space for existing occupiers in the completed development; and
2. Incorporate some well designed and flexible space suitable for small and independent businesses. These must include a range of unit sizes and types. Opportunities for long term management of small business units by workspace providers should be fully explored. Furthermore, there should be consideration of the feasibility of clustering non-residential uses in single use buildings (horizontal mixed use) and a full fit out.

We ask that the above comments in respect of the ‘New Southwark Plan Proposed Submission Version: Amended Policies January 2019’ be taken on board and we would welcome further contact with the Council to shape this document.

Organisation: Rolfe Judd Planning on behalf of Criterion Capital
NSPPSV342

The draft London Plan Policy E3 Affordable workspace, states that boroughs, in their Development Plans, should consider detailed affordable workspace policies in light of local evidence of need and viability. These may include policies on site-specific locations, or defining areas of need for certain kinds of affordable workspace. As such, it is necessary to define a borough specific approach to the provision of affordable workspace, informed by our Affordable Workspace Study, Viability Study and other relevant evidence base documents.

The draft London Plan does have a policy relating to Affordable Workspace (policy E3) which allows planning obligations to be used in defined circumstances to secure affordable workspace at rents maintained below the market rate for that space for a specific social, cultural or economic development purpose. Policy E3 also allows Boroughs, in their Development Plans to consider more detailed affordable workspace policies in light of local evidence of need and viability.

Emerging policy P28 includes a blanket requirement for all proposals with 500sqm or more of employment floorspace rather than identifying areas across the Borough in need of affordable workspace. Further, the Employment Land Review (which is included in the evidence base for the New Southwark Plan) states “We have found no direct evidence in the research for this report that rising rental costs are deterring local occupiers from taking space, nor that there might be a need for interventions to secure affordable subsidised business space as the market is delivery the right space to meet occupiers needs.”

This demonstrates that there is not an identified need for affordable workspace across the Borough and while some areas may benefit from the provision of affordable workspace, there is no robust or credible evidence to support the proposed policy and it therefore does not meet the test of soundness.

The NPPF at paragraph 16 states “Plans should (b) be prepared positively, in a way that is aspirational but deliverable”. While the Council’s aspiration to provide affordable workspace is understood, the proposed policy would undermine development potential and viability of schemes providing business floorspace, thereby rendering the policy undeliverable. There is no evidence of viability testing of this policy to ensure that it will not render developments unviable and it is considered that Policy P28 as proposed will ultimately lead to the provision of less workspace due to the additional cost of providing 10% of employment floorspace as affordable workspace. Policy

This policy is informed by the Affordable Workspace study, the Viability Study and other evidence base documents. Evidence base on this emerging policy area has specifically addressed this growing need and therefore updates the findings from the ELR on this topic. The policy also makes a distinction between need and typologies across the borough.

P28 therefore fails the test of soundness as it is not justified through robust and credible evidence.

Organisation: Transport for London Commercial Development
NSPPSV182

The DNLP sets out, in Policy E3 Affordable Workspace, the defined circumstances in which planning obligations may be used to secure affordable workspace (A) and also circumstances in which there may be a need for it (B). Boroughs are encouraged to consider more detailed affordable workspace policies in light of local evidence of need and viability (C).

The amended Policy P28 goes far beyond this and requires 10% of floorspace in all developments over 500 sq,m to be affordable workspace at discounted market rents. We are not aware of any evidence underpinning the threshold for provision of affordable workspace, the amount sought or considering the viability impacts of such a requirement.

In addition, the implications for public sector and other developer-occupiers has not been considered. For eg. TfL may use land it owns to build offices to serve its transport functions. As a non-profit, public and sustainable transport body TfL's operational and management buildings should not be required to subsidise 'for -profit' businesses through the provision of affordable workspace.

Noted. It is viewed that this policy is justified and positively prepared. The policy is intended to support businesses from the sectors identified in Policy E3 of the London Plan (e.g. sectors that deliver social, cultural or economic development purpose including not for profit businesses). This policy is informed by the Affordable Workspace study, the Viability Study and other relevant evidence base documents. All evidence bases will be made public alongside the final submission of the NSP.

The proposed 500sqm threshold is appropriate and viable for the range of employment uses and locations identified for B Use Classes. The average size of a micro business unit is 50sqm, the threshold is informed by this as a minimum unit size which could be accommodated in proposals which include separate micro business units. In circumstances where this is not feasible to provide on site, an in-lieu payment will be required to secure off-site provision of affordable workspace.

P28: Small and independent businesses

The policy has been amended and is now titled 'affordable workspace'. The first part of the policy retains the previous requirement and states that:

Development must:

1 Retain small and independent businesses. Where existing small and independent businesses are at risk of displacement from a development there should be full consideration of the feasibility of providing affordable and suitable space for existing occupiers in the completed development. In accordance with our previous representation dated 27th February 2018, these requirements have the potential to disincentivise certain sites from coming forward which may impact on the delivery of wider planning objectives. For example, the redevelopment of the Six Bridges Estate has been identified by Southwark as necessary to facilitate the wider regeneration and to achieve key planning objectives for the Old Kent Road area such as delivery of housing, affordable housing and public realm enhancements. There is a need to ensure no net loss of employment floorspace on this site and for the site to deliver 'innovative mixing' and co-location of industrial and residential uses which hasn't been achieved in London before. This innovation in itself is likely to be challenging to deliver with additional viability, design, management, market uncertainties and phasing considerations when compared with typical sites. Coupled with the requirements of this policy, there is the potential to add additional practical challenges such as management, design and viability issues on the site. Royal London is supportive of the principle of supporting small and independent businesses and will work collaboratively with its tenants where plans for redevelopment are identified. It is considered that the requirements of the policy go beyond the role of the planning system which is related to Use Class rather than being tied to specific businesses. Policy

Noted. This policy is informed by the Affordable Workspace study, the Viability Study and other relevant evidence base documents. Developments including mixed use industrial and residential development are also required to deliver affordable workspace in line with draft policy AAP6 in the Old Kent Road AAP. Schemes with planning permission have been securing 10% affordable workspace in this location.

should therefore not seek to protect the existing occupiers - separate controls on relocation, etc, are provided through the landlord and tenant system and will always have been subject to separate commercial negotiation.

Other policies are already in place which protect B class or employment generating Sui Generis use (e.g. Policy P26: Office and business development and the guidance and policies within the Old Kent Road Area Action Plan). In order to ensure that the NSP is deliverable and effective, and consistent with national policy which requires Local Plans to respond to market signals and for Local Plans to be deliverable; and to incentivise sites such as the Six Bridges Estate to be redeveloped, we consider that the requirements of Policy P28 should be considered on a site by site basis against the range of planning considerations and contributions that each development will deliver and alongside the requirements of the Old Kent Road Area Action Plan. Some suggested amendments are provided in red below.

1 Retain small and independent businesses where possible. Where existing small and independent businesses are at risk of displacement from a development there should be full consideration of the feasibility of providing affordable and suitable space for existing occupiers in the completed development. This consideration will need to be balanced against a range of planning objectives including viability and on a site specific basis; and Specific guidance in relation to sites within the Old Kent Road Opportunity Area will be provided within the Area Action Plan.

The amended policy now includes further detail around affordable workspace. The policy requires:

- Deliver at least 10% of the proposed gross new employment floorspace as affordable workspace on site at discounted market rents; and
- 6 -
- Secure the affordable workspace for at least 30 years at discounted market rents appropriate to the viability of the businesses the space will be targeted

for; and

- Provide affordable workspace of a type and specification that meets current local demand; and
- Prioritise affordable workspace for existing small and independent businesses on the site at risk of displacement. Where this is not feasible, affordable workspace must be targeted for small and independent businesses from the local area with an identified need; and
- Collaborate with the council to identify the businesses that will be nominated for occupying affordable workspace.
- If it is not feasible to provide affordable workspace on site, an in lieu payment will be required for off-site affordable workspace.

As outlined above, for sites such as Six Bridges, the innovative design required to deliver co-location of industrial and residential in itself is likely to be challenging to deliver when compared with typical sites. Coupled with the requirements of this policy, there is the potential to add additional practical challenges such as management, design and viability issues on the site. As such, we suggest that some flexibility is added to the policy, or more guidance specifically in relation to the Old Kent Road Area Action Plan Core is included within the policy, to allow flexibility where sites are already providing replacement industrial floorspace.

Organisation: DP9
NSPPSV352

Point 1: There may be instances of small businesses choosing to rationalise, downsize and/or relocate as part of their individual consolidation plans or business needs, rather than being displaced by development. The supporting text should clarify that the need to re-provide existing businesses will not apply in this situation.

3.1 states that major developments must 'deliver at least 10% of the proposed gross new employment floorspace as affordable workspace on site

Noted. This policy is informed by the Affordable Workspace study, the Viability Study and other relevant evidence base documents. Point 1 – this would need to be included in a statement from the business as required by Policy P38. Developments including mixed use industrial and residential development are also required to deliver affordable workspace in line with draft policy AAP6 in the Old Kent Road AAP. Schemes with planning permission have been securing 10% affordable workspace in this location.

at discounted market rents' and 3.2 states that the developments 'secure the affordable workspace for at least 30 years' This should be subject to viability and not expected of all major developments.

Many major developments in the Old Kent Road Area Action plan suffer from severe deficits in viability terms and therefore should not be expected to deliver affordable workspace to the further detriment of the scheme or result in a reduction below target affordable housing or other benefits but from part of a basket of benefits. This could result in granted planning permissions not being implemented therefore as a result of which for example social rent and other affordable housing units will not be built. 30 years as the term for affordable workspace provision is too long a commitment for major developments and further compromise the potential for much needed affordable housing and social rent units to be built. Pragmatism must be applied where the overall basket of benefits is determined to be result in the non-availability of funding to undertake a development.

Point 4 states that 'if it is not feasible to provide affordable workspace on site, an in-lieu payment will be required for off-site affordable workspace'. As with the above comments, this should be subject to viability.

Individual
NSPPSV56

The amendments though welcome do not yet make this policy sound on the four tests of soundness – positively prepared, justified, effective or consistent with national policy.

- The policy does not prevent useable and affordable workspace from being destroyed by unnecessary redevelopment, and which encourages rising land values. Where this results in net loss of workspace it is contrary to the London Plan.

This policy states that development must retain small and independent businesses. If due to site constraints or viability this is not possible Policy P38 Business relocation states that where exiting small or independent businesses or small shops may be displaced by developed a business relocation strategy, written in consultation with affected businesses, must be provided. P38 also states that temporary relocation arrangements or scheme phasing to allow the continuation of the businesses during construction. The fact box provides information on how affordable workspace can be delivered

- There is no definition of ‘affordable workspace’.
 - There is no explanation of the discount, or what the market rent is.
 - There is no explanation of the criteria for eligibility for ‘affordable’ workspace, and whether for example pre-existing local businesses will be prioritised.
 - Any ‘in lieu’ payment for non-provision of affordable workspace must take account of the lost social benefits of affordable workspaces as well as the discounted market rent.
 - By providing for an ‘in lieu’ payment this policy encourages redevelopment which removes existing satisfactory and appropriate affordable workspace and jobs, and prevents regeneration which is of benefit to all.
 - There is no explanation for the way in which the in lieu payments will be allocated and ring fenced for use only in affordable workspace.
 - Much existing affordable workspace located in town centres is used by small and independent businesses in the night time economy. These have characteristics which require special planning provision on noise, security and other issues. These are not addressed in the Plan.
- Changes to make the policy sound would include:
- Clarifications and additions to respond to the points above.

in different models and a definition of affordable workspace occupier will be included. The definition will be prepared in line with the London Plan. The in-lieu calculation is set out in the viability study.

Organisation: Elephant Amenity Network
NSPPSV57

There is no definition of affordable. Rent levels are the key to ensuring that workspace will be occupied.

The Hackney Wick Central Affordable Workspace strategy, which has been referred to in previous submissions by SPACE Studios, specifies maximum £8psf rent for fully fitted out space, plus capped service charge, for affordable for affordable workspace.

There is no distinction made between non-profit/charities and commercial providers. SPACE Studios experience in Hackney is that all affordable

Noted. The fact box provides information on how affordable workspace can be delivered in different models and a definition of affordable workspace occupier will be included. The fact box included in this policy contains definitions of workspace providers and affordable workspace providers. As such, there is a clear distinction between commercial and non-profit/low cost providers.

workspace has gone to commercial providers with the result, so the workspace is never affordable.

Organisation: Southwark Law Centre
NSPPSV167

In principle, we do not believe there should be a distinction between “affordable” and “unaffordable” workspace. The affordability of workspace as such should be delivered through appropriate management of workspace supply, and protection of land uses. In this respect, the same aspiration as is found in the NB to policy P1 (that “all homes in Southwark should be affordable...”) should apply to non-residential floorspace.

What is more, no reason is provided to justify the change in the policy’s title from “small and independent businesses” to “affordable workspace.”

Notwithstanding the above, if there is to be an affordable workspace policy, the following should be acknowledged:

An important question to pose as a result of this change in title is that the policy emphasis is shifted towards protecting B class use and away from A class use. A class uses suffer from the same vulnerabilities of displacement and the same efforts to re-provide and protect them should be made.

If P28 must use the term affordable workspace then it must provide a definition of it, including a formula that relates to local market rent such as Hackney Council’s draft policy LP29. This policy guarantees specific rates of affordability in relation to the locality’s market rent in perpetuity. These are differentiated between areas of strategic importance (e.g. AAPs).

The policy emphasis is on the provision of new affordable workspace. This is unjustified as no evidence is provided to indicate that there is a specific

Noted. The draft London Plan Policy E3 Affordable workspace, states that boroughs, in their Development Plans, should consider detailed affordable workspace policies in light of local evidence of need and viability. These may include policies on site-specific locations, or defining areas of need for certain kinds of affordable workspace. As such, it is necessary to define a borough specific approach to the provision of affordable workspace, is informed by our Affordable Workspace Study, Viability Study and other relevant evidence base documents. In line with the London plan it is important to make a distinction between affordable workspace and workspace.

The fact box provides information on how affordable workspace can be delivered in different models and a definition of affordable workspace occupier will be included. Regarding affordable retail, Policy P30 specifically addresses this in terms of where small shops are at risk of displacement, affordable and suitable space should be provided like for like, if it is feasible in the redevelopment. The policy also requires large retail developments to deliver 10% of space as small shops (less than 80sqm). Retail and other commercial businesses would also be considered in Policy P38 – business relocation and this is clarified in the definitions in the fact box.

In lieu payments are required only if in the circumstances that it is not feasible to provide it on site. The contribution would go towards the delivery of affordable workspace off-site.

unmet need for affordable B class floorspace. The map of workspace demand in Southwark is particularly unsatisfactory. It shows what type of workspace is demanded in the north and south of the borough but it provides no reference as to where this data has come from, or compares this data with demand studies that consider unmet demand for employment floorspace for alternative class uses. Hackney Council provide a much finer grain description of where employment floorspace should be prioritised according to specific evidence.

P28 should do more to protect existing small and independent businesses by requiring new developments to re-provide workspaces suitable to them. The existing emphasis actively promotes displacement of existing small and independent business occupiers.

This policy does not comply with the council's obligation to observe its public sector equality duty, as many employees and small business owners are people with protected (and often intersecting) characteristics, making them vulnerable to discrimination. This policy should be fully consistent with Southwark Council's SP2 and Southwark Law Centre suggest that the council use proportionate universalism to ensure that affordable workspace is allocated to those who are protected by the Equality Act (2010).

There is a serious issue around implementing this policy fairly. No information is provided about the decision making process to allocate affordable workspace, leaving space for corrupt practices.

Policy P28 provides far less protection for small and independent businesses than was provided in Southwark's Core Strategy (2011), where a target of "No loss of small businesses" (p147) was committed to for Elephant and Castle, the CAZ and other Town Centres, Action Area Cores and Strategic Cultural Areas.

If small and independent businesses are re-provided with workspace in new developments, Policy P28 does not guarantee suitable premises for them to continue to operate during the process of development. For small businesses, a gap in operations may threaten the business existentially. This

<p>challenge must be recognised and engaged with in the NSP.</p> <p>The council should not allow an in lieu payment for off-site provision of affordable-workspace. In lieu payments should only be made available to developers in exceptional circumstances.</p>	
<p>Individual NSPPSV357</p> <p>Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012?</p> <p>Not answered</p> <p>Do you consider this policy is sound?</p> <p>Not answered</p> <p>Tests of soundness - Please answer this question if you said 'No' to the answer above. Do you consider that the New Southwark Plan is unsound because it is not: - Answer - Positively Prepared</p> <p>See previous answers.</p>	<p>Noted.</p>
<p>Organisation: Lichfields, on behalf of U and I Group PLC NSPPSV358</p> <p>Regional guidance through the London Plan will confirm an accepted basis for the inclusion of affordable workspace, such that it is unnecessary to have repetition in the Local Plan.</p>	<p>Noted. The draft London Plan Policy E3 Affordable workspace, states that boroughs, in their Development Plans, should consider detailed affordable workspace policies in light of local evidence of need and viability. These may</p>

Appendix 1: U+I Previous Representations (27 February 2018) will be sent separately via email and the comments should be read in conjunction with these previous representations.

We trust these representations alongside our previously submitted representations will be fully considered prior to submission of the draft NSP to the Secretary of State. Should you require any additional information, please contact X.

Organisation: Collective Planning, on behalf of Respublica
NSPPSV360

Policy P28 provides far less protection for small and independent businesses than was provided in Southwark's Core Strategy (2011), where a target of "No loss of small businesses" (p147) was committed to for Elephant and Castle, the CAZ and other Town Centres, Action Area Cores and Strategic Cultural Areas.

Policy P28 essentially permits the displacement of small and independent businesses during development in its use of the following wording "Where existing small and independent businesses are at risk of displacement from a development there should be full consideration of the feasibility of providing affordable and suitable space for existing occupiers in the completed development." This wording is an invitation for developers to argue that the provision of affordable and suitable space for existing occupiers is not feasible. This is an argument we have seen developers Delancey make at the Elephant and Castle Shopping Centre. It is absolutely unacceptable to promote developers to make this argument. Southwark Council should demand that developers re-provide existing small and independent business occupiers with a like-for-like space, as per NSP 2017 P29 'Small shops'.

include policies on site-specific locations, or defining areas of need for certain kinds of affordable workspace. As such, it is necessary to define a borough specific approach to the provision of affordable workspace, informed by our Affordable Workspace Study, Viability Study and other relevant evidence base documents.

Noted. The draft London Plan Policy E3 Affordable workspace, states that boroughs, in their Development Plans, should consider detailed affordable workspace policies in light of local evidence of need and viability. These may include policies on site-specific locations, or defining areas of need for certain kinds of affordable workspace. As such, it is necessary to define a borough specific approach to the provision of affordable workspace, informed by our Affordable Workspace Study, Viability Study and other relevant evidence base documents.

Policy P38 (business relocation) supplements point 1 of the policy, in that all developments must consider a thorough business relocation strategy if small and independent businesses are at risk of displacement. P28 now requires at least 10% space to be affordable as a policy requirement and the fact box will update the definitions to include intended occupiers, e.g. existing businesses and the criteria outlined by draft London Plan Policy E3.

Regarding affordable retail, Policy P30 specifically addresses this in terms of where small shops are at risk of displacement, affordable and suitable space should be provided like for like, if it is feasible in the redevelopment. The policy also requires large retail developments to deliver 10% of space as

Not only does Policy P28 fail to demand re-provision of workspace to existing occupiers in the completed development; it fails to guarantee premises for such small and independent businesses to continue to operate in like-for-like premises during the process of development. This gap in operations is likely to cause closure to dozens of small and independent businesses as many will not be financially resilient enough to withstand any gap in business. We currently see this failure being played out at the Elephant and Castle Shopping Centre, with redevelopment blighting the small and independent businesses and only 36 out of almost 100 of them being offered relocation, as of April 2019.

It is noted that many small and independent businesses in Southwark are owned by or employ predominantly BAME people. The weakness of this policy will lead to Southwark's failure to carry out Public Sector Equality Duty by ensuring people with protected characteristics are not discriminated against.

The use of long term management of employment space and workspace providers serves two actors; the council and developers. Expressing a policy preference for workspace providers will unnecessarily disadvantage existing smaller scale commercial landlords who provide business space for a diverse mix of commerce and jobs.

3.1 – To retain consistency with Housing Policy P1- the term “Affordable” should not be used as all Southwark employment floorspace should be affordable. If it is used, a definition of affordable workspace must be provided and there should be a commitment to provide more than 10% affordable floorspace.

3.2 – Southwark should follow other borough's commitment towards

small shops (less than 80sqm). Retail and other commercial businesses would also be considered in Policy P38 – business relocation and this is clarified in the definitions in the fact box.

30 years was considered appropriate as this represents a long lease in a commercial market and would secure either the long term security of a business to continue or support a number of start-up businesses on to accelerator space.

In terms of collaboration with the council, this was intended to ensure we can assist in directing developers to the workspace provider list, and make links between local businesses and developers. This section has been updated to also include collaboration with local businesses, business associations and workspace providers.

In lieu payments are required only if in the circumstances that it is not feasible to provide it on site. The contribution would go towards the delivery of affordable workspace off-site.

affordable workspace. For example, Hackney's draft policy "LP29 Affordable Workspace and Low Cost Employment Floorspace" (p102) secures reduction in market rate in perpetuity. Following this policy as a guide, new employment floorspace in Southwark's CAZ should be affordable at no more than 40% of the locality's market rent in perpetuity, and for the Elephant and Castle Opportunity area it should be 60% of the locality's market rent in perpetuity, rather than securing affordable workspace for 30 years. Also, determining discounted market rents "appropriate to the viability of the businesses the space will be targeted for" is too vague. It is not specified who will do the targeting and on what evidence of need the targeting will be based on. The use of the term "viability" actively encourages developers to make the argument that provision to smaller, less lucrative but locally demanded workspace is unviable.

This point clearly omits other class uses, such as A class use which makes a big proportion of all small independent businesses in the Borough.

As for A class uses, the 'Affordability' of rent should exceed the initial 5-year period, and a cap in the rent should be put in place for 15 years, following the Mayor of London's enforcement in the Stage 2 report and S106 for the Elephant and Castle development, where small independent businesses will only return to full market rate in year 16. This proves the commitment from the developer and the council to retain small independent businesses in the long term.

The 'Affordability' of rents for small independent businesses (A class uses) should be in the range of £18-£24 per square foot, as per recent S106 commitments by developers and Southwark in the two biggest schemes in the Elephant and Castle Opportunity Area.

3.3- This is appropriate

3.4 – In line with our previous comments on point 1. this policy should state

that there is to be no net loss of existing small and independent businesses. Displacement of existing small and independent businesses is unacceptable. A new point could be made to require new developments with no existing small and independent business occupiers to target small and independent businesses from the local area with an identified need.

3.5- There are serious issues around fairness if the Council wish to collaborate with developers to identify businesses that will benefit from occupying affordable workspace. If this policy is to be workable and fair and enable sustainable development, a transparent and simple process will need to be developed to administer the awarding of affordable workspace to small and independent businesses that are most in need of it.

As per lessons learned in recent developments in Southwark, where the 'collaboration' to identify businesses for affordable workspace is done through a Business Advisor, if the latter is appointed it should come as a result of an open and transparent bidding and selection process, and in no case appointed or funded by the developer to avoid a clear conflict of interests.

The council should not provide a policy that allows for an in lieu payment for off-site provision of affordable-workspace. This encourages redevelopment which removes existing satisfactory and appropriate affordable workspace and jobs, and prevents regeneration which is of benefit to all.

Organisation: Gerald Eve LLP (on behalf of Grosvenor)
NSPPSV74

Through its planning application for the redevelopment of the former Biscuit Factory and Bermondsey Campus site, Grosvenor is proposing to deliver a range of new commercial workspaces, to add to the established business hub already on the site. This is likely to include an element of 'affordable

Noted. Policy P38 Business relocation states that where existing small or independent businesses or small shops may be displaced by developed a business relocation strategy, written in consultation with affected businesses, must be provided. P38 also states that temporary relocation

<p>workspace’, as required by proposed New Southwark Plan Policy P28 (and by New London Plan Policy E3).</p> <p>Grosvenor welcomes the inclusion of proposed Policy P9 as a pro-active step to securing delivery of affordable workspace and contributing to economic growth and regeneration in Southwark. However, certain elements of the proposed policy the provisions are considered onerous and could prove difficult to deliver in practice.</p> <p>There are therefore suggested amendments to the Policy, which Grosvenor consider require amendment in order for the policy to be effective in supporting the delivery of affordable workspace, and to be consistent with guidance in the New London Plan.</p> <p>The key concerns and suggested changes are set out in response to the question below.</p> <p>Paragraph 3.2 of the policy requires developers to “secure the affordable workspace for at least 30 years at discounted market rents appropriate to the viability of the businesses the space will be targeted for”.</p> <p>In order to be consistent with the Affordable Workspace policy of the New London Plan (policy E3), and to enable the appropriate covenant period to be defined in the circumstances of each individual site, the policy should be amended to secure affordable workspace over the “long-term”.</p>	<p>arrangements or scheme phasing to allow the continuation of the businesses during construction.</p> <p>30 years was considered appropriate as this represents a long lease in a commercial market and would secure either the long term security of a business to continue or support a number of start-up businesses on to accelerator space.</p>
<p>Individual NSPPSV362</p> <p>Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012?</p>	<p>Noted.</p>

<p>Yes</p> <p>Do you consider this policy is sound?</p> <p>Yes</p> <p>Tests of soundness - Please answer this question if you said 'No' to the answer above. Do you consider that the New Southwark Plan is unsound because it is not: - Answer - Positively Prepared</p> <p>Justified, Effective, Positively Prepared, Consistent with national policy</p> <p>See previous answers.</p>	
<p>Organisation: DP9 Limited (on behalf of Southwark Homes Limited) NSPPSV364</p> <p>Policy P28 introduces a requirement for major developments to deliver at least 10% affordable workspace at discounted market rents. There is no evidence base to support this policy or evidence that there is sufficient demand for this amount of affordable workspace in the borough, who it will target and why it is required to mitigate the impact of development. The London Plan acknowledges affordable workspace may be required in targeted locations but it does not anticipate a borough wide, blanket policy without justification.</p>	<p>Noted. The draft London Plan Policy E3 Affordable workspace, states that boroughs, in their Development Plans, should consider detailed affordable workspace policies in light of local evidence of need and viability. These may include policies on site-specific locations, or defining areas of need for certain kinds of affordable workspace. As such, it is necessary to define a borough specific approach to the provision of affordable workspace, informed by our Affordable Workspace Study, Viability Study and other relevant evidence base documents.</p>
<p>Organisation: JLL/ Dorrington Plc NSPPSV368</p> <p>On the basis of the above, it is requested that the proposed amendments to Policy P28 be removed and Policy P28 be reverted back to its original wording as per the previous iteration of the New Southwark Plan, and reference to “affordable” be deleted. Draft Policy P28 should therefore read:</p>	<p>The draft London Plan Policy E3 Affordable workspace, states that boroughs, in their Development Plans, should consider detailed affordable workspace policies in light of local evidence of need and viability. These may include policies on site-specific locations, or defining areas of need for certain kinds</p>

P28: Small and Independent businesses

Development must:

1. Retain small and independent businesses. Where existing small and independent businesses are at risk of displacement from a development there should be full consideration of the feasibility of and need to providing affordable and suitable space for existing occupiers in the completed development; and
2. Incorporate some well designed and flexible units space suitable for small and independent businesses. These must include a range of unit sizes and types. Opportunities for long term management of small business units by workspace providers should be fully explored. Furthermore, there should be consideration of the feasibility of clustering non-residential uses in single use buildings (horizontal mixed use) and a full fit out.

We ask that the above comments in respect of the 'New Southwark Plan Proposed Submission Version: Amended Policies January 2019' be taken on board and we would welcome further contact with the Council to shape this document.

of affordable workspace. As such, it is necessary to define a borough specific approach to the provision of affordable workspace, informed by our Affordable Workspace Study, Viability Study and other relevant evidence base documents.

Organisation: JLL/LGIM Real Assets
NSPPSV370

We write on behalf of our client, LGIM Real Assets (LGIM RA) to submit representations to the New Southwark Plan - Proposed Submission Version – Amended Policies, which are provided below.

Our client

Legal & General Group Plc (“L&G”), established in 1836, is a leading provider of risk, savings and investment management products in the UK. Legal & General Group Plc is listed on the London Stock Exchange (LSE: LGEN) and is a constituent of the FTSE 100 Index. Legal & General Investment Management (Holdings) Limited (“LGIM (H)”) is a wholly-owned subsidiary of Legal &

Noted. The draft London Plan Policy E3 Affordable workspace, states that boroughs, in their Development Plans, should consider detailed affordable workspace policies in light of local evidence of need and viability. These may include policies on site-specific locations, or defining areas of need for certain kinds of affordable workspace. As such, it is necessary to define a borough specific approach to the provision of affordable workspace, informed by our Affordable Workspace Study, Viability Study and other relevant evidence base documents.

General Group Plc. LGIM Real Assets ("LGIM RA") is in turn a wholly-owned subsidiary of LGIM (H).

Legal & General Group employs over 9,000 people globally, with offices across the UK in Hove, Cardiff, Birmingham, and London. Legal & General Investment Management ("LGIM") has also established offices in Tokyo, Chicago and Hong Kong.

Legal & General Investment Management's (LGIM) direct investment capabilities in property and infrastructure were brought together as a single business for the very first time in the formation of LGIM Real Assets (LGIM RA), in January 2015. This restructure allowed the team to capitalise on cross-sector synergies and leverage its in-house expertise across the direct investment universe.

LGIM RA is one of the largest investment managers in the UK by assets under management, with capabilities stretching across the sectors – from residential to high street retail, from leisure to logistics, from derivatives to development. LGIM RA manages 20 real estate investment vehicles with an aggregate asset value of £19 billion. Our UK-focused fund management platform has built and retained a strong track record of out-performance across investment strategies.

One of LGIM RA's managed Funds is the freehold owner of a number of sites within the London Borough of Southwark ('LBS'), including the Admiral Hyson Industrial Estate, located on the corner of Galleywall Road and Hyson Road (within the Old Kent Road Opportunity Area), which accommodates 8 single storey industrial units on a site that extends to 0.68 hectares in size.

Separate objections have been submitted to the emerging Old Kent Road Area Action Plan seeking for the initial proposed allocation OKR12 for residential-led mixed development originally identified in the Old Kent Road – Draft Area Action Plan (June 2016) to be restored after this was amended by the Draft Area Action Plan: Further Preferred Option (December 2017), which is now proposing to allocate the site as Strategic Protected Industrial

Land (SPIL) to accommodate “light industrial uses, logistics, waste management and environmental industries, utilities, wholesale markets, transport functions and sui generis uses that are inappropriate in residential areas”.

Whilst proposals for a mixed-use redevelopment of the Admiral Hyson Industrial Estate (re-providing the existing employment floorspace) were previously the subject pre-application consultation, these have been abandoned following the proposed change to the emerging policy, with the existing industrial sheds retained and existing leases renewed.

LGIM RA is still considering the emerging planning policy framework for the borough is not unduly restrictive and does not unreasonably hamper future development, through submission of the representations to the New Southwark Plan - Proposed Submission Version - Amended Policies, detailed below.

Objection is to the amended draft Policy P28 in completely changing the purpose of the policy from protecting and promoting small and independent businesses to setting out onerous requirements for major developments proposing 500sqm GIA or more employment floorspace to provide 10% of this as new affordable workspace.

The approach of draft Policy P28 is predicated on Southwark’s commitment to deliver 500 affordable workspaces for businesses by 2022, as detailed in the ‘Council Plan 2018-2022’. This figure of 500 affordable workspaces is not underpinned by any evidence, other than the findings of the Employment Land Review (ELR) which found that, “small and independent businesses make up the majority of businesses in Southwark.” Consequently, this figure, which has informed the draft policy does not appear to be underpinned by a proportionate evidence base.

In considering the principle of affordable workspace provision, it is important to recognise that:

1. There is no market failure that needs to be addressed by affordable workspace. There is a large supply of employment floorspace within the London Borough of Southwark that provides a range of business unit sizes, locations and prices.

2. Unlike affordable housing, which is provided to address specific social needs and so help ensure the human right to shelter is realised, businesses are not such to the same social needs.

3. There are practical difficulties with provision, such as determining when a business has become 'too successful' to be allowed to occupy such accommodation. It is clearly counter-intuitive for those businesses which are successful, to then be penalised by having to move out of their premises.

4. All subsidised employment space distorts the market, giving an unfair advantage to businesses who benefit from it compared to those that do not. As identified above, it also provides a perverse disincentive for a business to succeed and it is not in the interests of the economy within the Borough to focus resources on weak businesses.

5. The requirement proposes an additional cost on business developments and 'taxing' B Class floorspace in this way will not risk reducing the amount of business space that comes forward but will also make it more expensive for companies who occupy the unsubsidised space.

In light of the above considerations, a borough-wide blanket requirement for major schemes could severely compromise the viability of employment development, discouraging employment provision on sites where it is not required, potentially setting an artificial ceiling of 500sqm for smaller employment developments and even discouraging redevelopment of existing employment sites due to viability concerns. This proposed policy has the potential to be particularly problematic for redevelopment of the Admiral

Hyson Industrial Estate. Given the site is well-let and delivers a satisfactory return in its current state any adverse impact on the viability of a redevelopment scheme could dissuade investment in a redevelopment scheme in favour of retaining it in its current form, given the significant investment and the risks of bringing redevelopment forward. It is therefore considered that the draft Policy P28 is not adequately justified to be considered sound.

Accordingly, in order to be made sound, it is requested that Parts 3 and 4 of Policy P28 are removed in their entirety. To reflect this proposed omission, it is also suggested that Policy P28's title be reverted back to 'Small and Independent Businesses'. The changes sought to Policy P28 are set out below:

Change sought

It is requested that draft Policy P28 revert to the previous wording in the NSP PSV, as follows:

P28: Small and independent businesses

Development must:

1. Retain small and independent businesses. Where existing small and independent businesses are at risk of displacement from a development there should be full consideration of the feasibility of providing affordable and suitable space for existing occupiers in the completed development; and
2. Incorporate well designed and flexible units suitable for small and independent businesses. These must include a range of unit sizes and types.

Opportunities for long term management of small business units by workspace providers should be fully explored. Furthermore, there should be consideration of the feasibility of clustering non-residential uses in single use buildings (horizontal mixed use) and a full fit out.

Organisation: JLL/Possfund Custodian Trust
NSPPSV371

We write on behalf of our client, Possfund Custodian Trustee Ltd (as the property holding vehicle for Royal Mail Pension Trustees Limited), to submit representations to the New Southwark Plan - Proposed Submission Version – Amended Policies which are provided below.

Our client

Possfund Custodian Trustee Ltd is the freehold owner of the Bricklayers Arms Distribution Centre, Mandela Way for Royal Mail Pension Trustees Limited. This site is proposed for allocation as part of ‘Site OKR3: Mandela Way in the emerging Old Kent Road Area Action Plan (“AAP”) for mixed use redevelopment to include employment (B use class), residential (C3 use class), primary school (D1 use class) development and a new park.

Objection is to the amended draft Policy P28 in completely changing the purpose of the policy from protecting and promoting small and independent businesses to setting out onerous requirements for major developments proposing 500sqm GIA or more employment floorspace to provide 10% of this as new affordable workspace.

The approach of draft Policy P28 is predicated on Southwark’s commitment to deliver 500 affordable workspaces for businesses by 2022, as detailed in the ‘Council Plan 2018-2022’. This figure of 500 affordable workspaces is not underpinned by any evidence, other than the findings of the Employment Land Review (ELR) which found that, “small and independent businesses make up the majority of businesses in Southwark.” Consequently, this figure, which has informed the draft policy does not appear to be underpinned by a proportionate evidence base.

In considering the principle of affordable workspace provision, it is important

Noted. The draft London Plan Policy E3 Affordable workspace, states that boroughs, in their Development Plans, should consider detailed affordable workspace policies in light of local evidence of need and viability. These may include policies on site-specific locations, or defining areas of need for certain kinds of affordable workspace. As such, it is necessary to define a borough specific approach to the provision of affordable workspace, informed by our Affordable Workspace Study, Viability Study and other relevant evidence base documents.

The proposed 500sqm threshold is appropriate and viable for the range of employment uses and locations identified for B Use Classes. The average size of a micro business unit is 50sqm, the threshold is informed by this as a minimum unit size which could be accommodated in proposals which include separate micro business units. In circumstances where this is not feasible to provide on site, an in-lieu payment will be required to secure off-site provision of affordable workspace.

to recognise that:

1. There is no market failure that needs to be addressed by affordable workspace. There is a large supply of employment floorspace within the London Borough of Southwark that provides a range of business unit sizes, locations and prices.
2. Unlike affordable housing, which is provided to address specific social needs and so help ensure the human right to shelter is realised, businesses are not such to the same social needs.
3. There are practical difficulties with provision, such as determining when a business has become 'too successful' to be allowed to occupy such accommodation. It is clearly counter-intuitive for those businesses which are successful, to then be penalised by having to move out of their premises.
4. All subsidised employment space distorts the market, giving an unfair advantage to businesses who benefit from it compared to those that do not. As identified above, it also provides a perverse disincentive for a business to succeed and it is not in the interests of the economy within the Borough to focus resources on weak businesses.
5. The requirement proposes an additional cost on business developments and 'taxing' B Class floorspace in this way will not risk reducing the amount of business space that comes forward but will also make it more expensive for companies who occupy the unsubsidised space.

In light of the above considerations a borough-wide blanket requirement for major schemes could severely compromise the viability of employment development, discouraging employment provision on sites where it is not required, potentially setting an artificial ceiling of 500sqm for smaller employment developments and even discouraging redevelopment of existing employment sites due to viability concerns. This proposed policy has the potential to be particularly problematic for redevelopment of Mandela Way, including the Bricklayers Arms Distribution Centre, given the long-leasehold interests and the significant levels of investment required to deliver the vision of OKR3 of the Old Kent Road Area Action Plan to transform the estate into a new community with 2,200 homes employment and retail providing

2,120 jobs, a new primary school and public park.

Accordingly, it is requested that Parts 3 and 4 of Policy P28 are removed in their entirety. To reflect this proposed omission, it is also suggested that Policy P28's title be reverted back to 'Small and Independent Businesses'. The changes sought to Policy P28 are set out below:

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Organisation: JLL/Southern Grove Real Estate
NSPPSV372

We write on behalf of our client, Southern Grove Real Estate Limited, to submit representations to the New Southwark Plan - Proposed Submission Version – Amended Policies, which are provided below.

Noted. The draft London Plan Policy E3 Affordable workspace, states that boroughs, in their Development Plans, should consider detailed affordable workspace policies in light of local evidence of need and viability. These may include policies on site-specific locations, or defining areas of need for certain

Our client

Southern Grove Real Estate Limited is in the process of acquiring the freehold ownership of St Olav's Court in Canada Water from the current owners St Olav's Court Limited – for whom JLL has previously made representations to the emerging New Southwark Plan.

St Olav's Court comprises a 3-storey brick building containing (Use Class B1) serviced offices within a site which extends to some 0.22 ha. The property is located to the western side of the St Olav's Business Park and is bordered by Rotherhithe Roundabout to the North and North West, Lower Road to the South-West, an open car park to the South-East and Albion Street/Lower Road to the West.

The premises have been let and managed for 20 years under the as part of a wider portfolio of serviced offices, which provide some 80,000 sq. ft of floorspace in Southwark and Lewisham. However, as the premises are inefficient and outdated, proposals for mixed use redevelopment of the site have been developed and are the subject of initial consultation with planning, design and regeneration officers at the London Borough of Southwark ('LBS').

Adjoining St Olav's Court, to the west, is the City Business Centre site, which extends to 0.32ha and is occupied by a 2-storey building and a 3-storey building, (split into individually serviced offices), with an open car park. It is bordered to the North by Albion Street and St Olaf's Church, and by the 4 storey residential blocks of the Irwell Estate the West and South West with associated car parking area (accessed off Neptune Street) and a small children's playground

Southern Grove Real Estate Limited are currently in pre-application consultation with the London Borough of Southwark to develop proposals for comprehensive redevelopment across both sites and are keen to ensure the

kinds of affordable workspace. As such, it is necessary to define a borough specific approach to the provision of affordable workspace, informed by our Affordable Workspace Study, Viability Study and other relevant evidence base documents.

The proposed 500sqm threshold is appropriate and viable for the range of employment uses and locations identified for B Use Classes. The average size of a micro business unit is 50sqm, the threshold is informed by this as a minimum unit size which could be accommodated in proposals which include separate micro business units. In circumstances where this is not feasible to provide on site, an in-lieu payment will be required to secure off-site provision of affordable workspace.

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2. Unlike affordable housing, which is provided to address specific social needs and so help ensure the human right to shelter is realised, businesses are not such to the same social needs.
3. There are practical difficulties with provision, such as determining when a business has become 'too successful' to be allowed to occupy such accommodation. It is clearly counter-intuitive for those businesses which are successful, to then be penalised by having to move out of their premises.
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advantage to businesses who benefit from it compared to those that do not. As identified above, it also provides a perverse disincentive for a business to succeed and it is not in the interests of the economy within the Borough to focus resources on weak businesses.

5. The requirement proposes an additional cost on business developments and 'taxing' B Class floorspace in this way will not risk reducing the amount of business space that comes forward but will also make it more expensive for companies who occupy the unsubsidised space.

In light of the above considerations a borough-wide blanket requirement for major schemes could severely compromise the viability of employment development, discouraging employment provision on sites where it is not required, potentially setting an artificial ceiling of 500sqm for smaller employment developments and even discouraging redevelopment of existing employment sites due to viability concerns.

Accordingly, it is requested that Parts 3 and 4 of Policy P28 are removed in their entirety. To reflect this proposed omission, it is also suggested that Policy P28's title be reverted back to 'Small and Independent Businesses'. The changes sought to Policy P28 are set out below:

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2. Incorporate well designed and flexible units suitable for small and independent businesses. These must include a range of unit sizes and types. Opportunities for long term management of small business units by

workspace providers should be fully explored. Furthermore, there should be consideration of the feasibility of clustering non-residential uses in single use buildings (horizontal mixed use) and a full fit out.

Organisation: DP9 Limited on behalf of Lendlease (Elephant & Castle) Limited
NSPPSV107

Lendlease supports the Council's objective to grow, foster and support local businesses. We recognise that in certain circumstances, commercial development can help to promote local businesses and ensure that micro, small and medium sized businesses continue to thrive in the London economy. This is and will continue to be reflected in our ongoing commitment to delivering regeneration at Elephant Park.

However, we do not consider that the draft Policy P28 is fully justified, evidenced sufficiently or, as currently drafted, that it will be effective. The emerging strategic approach to providing space for micro, small and medium-sized enterprises and those that require below market rents to support a specific social, cultural or economic development purpose in London is set out in the Draft New London Plan policies E2 and E3.

Draft New London Plan policy E2 relates to the provision of low cost workspace to cater for micro, small and medium-sized enterprises, and is the relevant strategic policy to guide parts 1 and 2 of Policy P28. Certain elements of E2 can only apply in areas where there is 'an identified shortage of lower-cost space'. This requires a robust and credible evidence base to identify such areas and these requirements should not be imposed where there is not an identified shortage. We have suggested changes below to align policy P28 with policy E2.

Draft New London Plan policy E3 relates to the provision of affordable workspace – i.e. workspace maintained below market rents for a specific social, cultural or economic development purpose. It does so in 'defined

Noted. The draft London Plan Policy E3 Affordable workspace, states that boroughs, in their Development Plans, should consider detailed affordable workspace policies in light of local evidence of need and viability. These may include policies on site-specific locations, or defining areas of need for certain kinds of affordable workspace. As such, it is necessary to define a borough specific approach to the provision of affordable workspace, informed by our Affordable Workspace Study, Viability Study and other relevant evidence base documents. Evidence base on this emerging policy area has specifically addressed this growing need and therefore updates the findings from the ELR on this topic. The policy also makes a distinction between need across the borough.

circumstances’, and states that particular consideration should be given to providing affordable workspace in only certain areas, and in all cases requires that detailed affordable workspace policies brought forward by Boroughs in their Development Plans are based on ‘local evidence of need and viability’.

As drafted, Policy P28 applies to the whole Borough, without any differentiation other than the type of affordable floorspace that is to be provided. This suggests that the evidence base identifies an equal need for affordable workspace in all parts of the Borough, however we cannot substantiate this position from the evidence base that is available on the Council’s website. As a result we do not consider that this approach is justified and nor will it be effective.

The following documents are provided within the evidence base for the economy, employment and business policies:

- Employment Land Review (2016)
- Core Strategy Employment Background Paper (2010)

These documents are now 3 and 9 years old, and neither contains evidence of a lack of supply or unmet demand for workspace at below market rents. The Employment Land Review, prepared by CAG consultants in 2016, does identify the importance of smaller occupiers to Southwark’s economy, even though it doesn’t provide any data to support this position.

In relation to affordable workspace it states at page 99 that:

“We have found no direct evidence in the research for this report that rising rental costs are deterring local occupiers from taking space, nor that there might be a need for interventions to secure affordable subsidised business space as the market is delivering the right space to meet occupiers needs. We concur with the Borough’s general approach of encouraging developers to provide the right type of space, i.e., flexible/hybrid space that can be adapted

to suit different needs. The approach currently being taken to the Rich Estate is a good example of this. The key will be to constantly match the type of space being required by a wide variety of, mainly, SMEs, undertaking a broad range of activities within their space.

If a more active policy intervention were chosen, such as imposing a requirement to provide affordable space in either larger B-schemes or in mixed use schemes, this could potentially impact scheme viability, and possibly exacerbate the issue of residential values being so much higher than commercial values (our emphasis). Having a vibrant flexible space market in the locality will be key to ensuring the availability of suitable space for start-ups in this respect. Although such space is not discounted to be 'affordable', it does offer other benefits such as flexibility, the avoidance of dilapidations, shared services and so on, thereby making an attractive offer.

The case for subsidised business space remains where specific policy objectives such as creating space for start-ups business can be justified as a mechanism for intervention, but such provision should be clearly distinguished from general provision of 'affordable' business space."

This directly contradicts draft Policy P28, and in no way does the available evidence base provide support for the approach that has been adopted. As such, Policy P28 has not been justified through a robust and credible evidence base.

Given the lack of evidence to support any policy, the imposition of a requirement on schemes of 500sq m of more GIA for 10% of floorspace for 30 years with no specified level of discount presents a substantial risk to the viability and deliverability of commercial office developments. We do not believe that the impact of this policy requirement has been tested through the Whole Plan Viability Study, and consider that this would show there to be significant variations in the viability of commercial office developments across the Borough. This approach is not consistent with the Draft New

London Plan policies E2 and E3.

We are particularly concerned about the potential impact of the draft policy on office development in Elephant & Castle. We enclose for reference the representations made by the Council and Lendlease in relation to the Mayoral CIL2 Examination in Public, and the Examiner's recommendations which resulted in the exclusion of Elephant & Castle from the higher rate Central London Charging Area on grounds of viability. This acknowledgement, alongside the Council's own CIL which has a zero charge for office accommodation at Elephant & Castle, reflects the challenging viability and desire to encourage the delivery of office floorspace in the Opportunity Area as part of the mixed-use regeneration of the area and to replace the office floorspace that has been lost in recent years. Draft Policy P28 contradicts this position and risks prejudicing and potentially preventing the delivery of much needed open market office floorspace at Elephant & Castle, to bring new jobs, spending and investment into the area.

In light of the lack of robust and credible evidence to support the draft policy, Lendlease has prepared its own evidence to demonstrate what supply there is for micro, small and medium sized enterprises and affordable workspace within Elephant & Castle.

Evidence of local supply (provided by CBRE)

CBRE are in full agreement with the above commentary. The below evidence confirms the following:

- There is up to 400,000 sq ft of available office accommodation in Elephant & Castle;
- Much of this accommodation is extremely low cost from a borough and a London perspective. Indeed, the average local rent of £37.50 psf can be considered affordable as a market has been 'set' for local businesses seeking

office space (see the below schedule);

- When adding business rates and service charge to expected Grade A office development rents within Elephant & Castle, even with the proposed reduced percentage in rent, the overall financial package is well above that of local availability. Therefore, in order to provide affordable office space when benchmarking against the current market level, a reduction of £30 psf would have to be passed on. This equates to a 36% discount, which if applied in the way proposed by draft Policy P28 is not viable:

Business rates (psf)	Service charge (psf)	Rent (psf)	Total (psf)
Currently Available Stock Grade B/C	10.00	6.00	37.50
(Average of available space)			53.50
Grade A Office Development	17.50	11.00	55.00
(Likely average target rental level)			83.50

- In addition, the vast majority of the local flexible office space is owned by Workspace. Given this ownership model, Workspace is able to charge local occupiers for affordable space that is priced up to 65% lower than other flexible office providers such as Fora and WeWork (who are based in more prime areas). With an average price of £250 per person per desk per month, breaking back to a total cost of approximately £45 psf on a conventional basis, this suggests that there is an even larger delta than the above £30 psf on conventional comparisons.

Table 1: Current available office space in SE1

Please also find enclosed a summary of the flexible workspace options that already exist within Southwark, prepared by CBRE.

Practical implications

In addition to our concerns over need and viability, there are various other

implications of accommodating affordable workspace on-site within a Grade A office building that we consider need to be taken into account in order for the policy to be effective. These include:

- Grade A office space is designed to attract the optimum rents for the particular type and location of building, and this will necessitate a different specification to affordable accommodation. Whilst some of this is left to fit out, some elements will form part of the base build, including for example the floor to ceiling heights, M&E and service provisions and facade. Designing to cater for two different specifications within the same building will therefore inevitably lead to compromises and/or unnecessary costs;
- Service charge is a critical issue which the draft policy does not currently address. If any communal facilities are shared with the market space, then the service charge for these facilities would also need to be carried by the affordable workspace. In order to avoid this situation, separate facilities would need to be designed, which would lead to design and cost inefficiencies through the provision of dual entrances, cores, communal spaces etc. This has the potential to compromise the quality and commercial appeal of the building;
- A 30-year covenant has a potentially very significant impact on the attractiveness of an office building as an investment asset in areas where there is a negligible/nascent office market. A requirement to provide a proportion of the floorspace as affordable workspace also compromises the ability of the building to attract commercial tenants. In many cases securing a pre-let is essential to funding, and so if the building can only be offered to potential tenants with existing constraints on space and potentially design, this will compromise its attractiveness and could prejudice the ability of a developer to secure a pre-let.

In summary, all of the above issues arise from the requirement to locate affordable workspace within Grade A office buildings. Pursuing this approach will lead to compromised commercial office buildings which will not be able

to meet the needs of affordable workspace tenants in any regard. A preferred approach, if evidence can support an unmet need, would be to deliver affordable workspace in secondary existing buildings/vacant existing stock, which would provide more affordable accommodation, stimulate new office development and avoid unduly compromising new office development that does come forward.

Individual
NSPPSV384

Do you consider the document to be legally compliant in accordance with the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012?

No

Do you consider this policy is sound?

No

Tests of soundness - Please answer this question if you said 'No' to the answer above. Do you consider that the New Southwark Plan is unsound because it is not: - Answer - Positively Prepared

Justified, Effective, Positively Prepared, Consistent with national policy and the London Plan

Same as before.

Noted.

Organisation: Rolfe Judd Planning on behalf of Berkley Homes Ltd
NSPPSV21

These representations have been prepared on behalf of Berkeley Homes (South East London) Ltd (Berkeley) regarding the draft New Southwark Plan (NSP) Proposed Submission Version: Amended Policies January 2019 consultation.

These representations follow on from previous representations made by Rolfe Judd Planning on behalf of Berkeley in September 2016 in respect of the New Southwark Plan – Preferred Option June 2016, in September 2017 in respect of the New Southwark Plan Preferred Option - New and Amended Policies June 2017 and in February 2018 relating to the New Southwark Plan Proposed Submission Version.

We understand that following the consultation on the Amended Policies January 2019 that the Council will undertake a full consultation on the proposed Submission Version of the NSP prior to submission to the Secretary of State for Examination.

Overall we consider the amendments to the policies in the NSP to be broadly sound and support the objectives of the Council to deliver new homes and jobs in the Borough. However it is important to review the policies within the context of the wider NSP. We are therefore keen to further contribute to the next full consultation on the Submission Version of the plan and will provide additional comments at the relevant stage.

About Berkeley Group and its investment in Southwark

Berkeley is also a significant investor in Southwark. It has delivered a range of innovative and exemplary urban regeneration projects across the Borough including developments at Tabard Square and One Tower Bridge. They are currently also delivering development at One Blackfriars. These developments deliver new infrastructure, high quality public realm and many new jobs in addition to a large number of affordable homes contributing to the success of the Borough.

Berkeley Group continues to invest in the Borough as demonstrated by its

Support noted.

recent application to Southwark for a mixed-use development at Malt Street along the Old Kent Road. A planning application was submitted to the Council in July 2017 (Council Ref: 17/AP/2773). The scheme London Borough of Southwark May 2019

provides a mixed-used development of high quality design that incorporates up to 1,300 homes (including 40% affordable homes) and up to 7,000sq.m of non-residential floorspace within an attractive and inclusive environment, optimising the use of this allocated site (Site Allocation OKR 10) in the Old Kent Road Area Action Plan (DOKR AAP (December 2017) and Site Allocation NSP65 in the NSP.

The application is in direct response to the Council's vision for the area and the current DOKR AAP as well as the revised DOKR currently under consideration by officers. Both documents seek 20,000 new homes in the Opportunity Area by 2036. The application will make a substantial and positive contribution towards the overall ambitious housing delivery targets of the Council's Local Plan of achieving 27,362 homes by 2025. The application scheme will also deliver a range of new job opportunities to substantially increase the provision of employment on the site helping the Council meet its target of 10,000 new jobs in the area.

Berkeley's investment in the Borough will continue so long as the delivery of viable development can be achieved. This relies upon development plan policies and guidance that encourages regeneration.

Representations on behalf of Berkeley Homes (SEL) Ltd

We provide these remarks as interim representations ahead of further comments on the Submission Version of the plan in summer 2019.

Please note where paragraph numbers are given, these have been counted down from the relevant section referenced.

Concluding Comments

Berkeley continues to strongly support the Council in its identification of the benefits of a combined London Borough of Southwark May 2019

Borough wide approach to deliver higher density developments within designated growth areas, town centres, opportunity areas and areas of high public transport accessibility. The focus on brownfield land and highly sustainable and accessible locations is important to delivery of 'Good Growth' as supported by the draft London Plan.

Whilst Berkeley supports the Council in the preparation of the plan and its aspirations for the Borough we are keen to continue to review the policies within the context of the next consultation on the NSP. We will therefore participate in the next full consultation on the plan and will provide additional comments at the relevant stage.

Berkeley Homes support the Council in their approach to meeting the demands of businesses within the Borough. As part of this we have sought to provide levels of affordable workspace within the Malt Street Development currently under consideration by officers.

In determining the appropriate level of affordable workspace we support the introduction of a clear approach to affordable workspace which is outlined within the policy text. Ambiguity in the method affordable workspace is assessed and secured was previously an issue of ambiguity for developers in bringing forward the use and any clarity provided is welcomed.

Organisation: HTA Design (on behalf of Joseph Homes)
NSPPSV391

We welcome the opportunity to contribute to the consultation on the Regulation 19 version of London Borough of Southwark's new Local Plan. This representation is submitted to LB Southwark Council on behalf of Joseph homes.

Joseph Homes is a residential-led mixed use developer with a focus on London. We have experience of developing proposals in Southwark, most recently working on the developments at Sylvan Grove and Rockingham

Noted. This policy is informed by the Affordable Workspace Study, Viability Study and other relevant evidence base documents. The fact box provides information on how affordable workspace can be delivered in different models and a definition of affordable workspace occupier will be included.

Street.

We would like to submit the following representation on the draft Local Plan.

Joseph Homes fully support the borough's ambition to deliver large new and vibrant mixed-use neighbourhoods in various parts of the borough. We very much believe that planning to provide employment space for a diverse and balanced range of occupiers can help Southwark Council achieve their wider ambitions in this respect.

Potential conflict with other plan policies: However, the previous draft policy P28, included within the Draft New Southwark Plan (December 2017), only encouraged small and independent businesses to be retained, with a range of unit sizes provided for these types of businesses, and did not make reference to provision of affordable workspace. We are concerned that introduction of the requirement for mixed-use schemes to provide affordable workspace, without robust supporting viability evidence to demonstrate this will be deliverable, could prejudice the delivery of other key policy objectives the Council has set out within the plan, such as the delivery of affordable housing. As such, we would question whether the plan policy can be considered to be sound.

Absence of supporting up to date viability information: The changes proposed to this most recent draft policy introduce a requirement for 10% of proposed GIA of employment floorspace to be provided as 'affordable workspace' at discounted market rents, for at least 30 years and introduces an expectation of payment in lieu if this cannot be delivered. This introduces a new policy burden at this late stage (Regulation 19) of the plan production process, which is not considered to be legally compliant in line with the process of consultation set out in the Council's Statement of Community Involvement 2008, nor a sound approach.

No clear definition of 'affordable workspace': Furthermore, the draft policy does not provide a clear definition of 'Affordable Workspace' particularly in

relation to the level of discount on rents it will expect. There is no viability evidence to support the provision of discounted rental levels, and therefore it is questioned whether the proposed policy is justified or can be effective.

Unclear basis for specified proportion of affordable workspace: The policy justification offers no explanation of the basis from which the requirement of 10% of GIA for major developments to be provided as affordable workspace has been formed. Reviewing the Council's Housing Policy Viability Update Study, 2017, it can be seen that a range of proportions of office space have been tested ranging from 25% to 10% of overall development GIA to be provided as employment space in mixed use scheme (in section 5.2 Housing Policy Viability Update, 2017), but there has been no testing of provision of a component of this at discounted rent levels. As the viability testing was also on the assumption of full market rents for office spaces, rather than a proportion of the floorspace provided at reduced rental levels, it is considered that further viability testing would need to be undertaken to demonstrate whether the policy can be effective.

Further up to date testing of mixed-use schemes needed: The Council's draft NSP23 indicates that redevelopment must re-provide the existing quantum of employment floorspace or 50% of the proposed floorspace. If the latter 50% policy target is applied, it is considered that the appropriate level of mixed uses has not been adequately tested and provided as part of the evidence base, which has only tested up to a maximum of 25%. This could prejudice the delivery of 10% of the floor area of the employment space to be provided as affordable workspace, and would suggest this draft plan policy cannot be effective.

Viability of full range of B class uses should be tested in mixed-use schemes: The most up to date viability information that is available from 2017 tests a range of mixed use scenarios. However, the scenarios tested are based on employment space offered in purely office uses (B1a), rather than other B class uses. The Council specifies B2 and B8 uses should be provided as part of

the NSP site allocation 23 at Burgess Business Park, and this does not appear to have been tested within the Housing Policy Viability Update Study (2017). Moreover, NSP23 is located within CIL zone 3, and the Council's own viability evidence indicates that very little affordable housing could be provided even at a medium benchmark land value levels and at low value scenarios indicates that many schemes would not be viable at all (Pages 65-78 of the Council's Housing Policy Viability Study 2017).

In conclusion, Joseph Homes fully support the aspiration to deliver mixed-use schemes in the borough, combining residential uses, with employment space suited to the needs of a balanced range of potential occupiers. However, to support this aspiration, we would suggest that further viability testing should be undertaken to ensure that the Council has a robust evidence base, adequately reflecting the proposed policy requirements, to ensure that the aspirations can be delivered.

Organisation: Alvey estate tenants and leaseholders association (ATLAS) (& liaison with some of neighbouring Kinglake Tra)
NSPPSV396

WORK SPACE MUST BE DEFENDED.

THESE schemes together Inc okrd reduce light industry and are CONTRARY TO THR LONDON PLAN.

This is Another Legalistic ILLEGAL QUESTION WHICH SEEKS TO IMPOSE AN IDEOLOGICAL SOCIAL CLEANSING NARRATIVE ON SOCIALLY DEPRIVED OR ESTHIC MINORITIES WHO ARE IN REALITY LARGELY EXCLUDED FROM THIS TOP DOWN APPROACH AND HAVE NEVER BEEN ASKED.

Note when aylesbury est tenants and leaseholders had a ballot in 2000/2001 they voted overwhelmingly NO.

A first step to getting any semblance of fairness Is to RECOGNISE THE BALLOT AND SCRAP THE AYLESBURY PLAN WHICH IS ITSELF ILEGAL FOR A NUMBER OF REASONS - mentioned by me in the recent CPO enquiries on Aylesbury

Noted. The NSP includes a number of policies relating to the delivery and retention of workspace of different types, the delivery of affordable workspace and a business relocation policy addressing the needs of existing businesses.

estate:

- ballot overruled
- Council decision in 2002 to trash ballot in was illegally conducted because councillors were not informed of certain matters, given false information and lied to by officers.
- the right to light is curtailed by the overdevelopment and this violates Lbs own policies.

Individual
NSPPSV148

The policy is not effective as no definition of affordable is given, there is no policy support for affordable workspace providers as opposed to commercial workspace providers and there is no prioritisation of who will benefit from affordable workspace. The evidence does not define areas of need for affordable workspace.

There is no definition of affordable given which isn't very helpful. The Hackney Wick Central Affordable Workspace strategy specifies maximum £8psf rent for fully fitted out space, plus capped service charge (index linked to RPI) for affordable workspace. Setting rent levels is key to ensuring that they will be occupied.

It is unclear how the developer will determine whether an affordable versus a commercial workspace provider is used. The experience in Hackney is that everything has gone to commercial providers and they are never affordable to the end user. The policy needs to specify that the affordability should apply to the end users/occupiers, not just the workspace provider

The replacement/re-provision of existing low cost space is very problematic. This policy needs strategic oversight from the Borough to ensure the assessments and conditions are applied rigorously and meet the needs of existing businesses with minimal negative impacts. Low-cost business space

Noted. The fact box provides information on how affordable workspace can be delivered in different models and a definition of affordable workspace occupier will be included. The policy fact box also now contain a definition of affordable workspace occupiers. The fact box included in this policy contains definitions of workspace providers and affordable workspace providers. There are a number of ways affordable workspace can be secured in new development schemes. The policy allows for flexibility in the use of affordable workspace provider or workspace provider. Nevertheless, the policy requires that development must deliver at least 10% of the proposed gross new employment floorspace as affordable workspace on site at discounted market rents. The rent levels are not set because market rents differ in different parts of the borough and may be subject to change. However further guidance will be informed by the Affordable Workspace Study, Viability Study and other relevant evidence base documents.

needs protecting, whilst affordable workspace needs promoting

The circumstances in which affordable workspace is provided should be clarified and include:

- dedicated for specific sectors that have cultural value such as Migrant and Ethnic businesses, artists' studios and designer-maker spaces
- dedicated for disadvantaged groups starting up in any sector (including for example, those sharing characteristics protected under Equalities legislation, businesses and trades which have difficulty in securing premises at market rents)
- supporting start-up businesses
- Voluntary, social, community and charitable enterprises and organisation needs have to be considered

The affordable workspace policies should include ways of monitoring that the objectives above are being met, including evidence that they will be managed by a workspace provider with a long-term commitment to maintaining the agreed or intended social, cultural or economic impact.

In terms of evidence, the following are essential so that planners know what they are meant to be protecting and promoting

- measurement to form an evidence base on a borough by borough level of the nature and extent of low cost business and affordable space and the prevalence and types of users
- evidence based needs assessment to determine the nature of support needed (how will planners know current and future needs are being met?)
- impact assessments which go beyond viability studies/market criteria to determine the nature of the contributions made by existing users of low cost and affordable workspaces

Organisation: Latin Elephant, CIO, registered charity number 1158554
NSPPSV405

Latin Elephant is a local charity that promotes alternative and innovative ways of engaging and incorporating migrant and ethnic groups in processes of urban change in London, by responding to urban policy frameworks supporting migrant and ethnic economies in London; and by supporting existing migrant and ethnic businesses in the context of broader processes of regeneration.

We consider P28, Affordable workspace policy to be unsound, despite the amendments.

The policy emphasis is on new provision and not re-provision of (affordable) workspace, therefore not preventing useable and affordable workspace from being destroyed. This emphasis actively promotes displacement of existing small and independent business occupiers.

The policy does not provide a definition of 'affordable workspace' nor an explanation of the discount or the market rent value.

The policy is ambiguous since it refers to small independent businesses making up to 97% of businesses in Southwark but at the same time appears to address B class use only, therefore omitting other class uses, most importantly A class uses.

By focusing strictly on 'completed development', it fails to address the very stressful transitional period faced by existing small independent businesses while the development is being carried out. As we have seen in recent developments in the Elephant and Castle Opportunity Area, dozens of small independent businesses are left hanging in the area with no clear meaningful certainties and no guaranteed relocation whilst the development is being carried out.

There is also a serious issue around the fairness of implementing this policy. No information is provided about the decision making process for allocating businesses with affordable workspace. To avoid behind closed doors-decisions, Latin elephant welcomes the incorporation of small independent

Noted. It is important that the New Southwark Plan is read as a whole. Policy P38 Business relocation states that where exiting small or independent businesses or small shops may be displaced by developed a business relocation strategy, written in consultation with affected businesses, must be provided. P38 also states that temporary relocation arrangements or scheme phasing to allow the continuation of the businesses during construction. The fact box provides information on how affordable workspace can be delivered in different models and a definition of affordable workspace occupier will be included.

Regarding affordable retail, Policy P30 specifically addresses this in terms of where small shops are at risk of displacement, affordable and suitable space should be provided like for like, if it is feasible in the redevelopment. The policy also requires large retail developments to deliver 10% of space as small shops (less than 80sqm). Retail and other commercial businesses would also be considered in Policy P38 – business relocation and this is clarified in the definitions in the fact box.

Southwark Council's SCI is currently in the process of being updated and improvements to our ways of communicating with residents shall be a key focal point of this.

businesses at an early stage of the consultation process, preferably several months prior to this submission of the application by the developers.

This policy is incompatible with SP2 “Regeneration that works for All”, as the clear losers from regeneration if this unsound policy is adopted are existing small and independent businesses. Small and independent businesses are left completely unprotected from displacement. Southwark Council should require developers to incorporate existing small and independent businesses into plans during the process (before application is submitted), not sweep them aside.

The policy also omits the issue of loss of small business space during redevelopment. There must be a commitment of no loss of business space during and after completion of new development. This would avoid repeating the the case of the Elephant and Castle redevelopment, where there is acknowledgement by Greater London Authority (Stage 2 report, p.20) of a net loss of over 4,000 m² of retail space in the period between the closure of the shopping centre and the proposed new development.

The night time economy is omitted in the policy. Much existing affordable workspace located in town centres is used by small and independent businesses in the night time economy. These have characteristics which require special planning provision on noise, security and other issues, and are not addressed in the Plan.

Organisation: Friends of Burgess Park
NSPPSV62

1- Revert back to the previous local plan's much stronger protection of small and independent businesses.

Noted. Policy P38 Business relocation states that where exiting small or independent businesses or small shops may be displaced by developed a

Notwithstanding the above:

- Include protection of A class use in addition to B class
- define affordable workspace- include a formula similar to Hackney Council's draft policy LP29 that includes reference to market rent of locality and guarantees rate in perpetuity
- Provide robust evidence of demand for employment space, including A and B use classes.
- Protect existing small and independent businesses by requiring new developments to re-provide workspaces suitable to them
- Provide information about the decision making process to allocate affordable workspace, leaving no space for corrupt practices.
- Where new development requires, guarantee small and independent businesses suitable premises for them to continue to operate during the process of development.
- Remove in lieu payment option

business relocation strategy, written in consultation with affected businesses, must be provided. P38 also states that temporary relocation arrangements or scheme phasing to allow the continuation of the businesses during construction. The fact box provides information on how affordable workspace can be delivered in different models and a definition of affordable workspace occupier will be included.

Regarding affordable retail, Policy P30 specifically addresses this in terms of where small shops are at risk of displacement, affordable and suitable space should be provided like for like, if it is feasible in the redevelopment. The policy also requires large retail developments to deliver 10% of space as small shops (less than 80sqm). Retail and other commercial businesses would also be considered in Policy P38 – business relocation and this is clarified in the definitions in the fact box.

In lieu payments are required only if in the circumstances that it is not feasible to provide it on site. The contribution would go towards the delivery of affordable workspace off-site.

30 years was considered appropriate as this represents a long lease in a commercial market and would secure either the long term security of a business to continue or support a number of start-up businesses on to accelerator space.

Southwark Council's SCI is currently in the process of being updated and improvements to our ways of communicating with residents shall be a key focal point of this. This policy is informed by the Affordable Workspace Study, Viability Study and other relevant evidence base documents.

Organisation: The Trustees of the Tate Gallery
NSPPSV412

The Policy should be deleted. There appears to be no justification in the

This policy is informed by the Affordable Workspace Study, Viability Study

<p>evidence base for any variations from London Plan policy, making any variation from the London Plan not sound.</p>	<p>and other relevant evidence base documents.</p>
<p>Organisation: Tide Construction Ltd NSPPSV413</p> <p>This draft policy has been amended significantly since the previous version of the document. The policy previously focussed on small and independent businesses whereas the new drafting focusses instead on the provision of affordable workspace.</p> <p>The new wording proposes to require major developments, providing over 500sqm (GIA) of employment floorspace (B Class Use), to provide at least 10% of the gross new floorspace as affordable workspace, on site and at discounted market rents.</p> <p>The affordable workspace must also be secured for 30 years, be of a type to meet a local demand, target small and independent business and collaborate with the council to identify businesses to occupy the premises.</p> <p>If it is not feasible to provide this floorspace on site, then an in-lieu payment will be required for off-site affordable workspace.</p> <p>The supporting reasons for the policy state that the discount on market rents would be established on a site by site basis and no methodology is proposed which would enable developers to factor this requirement into their feasibility or financial appraisals at the earliest stage of the development process.</p> <p>The aspiration of this policy is admirable but the whole workspace offer needs to be considered in the round as the type, size, and specification of the proposed workspace will make up it's affordability. Furthermore, the draft wording does not take into account the importance of scheme viability which</p>	<p>Noted. This policy is informed by the Affordable Workspace Study, Viability Study and other relevant evidence base documents. The Viability Study contains further information on the calculation of in-lieu payments. All evidence bases will be made public alongside the final submission of the NSP.</p>

may make it difficult to deliver the required quantum of affordable workspace on major schemes. The draft policy wording refers to feasibility at paragraph P28.4 but this should be amended to also include viability.

We trust that these representations will be taken into consideration by the Council. If you wish to discuss any of the comments made in further detail, please do not hesitate to contact me.

Organisation: Foot Anstey LLP, acting on behalf of Ministry of Sound
NSPPSV414

From its opening in 1991, Ministry of Sound ("MoS") has been a proud member of Southwark's community and is committed to remaining in its current location in the Borough in the future.

In 2018, with this in mind, MoS set out to boost creative and technology industry presence within SE1 and provide a home for the sectors' SMEs to start their businesses here, just like MoS had done twenty five years earlier. This resulted in MoS establishing The Ministry, a dynamic shared workspace at 77-81 Borough Road. The Ministry has quickly become a home for a large number of creative and technology businesses, each co-existing within an energetic and like-minded community. By keeping desk rates competitive and the workspace environment flexible and modern, The Ministry has been an overwhelming success, with occupancy levels in April 2019 at 75%. Approximately 570 people now work at The Ministry, many of them in businesses with potential for high-growth.

MoS strongly supports the amended policy P28 and its refocus on "affordable workspace". Whilst the need for affordable housing has rightly dominated policy for many years, MoS welcomes the emphasis on developing positive policies that will ensure that not only can people afford to live in Southwark but that they can also afford to work there as well.

Support and survey research noted. It is important that the New Southwark Plan is read as a whole. P44 Leisure, arts and culture states that development within the South Bank Cultural Quarter, Elephant and Castle Cultural Quarter, Old Kent Road and Canada Water Opportunity Area Cores and Peckham and Camberwell Creative Enterprise Zone, should investigate the feasibility of providing new arts and cultural venues of strategic significance.

The 'reasons' for the revised policy reflect MoS's own understanding of the difficulties faced by SMEs in securing affordable places to work. MoS agrees with the LPA that "these businesses are vital to the Southwark economy and are vulnerable to displacement by other users and therefore need protection".

MoS recently carried out a survey in order to better understand the demographics and objectives of those working there. 25 businesses resident at The Ministry were surveyed. The results of the survey were as follows:

1. Do you think working in SE1 is good for your business?

90.4% of companies surveyed agreed that working in SE1 was good for their business.

2. Do you plan to expand your business within Southwark?

71.4% of companies surveyed stated that they would look to expand their business within the London Borough of Southwark.

3. Do you live within the Borough?

1 in 4 businesses surveyed lived within the London Borough of Southwark.

4. When starting up your business, were there enough affordable workspace options in Southwark?

Over 50% of businesses said there weren't enough affordable workspace options in Southwark.

5. If you were unable to establish your business in Southwark due to the lack of affordable workspace would you?

- A. Choose another London borough
- B. Set up outside of London
- C. Not have set up at all

90% of businesses we spoke to stated that they would have chosen another London borough. 10% of companies would have not set up at all.

The survey illustrates that all businesses, especially creative and technology businesses, want to remain in Southwark, but can only really do so if they can expand in affordable workspace, which the Ministry would be able to provide. These results confirm the need for Policy P28 and the importance of ensuring affordable workspace within the Borough.

MoS agrees with the LPA that the provision of affordable workspace is essential to the long-term security of Southwark's economy. MoS notes that the term "affordable workspace" is not defined in the draft Policy P28. MoS agrees that affordability will vary depending on the location of the workspace within the Borough and agrees with the essential need for maintaining a flexible policy approach so that affordability can be assessed on a site-by-site basis.

MoS notes the alignment of Policy P28 with the important employment policies being advanced in the emerging London Plan (which will form part of the LPA's statutory development plan once it is adopted).

Draft Policy E3 states that "particular consideration should be given to the need for affordable workspace...in areas where cost pressures could lead to the loss of affordable workspace for micro, small and medium-sized enterprises [and] in locations where the provision of affordable workspace would be necessary or desirable to sustain a mix of business or cultural uses which contribute to the character of an area. Boroughs, in their Development Plans, are encouraged to consider more detailed affordable workspace policies in light of local evidence of need and viability. These may

include policies on site-specific locations, or defining areas of need for certain kinds of affordable workspace." (emphasis added)

Draft Policy E3 raises an issue of which MoS is fully aware, namely, that a significant problem for workspace providers is identifying and securing suitable sites for workspace schemes. This problem has been exacerbated in recent years by the conversion of commercial buildings into residential uses, thereby reducing available supply. A report by Ramidus" made this important point:

"Smaller occupiers and creative businesses are particularly vulnerable and sensitive to even small fluctuations in costs. To deliver a diverse economy, it is important that cost pressures do not squeeze out smaller businesses, particularly from fringe locations around central London, but also across the capital as a whole. Ensuring a sufficient supply of business space of different types and sizes will help to ensure that workspace is available for occupation at an appropriate range of rents reflecting the specification, quality and location of the space."

Our survey confirms that if there is enough affordable space and support for the creative and technology industries, there is a desire for these businesses to remain within SE1. In order to address this problem, and to align Policy P28 closer with the draft London Plan policies, MoS would recommend that appropriate draft allocation sites are re-evaluated in order to assess whether those sites should be prioritised for the provision of affordable workspace, alongside flexible shared workspace and other appropriate uses (including housing).

London's creative economy represents a significant part of the capital's economy. In 2015, the GLA identified that the creative industries accounted for 11.1% of the total gross value added (GVA) in London, and 47.4% of the UK total for the sector. In 2016, there were 622,600 jobs in London's creative industries, equivalent to 11.9% of the total jobs in London. One in

four of these jobs were held by self-employed workers.

The Mayor's Cultural Infrastructure Plan ("CIP") expands on this theme: "The creative economy is vital to London: the creative industries in London alone generated £52.2bn gross value added in 2017. Between 2011 and 2017 employment in London's creative industries increased by almost a third (31.8 per cent) compared to 20.8 per cent growth for the economy as a whole. To keep up with this trend, we must retain and develop more premises where culture and the creative outputs are produced and made."

The importance of the creative industries has been recognised by the Mayor of London in recent strategic policies. One of these is the identification of Creative Enterprise Zones.

Draft Policy HC5 states that "Boroughs are encouraged to work with the Mayor and relevant stakeholders to identify Creative Enterprise Zones in Local Plans: (i) in areas that have emerging or existing clusters of creative industries; or (ii) in areas of identified demand and more deprived areas where there is evidence that the designation of a Creative Enterprise Zone will enhance the local economy and provide facilities and workspace for the creative industries."

It is MoS's opinion that the juxtaposition of affordable workspace with Creative Enterprise Zones would provide a powerful additional limb to Policy P28, assisting the delivery of affordable workspace within those sectors where the demand can be highest. It would also assist with delivering each point within the seven-point action plan which underpins the CIP, namely, (i) understanding where London's cultural infrastructure is located, (ii) planning for and creating new cultural infrastructure, (iii) providing major infrastructure for a world class city, (iv) supporting culture at risk, (v) increasing investment, (vi) creating policy to enable culture and the creative industries to put down roots and (vii) providing training, networking and guidance.

In addition to encouraging affordable workspace as part of a Creative Enterprise Zone, MoS also considers that Policy P28 could assist in the delivery of new Cultural Quarters. As above, such a policy would generally conform with the emerging London Plan and, in particular, with draft Policy HC5(A)(2), which encourages boroughs to "identify and promote new, or enhance existing, locally-distinct clusters of cultural facilities, venues and related uses defined as Cultural Quarters, especially where they can provide an anchor for local regeneration and town centre renewal".

As the supporting text to draft Policy HC5 states, "London's culture sector and the creative industries deliver both economic and social benefits for the capital" . MoS would encourage Policy 28 to embrace its potential to assist with the creation of Cultural Quarters, given the significant economic benefits that would flow from such a policy.

The essence of revised Policy P28 is on the provision of affordable workspaces. However, in addition to affordability, the flexibility of the workspace is frequently a key element to its suitability for the targeted businesses, particularly in matters such as flexible leases and the provision of on-site support services. The Ministry is a positive and successful example of co-working in practice, combining affordable rents with flexible terms and additional benefits.

Co-working spaces are being actively delivered across London. In its 2019 report , JLL noted that since 2014, the flexible workspace market has doubled globally, and in London it now accounts for one-fifth of all office space take-up. In Europe, the stock of flexible space is set to grow by an average of 25-30% over the next five years. MoS would encourage Southwark to embrace this shift towards flexible workspace and put in place positive policies which will help Southwark to capture its share of this growing flexible workspace market.

Policy P28 does make reference to flexibility in the 'reasons' section. However, for the reasons set out above, MoS would respectfully suggest that the benefits of creating flexible co-working spaces are also specifically referenced in the wording of Policy P28.

* *****

The interaction between draft Policy P28 and Newington Triangle (draft allocation NSP42) -

The draft allocation site is located in a highly-sustainable location with excellent transport links. Despite efforts by the existing owner (Peabody Trust), the site has remained undeveloped since its acquisition by Peabody in 2012.

The site has the unique potential to deliver flexible shared workspace and affordable workspace at a critical mass which would be transformational for the Borough. Initial design work carried out by MoS has confirmed that the Triangle could deliver space for up to 10,000 shared workspace desks (including as a minimum all 500 affordable workspaces required under the emerging plan). MoS is not aware of any other site within the Borough which could offer the same economic opportunities at the same scale.

A comprehensive redevelopment of the Triangle site as a shared workspace-led scheme would create the most dynamic and exciting workspace in London. It would enable the provision of active frontages, including a permanent home for businesses like Mercato Metropolitano, boosting visitor numbers and the appeal of Southwark as a destination. It would also allow for the integration of the site into the LPA's emerging Low Line strategic policy, creating important linkages.

It is noted that the site is currently draft allocated for a range of uses, including housing. Given that the LPA has sufficient sites to meet its housing targets, it is considered that a re-balancing of the primary uses at the

Triangle, giving new priority to shared workspace, would not materially harm the delivery of the required housing within the Borough.

At the same time, MoS recognises and supports the need for housing and, in particular, affordable housing. MoS's own survey confirms that many people working at The Ministry also live within the Borough, whilst many others would want to be located within the Borough if space was available for them both to live and work there.

In order to achieve both desirable planning policy outcomes (ie workspace and housing), in addition to retaining some housing provision on the Triangle site (if it is viable to do so), MoS would respectfully suggest that the LPA considers the potential for the existing nightclub site in Gaunt Street to be a part of a comprehensive planning proposal a wider regeneration scheme. The future of the existing club is integral to Southwark's night-time and creative economy offer. A comprehensive scheme which takes account of the existing club and its future provision within the allocation site could provide a long-term home for the club and opportunities for releasing additional land for housing (including affordable housing) on the existing Gaunt Street site. These two sites together, delivering permeability through the railway arches between the sites, would provide potential for a development at a scale that doesn't exist elsewhere in the Borough.

Given the above, MoS would suggest the inclusion of an additional criterion in Policy P28:

"7. The redevelopment of Newington Triangle (NSP42) should prioritise the provision of flexible co-working and shared workspace as part of any redevelopment scheme. Any redevelopment of Newington Triangle (NSP42) should seek to ensure and not adversely affect the ongoing operation of the existing Ministry of Sound nightclub. Redevelopment which seeks to re-provide the nightclub within the Triangle site, enabling the provision of additional employment floorspace and off-site new homes (including

<p>affordable housing) on the existing nightclub site on Gaunt Street, will be supported."</p>	
<p>Individual NSPPSV415</p> <p>We need to stop development of buildings that are over 7 stories tall to stop Southwark from becoming a wind tunnel with no light and no street level community.</p>	<p>All area visions have been amended to strengthen the design guidance, especially to the site allocations that anticipate tall building developments to also ensure compliance with the NPPF & London Plan. It is also agreed that a map illustrating where tall buildings shall be located is essential to the policy P14. The detail of heights however shall not be covered in the NSP as it is a strategic policy document, but where tall buildings are suggested on site allocations the associated area visions AAP or SPD will provide more details.</p>
<p>Organisation: Vital OKR NSPPSV205</p> <p>We have previously made representations (Feb 2018) on this policy, urging amendment of the wording. Those objection have not been adequately addressed by the amendments and hence still stand.</p> <p>We additionally now object to the whole of P28, and ask for the policy to be deleted, as we feel that, on balance, the policy will not have a positive outcome, and will do harm to the overall supply and therefore the affordability of workspace. Attempts to implement the policy would be a significant distraction from focus on addressing the underlying business accommodation supply shortage across Southwark, a shortage that other aspects of the NSP as currently drafted would magnify. The policy attempts to address a symptom of under-supply, the escalation of rents, while the NSP as a whole fails to address the cause of the under-supply, it fails to plan for adequate supply of suitable accommodation in appropriate locations to meet needs.</p>	<p>P28 Affordable workspace.</p> <p>Comments noted and justification for other policies in the plan has been provided elsewhere. However the policy is intended to complement the business relocation policy to ensure existing businesses can continue operating in new premises in redevelopments which may otherwise be affected by rising costs. It is also intended to support start-up businesses and complements the workspace provider model. There are number of ways affordable workspace can support these businesses, for example staircasing rents with a rotation of incubator unit businesses then moving on to accelerator units which then allows newer businesses to start occupying the space again and benefit from affordable rents whilst their business grows. The policy also responds to policies in draft New London Plan.</p> <p>P38 Business Relocation</p>

We believe that P28 attempts to intervene in matters of commercial property management, letting policy and rent that are beyond the reach of the planning system. We suggest that it is inappropriate for a local plan to attempt discrimination against some businesses because of their size, the nature of their ownership, and their current business location, it is also wrong to promote differential subsidy and restrictions on access to use of accommodation in a way that would likely magnify unfairness. We believe that the policy would reduce development viability in a way that is likely to lessen the delivery of new business space of the types required to meet the full range of needs, most notably lower cost business space for such as studio and workshop / industrial use.

The NSP should instead, with policy P28 deleted, be amended to better plan for the full range of business accommodation needed in Southwark. This should be done through means of policy wording, land-use designation, site allocations, and a commitment to manage changes of use through S106 agreements, planning conditions and Article 4 Directions. Affordability is better sustained by using planning to manage the loss of older accommodation that is suitable to meet evidenced needs, and by planning so as to nurture and / or require delivery of new accommodation of appropriate types in sufficient quantity, and the right locations, to meet need.

We suggest that the seemingly well intentioned objectives of P28 could better be addressed by amending the scope of plan designations (such as SPIL, LSIS and Town Centre) in the NSP, refining policy related to those designations and other relevant policy (for example P26 Office and business development and P38 Business relocation), and improving and extending site allocations. We have previously made relevant representations (Feb 2018) that included extensive suggestions on all these aspects of the NSP.

We point out that NPPF Para 21 instructs that investment in business should not be over-burdened by the combined requirements of planning policy expectations. We suggest that P28 would over-burden and thus restrict the

Further amendments suggested. A full response has already been given to the previous suggestions.

In relation to the deletion of small or independent businesses and small shops and replacement with just businesses, it is considered this goes beyond the scope of the policy. Larger businesses with multiple chains are unlikely to require as much support from the council and from individual developers to relocate. However the inclusion of these larger businesses to be relocated on the site where possible is also encouraged.

Point 1 – The policy is already sufficiently clear on these points.

Point 2i – We will make reference to recently demolished floorspace (i.e. in the last 5 years)

Point 2ii and 2iv - As the purpose of this policy is related to business relocation on the site this may be an onerous requirement as it would not meet the objectives of the policy to provide relocation. However it is useful information to require as part of planning applications and it is included in the Development Consultation Charter requirements.

Point 4ii – support will be added. The reference to micro and small businesses is covered by the main policy requirement to assist small and independent businesses. See above reasoning.

quantum some types of businesses space in developments, thus undermining the objective of affordable workspace.

We here offer a comparison to help understanding of our objection: If there is not enough food to feed a population then the way to address the problem is to work towards sustaining and increasing the supply of food. Controlling food prices, and setting up complex arrangements to decide who deserves to get food at lower prices, is not going to solve the problem, people will still starve.

We here suggest a few further amendments to P38 Business relocation, on which we have previously made detailed representations (Feb 2018) objecting to lack of clarity in this policy and suggesting a series of amendments to increase its effectiveness. Our further suggestions strip out inappropriate discrimination against medium and large enterprises, while emphasising that micro and small businesses may require greater support than others through the process of relocation.

We also suggest addition of requirements for the timing of the schedule of existing businesses operating on the site and the setting out of the relocation strategy. These last requirements would address the problem, experienced recently in Southwark, of businesses being displaced after dialogue with the council has commenced, and in cases after a permission has been granted, but in advance of preparation of a relocation strategy, resulting in the loss of dozens of enterprises and hundreds of jobs.

Reference to small or independent businesses should be replaced with simply businesses;

Reference to small shops should be deleted;

Point 1. should be amended to include must be provided as part of a planning application, and should have added at its end It should take as its reference details of the businesses present at the site, verified by the council.

Point 2i. should be expanded to read ...floorspace at the time dialogue with

the council commenced

Point 2ii. should be expanded to read ...site at the time dialogue with the council commenced

Point 2iv. should be expanded to read ...on-site at the time dialogue with the council commenced

Point 4ii. First sentence should be expanded to read ...assistance and support... and should have added the sentence Micro and small businesses may require greater support than others, and this should be reflected in the strategy

Reasons first paragraph, first two sentence should be redrafted to read Accommodating existing businesses is vital in order to sustain the prosperous local economy in Southwark that is made up of a wide range of enterprises. The abundance and diversity of these businesses helps... the 3rd sentence should have addition to read ...the provision of business space of diverse types to suit needs, particularly in... the 4th sentence should have addition to read ...local capabilities, talent...

Reasons second paragraph should be redrafted to read Micro and small enterprises are more vulnerable than larger companies and multiples and are unlikely to have the corporate resources available to seek specialist advice on relocation and to mitigate the risks to the business. This places a disproportionate burden on those businesses if required to relocate and may affect the overall viability of their operation. Therefore it is appropriate that greater support be given to micro and small businesses that may be affected by redevelopment.

For reference our previous wording revision suggestions were as follows:

In point 1 are displaced should be replaced by may be displaced;

Point 2i. should be redrafted to read Existing quantum and characterises of non-residential floorspace (GIA and operational yards), separated by use class, including vacant units and yards;

Point 2ii. should be redrafted to read Schedule of existing businesses operating on the site, and businesses that have recently departed, including

description, business sector, nature of the space occupied, number of employees, and occupancy stuff / lease terms;
Point 2iii. should be redrafted to read Proposed levels of non-residential floorspace (GIA and operational yards), plus details of key characteristics;
Point v. should be redrafted to read Details of engagement with the council and workspace providers, agents, businesses and business associations, to secure occupiers for new employment space;
Point 3i. should be amended to read ...fit out and ownership or lease terms;
Point 3ii. should have added at its end ...,and should be avoided when businesses are of a type for whom multiple moves are not realistic;
Point 4ii. should have added at its end ...,this evidence should include statements from existing businesses;
Point 4iii. should be amended to read ...no suitable premises exist, suitable premises should be identified in adjacent boroughs.

With all these suggested amendments the text that we suggest would be as follows:

1.

Where existing businesses may be displaced by development a business relocation strategy, written in consultation with affected businesses, must be provided as part of a planning application. The business relocation strategy must set out viable relocation options. It should take as its reference details of the businesses present at the site, verified by the council.

2.

All business relocation strategies must include:

- i. Existing quantum and accommodation characteristics of non-residential floorspace at the time dialogue with the council commenced (GIA and operational yards), listed by use class, including vacant units and yards; and
- ii. Schedule of existing businesses operating on the site at the time dialogue with the council commenced, and businesses that have recently departed, including description, business sector, nature of the space occupied, number

of employees, and occupancy status / lease terms; and

- iii. Proposed levels of non-residential floorspace (GIA and operational yards), plus details of key characteristics; and
- iv. Details of engagement with existing businesses on-site at the time dialogue with the council commenced, regarding re-provision of premises or relocation options; and
- v. Details of engagement with the council and workspace providers, agents, businesses and business associations, to secure occupiers for new employment space.

3.

Where existing businesses are accommodated in new development schemes the strategy should include:

- i. Specific business requirements including servicing, fit out and ownership or lease terms; and
- ii. Temporary relocation arrangements or scheme phasing to allow the continuation of the business during construction. Temporary relocation should be contained on-site or as close to the original site as possible, and should be avoided when businesses are of a type for whom multiple moves are not realistic.

4. Where existing businesses are proposed to be relocated the strategy should include:

- i. Reasons why existing businesses cannot be located on-site;
- ii. Details of relocation options explored with individual businesses and the assistance and support that has been and will be provided. Micro and small businesses may require greater support than others, and this should be reflected in the strategy. Evidence should be given that the relocation option is suitable for the viable continuation of the business, this evidence should include statements from existing businesses;
- iii. Identification of alternative premises in Southwark. Where no suitable premises exist, suitable and available premises should be identified in adjacent boroughs;

- iv. Statements from existing businesses should they wish to cease trading rather than relocate;
- v. Collaboration with other property owners and developers to establish whether suitable workspace for existing businesses could be accommodated in different phases of the development programmes.

Reasons

Accommodating existing businesses is vital in order to sustain the prosperous local economy in Southwark that is made up of a wide range of enterprises. The abundance and diversity of these businesses helps to boost local employment and the distinctive character of local neighbourhoods. Regeneration should help to increase the provision of business space of diverse types to suit needs, particularly in new mixed use neighbourhoods. However it is important to ensure that any existing businesses are carefully considered in redevelopment schemes, either to be re- provided where phasing allows, or to be relocated in Southwark to ensure the borough retains its local capabilities, talent and commercial creativity.

Micro and small enterprises are more vulnerable than larger companies and multiples and are unlikely to have the corporate resources available to seek specialist advice on relocation and to mitigate the risks to the business. This places a disproportionate burden on those businesses if required to relocate and may affect the overall viability of their operation. Therefore it is appropriate that greater support be given to micro and small businesses that may be affected by redevelopment.

Organisation: Southwark Studios
NSPPSV210

- The Council need to be alert to setting the in lieu calculation so that, from a financial point of view, there must be no difference for the developer between including affordable workspace and the in lieu payment.

Noted. The in-lieu calculation is set out in the viability study. All evidence bases will be made public alongside the final submission of the NSP.

- A definition of what is deemed affordable workspace, and what organisations are appropriate for this space, is required.
- Who is allowed to draw on the in lieu payments and will the funds be ring-fenced for use only in affordable workspace?
- P28 will increase the up front capital cost for developers and will therefore require careful consideration so that the goals of this policy are not instantly negated by developers given a cheaper/easier option through financial avoidance.
- The lieu payment calculation must take into account the additional social benefits (community engagement, neighbourhood vitality, etc.) not only the discounted market rent that would otherwise be provided through the inclusion of affordable workspace.

In lieu payments are required only if in the circumstances that it is not feasible to provide it on site. The contribution would go towards the delivery of affordable workspace off-site.

Organisation: WSP Indigo Planning on behalf of Assurance Ltd
NSPPSV420

We write on behalf of our client, Zurich Assurance Ltd c/o Threadneedle Portfolio Services Ltd ('Threadneedle') in response to the New Southwark Pan (NSP) Proposed Submission Version consultation.

Our client owns Beckett House, which is located at 60 St Thomas Street on the southern side of the street. The site currently comprises a seven-storey office building, occupied by the UK Immigration Service. The site is located within the Bankside, Borough and London Bridge district town centre, the Central Activities Zone (CAZ), and is also within the identified Opportunity Area.

On behalf of Threadneedle, we have made representations to earlier versions of the New Southwark Plan including the Area Visions, Site Allocations document and the previous iteration of the Proposed Submission Version

Noted. This policy is informed by the Affordable Workspace study and the Viability Study. The Viability Study will include further information on the calculation of in-lieu payments. All evidence bases will be made public alongside the final submission of the NSP.

consultation in February 2018.

Background

On behalf of our client, we have been promoting their site for comprehensive redevelopment within the emerging plan over the past 11 years. Recently, we have been in active discussion with the council, the GLA, adjoining landowners, and local residents about the development proposals for the site and its place within the wider St Thomas Street East Framework.

Since the last stage of consultation on the New Southwark Plan, the context around the site has changed and on 14 May 2019 planning permission was granted at committee for the student accommodation scheme at Capital House, directly to the west of our client's site.

Other planning applications have also been submitted at the Vinegar Yard and Snowfields sites which also form part of the wider St Thomas Street East Framework area.

It is our client's ambition to submit a planning application for the redevelopment of their site, for office uses including ground floor retail and associated public realm improvements, in Summer 2019.

Purpose of representations

Fundamentally, we are keen to ensure that the emerging policies and draft allocations within the NSP allow for the most efficient and viable redevelopment of the site and do not prejudice ongoing pre-application discussions or detailed design and assessment work that we are currently undertaking.

Our previous representations were based on the previous iteration of the Preferred Submission version of the NSP. The current consultation document makes changes to some, but not all of the emerging policies and allocations. These representations focus on these amendments, but there are also changes that have not been made to the current draft of the NSP despite

comments and we wish to re-emphasise these comments again.

This draft policy has been amended significantly since the previous version of the document. The policy previously focussed on small and independent businesses whereas the new drafting focusses instead on the provision of affordable workspace.

The new wording proposes to require major developments, providing over 500sqm (GIA) of employment floorspace (B Class Use), to provide at least 10% of the gross new floorspace as affordable workspace, on site and at discounted market rents. The affordable workspace must also be secured for 30 years, be of a type to meet a local demand, target small and independent business and collaborate with the council to identify businesses to occupy the premises.

If it is not feasible to provide this floorspace on site, then an in-lieu payment will be required for off-site affordable workspace.

The supporting reasons for the policy state that the discount on market rents would be established on a site by site basis and no methodology is proposed which would enable developers to factor this requirement into their feasibility or financial appraisals at the earliest stage of the development process.

The aspiration of this policy is admirable but the whole workspace offer needs to be considered in the round as the type, size, and specification of the proposed workspace will make up it's affordability. Furthermore, the draft wording does not take into account the importance of scheme viability which may make it difficult to deliver the required quantum of affordable workspace on major schemes. The draft policy wording refers to feasibility at paragraph P28.4 but this should be amended to also include viability.

Individual
NSPPSV136

Please give details of why you consider the New Southwark Plan to be unsound for this policy amendment.

The amendments though welcome do not yet make this policy sound on the four tests of soundness – positively prepared, justified, effective or consistent with national policy.

- The policy does not prevent useable and affordable workspace from being destroyed by unnecessary redevelopment, and which encourages rising land values. Where this results in net loss of workspace it is contrary to the London Plan.
- Not positively prepared as there is:
 - o no definition of ‘affordable workspace’.
 - o There is no explanation of the discount, or what the market rent is.
 - o Any ‘in lieu’ payment for non-provision of affordable workspace must take account of the lost social benefits of affordable workspaces as well as the discounted market rent.
 - o There is no explanation for the way in which the in lieu payments will be allocated and ring fenced for use only in affordable workspace.
- Not effective because, by providing for an ‘in lieu’ payment this policy encourages redevelopment which removes existing satisfactory and appropriate affordable workspace and jobs, and prevents regeneration which is of benefit to all.
- Much existing affordable workspace located in town centres is used by small and independent businesses in the night time economy. These have characteristics which require special planning provision on noise, security and other issues. These are not addressed in the Plan.

This policy states that development must retain small and independent businesses. If due to site constraints or viability this is not possible, Policy P38 Business relocation states that where exiting small or independent businesses or small shops may be displaced by developed a business relocation strategy, written in consultation with affected businesses, must be provided. P38 also states that temporary relocation arrangements or scheme phasing to allow the continuation of the businesses during construction. The fact box provides information on how affordable workspace can be delivered in different models and a definition of affordable workspace occupier will be included. The definition will be prepared in line with the London Plan. The in-lieu calculation is set out in the viability study.

In lieu payments are required only if in the circumstances that it is not feasible to provide it on site. The contribution would go towards the delivery of affordable workspace off-site.