

Representation	Officer Response
<p>P36: Hotels and Visitor Accommodation</p>	
<p>Organisation: Firmdale Holdings NSPPSV59.1</p> <p>Firmdale Holdings Ltd</p> <p>The Firmdale Hotels Group owns and operates 5-star full-service boutique hotels in London and New York. Since opening its first hotel on Dorset Square in London in 1985, Firmdale Hotels has established seven more London hotels and two hotels in New York. Renowned for its excellent and unique style of decoration, the group has won numerous awards including the Queens Award for Enterprise in 2000, 2006 and 2009.</p> <p>As well creating and operating hotels, the Firmdale Hotels Group has redeveloped the former WWII bomb-site ‘Ham Yard’ in Soho to provide a mixed use scheme incorporating a 91 bedroom hotel with restaurant, 24 residential apartments and 13 bespoke retail stores. Ham Yard has proved to be a great success since completion in 2014 and is widely known as an exemplar for small-scale urban regeneration. Therefore, the Firmdale Group has excellent experience of delivering mixed-use schemes, including residential in London.</p> <p>Firmdale Holdings Ltd (part of the Firmdale Hotels Group), are seeking to redevelop the Former Car Pound site, Mandela Way, which comprises an open tarmacked area marked out for car parking that extends to 0.73 hectares, as shown on the enclosed site plan at Appendix 1.</p> <p>Firmdale Holdings (part of the Firmdale Hotels Group) acquired the site from the London Borough of Southwark in 2013 in order to establish a purpose-built commercial laundry on the site, with workshops, warehouses and a commercial bakery to service the group’s hotels in Central London. Despite</p>	<p>Noted.</p>

securing planning permission for this new facility in 2015, it has not been built out, as the applicant has reconsidered the development potential of the site following its proposed allocation for mixed use redevelopment in the Draft Old Kent Road OAPF / AAP in June 2016.

<p>Organisation: DP9 Ltd on behalf of BL CW Holdings Ltd (British Land) NSPPSV336</p> <p>It is unclear why a policy requiring a minimum of 10% of the total floorspace of a hotel to be provided as ancillary facilities that incorporate a range of daytime uses and offer employment opportunities has been added. There is no justification for this new requirement or how a 10% minimum threshold has been derived at and why it is required to mitigate the impact of development. Providing ancillary facilities is something which should be determined by hotel operators and not dictated by policy. For these reasons, the policy is unsound; it is not robustly justified or evidence-led.</p> <p>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.</p>	<p>Representation noted. The 10% minimum requirement has been set out in an effort to provide additional employment and encourage further use of developments by existing residents, workers and visitors.</p>
<p>Individual NSPPSV340</p> <p>There is a law and an act which should protect the residents of Southwark. Suddenly the area has become central London and many tall buildings, including hotels and visitor accommodation are being built. This will infringe on the space and the right to live in peace, for Southwark residents. Southwark residents should be given the choice to decide the size, amount of floors, rooms and height of these buildings should be.</p>	<p>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. Policy P14 Tall Buildings recognises that tall buildings must respond positively to local character and townscape; be of exemplary architectural design and residential quality; and have a positive contribution to the public realm.</p>
<p>Individual NSPPSV56</p> <p>This policy is unsound because it is not effective or positively prepared.</p> <ul style="list-style-type: none"> <li>• Other forms of visitor accommodation are not defined.</li> <li>• The serious deficiency of community meeting space should be identified and protections provided.</li> </ul>	<p>Representation noted. Airbnbs are considered as temporary sleeping accommodation and are not specifically included in this policy as these are not serviced rooms. There is however, rules set at a London-wide level to regulate Airbnb use, which includes the application for 90-day permission on</p>

<ul style="list-style-type: none"> <li>• Air bnb is now becoming very widespread and in London there needs to be controls to prevent housing from becoming by stealth new forms of hotels by providing short term visitor accommodation rather than a space in a genuine local home.</li> </ul> <p>Some changes to make the policy sound would include:</p> <ul style="list-style-type: none"> <li>• Protections should be included to ensure the use of employment floor space is targeted at local people and community meeting space is accessible and affordable to the local community. This will be additional and not a replacement for existing provision.</li> <li>• The policy should restrict Air bnb.</li> </ul>	<p>Airbnb properties and planning enforcement action can be taken on landlords who are not compliant.</p>
<p>Individual NSPPSV167</p> <p>There should be a line here stating that hotels must not be at the expense of providing housing, especially social housing – given the level of need. An over-dominance of hotels must be avoided, and their provision should be in response to demonstrated demand, not speculation. As above: There should be a line here stating that hotels must not be at the expense of providing housing, especially social housing – given the level of need. An over-dominance of hotels must be avoided, and their provision should be in response to demonstrated demand, not speculation.</p>	<p>Representation noted. The amended policy P36 recognises that Southwark delivers one of the highest proportions of hotel room provision. The policy also requires such developments to respond positively to the local character and protect the amenity of the local community and visitors to the hotel.</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>Noted.</p>

Not answered

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

See previous answers.

Individual  
NSPPSV362

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

Yes

Do you consider this policy is sound?

Yes

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

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

No further comment applied.

Organisation: DP9 Limited (on behalf of Southwark Homes Limited)  
NSPPSV364

Support noted.

<p>Part 2 of the policy requires a minimum of 10% of the total floorspace must be provided as ancillary facilities in hotel developments that incorporate a range of daytime uses and offer employment opportunities. This part of the policy should be amended to allow an element of flexibility in cases where it is not feasible to accord with this requirement. We suggest the wording is amended to state, "a minimum of 10% of the total floorspace must be provided as ancillary facilities in hotel developments that incorporate a range of daytime uses and offer employment opportunities unless it can be demonstrated that this approach is not feasible.</p>	<p>Representation noted. The 10% minimum requirement has been set out in an effort to provide additional employment and encourage further use of developments by existing residents, workers and visitors.</p>
<p>Individual NSPPSV384</p> <p>same as before</p> <p>hotels only equals homes for illegal immigrants , paid by taxpayers ! Not welcomed idea at all . - Where is my money ?</p>	<p>Noted.</p>
<p>Organisation: Alvey estate tenants and leaseholders association (ATLAS) (&amp; liaison with some of neighbouring Kinglake Tra)</p> <p>THERE ARE ENOUGH HOTELS AROUND HERE 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 estate:</p>	<p>Representation noted. All area visions will be amended to strengthen the design guidance, especially to the site allocations that anticipate tall building developments to also ensure compliance with the NPPF &amp; London Plan.</p>

- 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. Scrap it.

Organisation: Balfour Housing Street Project  
NSPPSV173

This submission is made on behalf of members of the Balfour Street Housing Project, a fully mutual co-op of 21 households located directly opposite Trafalgar Place, the first development site undertaken by Lend Lease on the former Heygate Estate site, 5 minutes' walk from the Aylesbury Estate site and the boundary for the Old Kent Road Opportunity Area runs along our street. We are tenants who prevented the demolition of the houses we occupy over 40 years ago and worked with the then Council members and officers to bring them into use. Throughout the life of this Co-op we have played an active role in neighbourhood activities, initiating the development of what is now the Green Flagged Victory Park and Nursery Row Parks and are currently working with officers and members on the Balfour Street improvement scheme. Given the enormous loss of Council housing and the undermining of a sense of community in large parts of this neighbourhood in this neighbourhood we feel the New Southwark Plan (NSP) should do everything possible to redress this.

There should be a line here stating that hotels must not be at the expense of providing housing, especially social housing – given the level of need. An over-dominance of hotels must be avoided, and their provision should be in response to demonstrated demand, not speculation.

Individual

Representation noted. The amended policy P36 recognises that Southwark delivers one of the highest proportions of hotel room provision. The policy also requires such developments to respond positively to the local character and protect the amenity of the local community and visitors to the hotel.

NSPPSV415

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.

The removal of the residential density ranges in favour of a design-led approach is viewed to be in conformity with the London Plan and NPPF, it is a robust and proportionate approach to optimising the delivery of residential accommodation. Requiring that developments should not be over seven storeys would be overly prescriptive, not justified, unsound and not positively prepared. The policy recognises the need to meet and exceed our housing target, to ensure this is achieved the policy doesn't explicitly state height/storey limits.

Organisation Avison Young (Agent) on behalf of London Hotel Group (LHG)  
NSPPSV417

We consider that Part 2 of Draft Policy P36, as currently worded, is ineffective, unjustified through a lack of evidence and contrary to the objectives of providing additional guest accommodation and delivering a most efficient use of the land set out the current and draft London Plan and NPPF. In the following sections, we have assessed the soundness of Draft Policy P38 in accordance with Para 35 of the NPPF, which states that a Local Plan should be positively prepared, justified, effective and consistent with national policy.

#### 1) Unjustified through Lack of Evidence

The New Southwark Plan is not supported by any evidence base which assesses the supply and demand for visitor accommodation in the borough. No representations were also made on Draft Policy P36 in the previous version of the New Southwark Plan (Proposed Submission Version), which was consulted on between December 2017 and February 2018. We therefore consider that the decision to reword Policy P36 to state that hotel developments are required to include 10% ancillary space is unjustified.

Noted. The requirement for 10% ancillary space is viewed to be justified to ensure the vitality and viability of Southwark's public spaces, streets and developments. P36 sets out that the provision of these spaces creates additional employment and encourages the use of hotels by communities and visitors.

In particular, we note that a hotel's ancillary offering is dependent on a number of factors, such as guest profile, brand / operator, location and the size and nature of the hotel. For example, a five star hotel near Waterloo can command higher prices and can maximise revenue and competitiveness through an upmarket ancillary offer, such as a gym, restaurant or rooftop bar. In contrast, a budget hotel's ancillary offering is usually more basic, with guests prioritising value and accessibility over the provision of on-site facilities. As such, we consider that the application of Draft Policy P36 is over-prescriptive and unreasonable as it fails to consider the variety evident in the hotel sector.

Finally, Draft Policy P36 Part 2 fails to consider the ancillary hotel services, which do not require additional floorspace. These include transportation services, room entertainment or valet services. These ancillary uses also enhance the guest experience and can generate additional employment, but are not recognised under Policy P36. The definition of ancillary facilities subsequently should be included in the final version of the New Southwark Plan.

On the above basis, we consider that the 10% policy requirement is unsupported by any evidence and is arbitrary, particularly given the range of hotel types and the lack of a definition of "ancillary facilities", such as whether these facilities need to be open to the public.

## 2) Ineffectiveness at Achieving Policy Objectives

We also challenge the effectiveness of the 10% ancillary space requirement to provide "a range of daytime uses and offer employment opportunities". A main planning benefit of applications for the introduction / intensification of C1 Use is the creation of new jobs, where the Homes & Communities Agency estimates that one full time job is created per one to five bedrooms subject to hotel type (Employment Density Guide 2015). The 10% ancillary requirement could therefore result in fewer guestrooms and a reduction in

employment potential.

Secondly, we consider that it is aspirational to envisage that every new hotel development will be able to incorporate a range of daytime uses. Hotels already make a valuable contribution to the economy and vitality of town centres. The Deloitte Tourism: jobs and growth report (2013) found that tourism's impact is amplified through the economy. It calculated that for every £1,000 generated in direct tourism GVA (gross value added) there is a further £1,800 that is supported elsewhere in the economy through the supply chain and consumer spending. As such, while we welcome the aspirations of Draft Policy P36 Part 2 and acknowledge that some hotels could better support a range of daytime uses, this should not be required by policy. Moreover, a blanket application of Draft Policy P36 Part 2 risks creating redundant or under-utilised spaces in some hotels, where there is a lack of demand for daytime uses or over-competition from similar premises.

Finally, we consider that the policy will be difficult to enforce and apply to new applications for hotel use. In particular, the policy is not clear whether it concerns 10% of all hotel floorspace or 10% of any new hotel extension. The policy is also likely to be ineffective in the long term as ancillary facilities can fluctuate (and indeed disappear) within the main hotel use without the need for planning permission.

### 3) Inconsistency with the London Plan and NPPF

A need for additional visitor accommodation is a common theme in the London Plan and emerging New London Plan. The Draft London Plan estimates that an additional 58,000 bedrooms of serviced accommodation are required in London by 2041 to accommodate heightened demand (equating to 2,230 bedrooms per annum). This represents an increase compared to the current Local Plan (a target of 40,000 net additional hotel rooms by 2036). Both plans also identify appropriate locations for hotel use and supports hotel use where it will not compromise local amenity or the

balance of local land uses. We consider that Draft Policy P36 Part 1 is consistent with the London Plan in this respect. However, part 2 represents a departure from the London Plan and could present an obstacle to achieving the increases in guest accommodation targeted in the London Plan.

We also consider that Draft Policy P36 Part 2 is inconsistent with the NPPF. In particular, Section 11 of the NPPF encourages an effective use of land, which the requirement for 10% ancillary space contradicts. In addition, to support town centre growth, paragraph 87 of the NPPF states:

When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.

Our proposed re-wording of Draft Policy P36 subsequently seeks policy greater flexibility and reiterates that different hotels will have different needs or capabilities to provide ancillary facilities in accordance with the NPPF.

#### Summary

On the above basis, we consider that there are strong grounds to conclude that hotel ancillary facilities should be encouraged but not required in the New Southwark Plan. We consider that the current wording is overly prescriptive and fails the tests of soundness set out in the NPPF. Therefore, it is quite appropriate for the Council to revert to its original wording of Policy P36 as set out in the Proposed Submission Version (December 2017). We seek the re-wording of Draft Policy P36 Part 2 to reflect the previous reiteration of the New Southwark Plan, which stated:

2. Supporting ancillary facilities in hotel developments will be permitted

where they incorporate a range of daytime uses and offer employment opportunities

Individual;  
NSPPSV136

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

- The policy is not positively prepared because it fails to define 'other forms of accommodation' or mention the growth in the rental of private homes as visitor accommodation. The growth of rental of private homes through online systems like Airbnb is known to be causing unexpected impacts on housing availability for local people in many European cities and should be given consideration in this policy. The failure to mention this aspect of hotel and visitor accommodation and make proposals to ensure that the growth of small scale accommodation does not have a negative impact on local communities by pushing up rents and house prices and making fewer properties available, demonstrates that the Amended Policy has not been positively prepared and is unsound.
- The policy is not positively prepared because it does not clarify the specific needs of community organisations in terms of community meeting spaces.

Please set out what change(s) you consider necessary to make the New Southwark Plan legally compliant or sound.

- The policy should define and describe the approach to be taken to monitor and address any impacts caused by private rental of residential property as visitor accommodation.
- The serious deficiency of community meeting space should be underlined and protections provided.

Representation noted. Point 1, Airbnbs are considered as temporary sleeping accommodation and are not specifically included in this policy as these are not serviced rooms. There is however, rules set at a London-wide level to regulate Airbnb use, which includes the application for 90-day permission on Airbnb properties and planning enforcement action can be taken on landlords who are not compliant. Point 2, the provision of the 10% ancillary facilities provides employment and space for residents, visitors and workers. Point 3, all evidence bases will be made public alongside the final submission of the NSP.

