



FAO Jacqueline Christie

29 January 2021

Sent via email to:
EIP.programme.officer@southwark.gov.uk

Dear Jacqueline,

WRITTEN HEARING STATEMENT IN RESPONSE TO MATTER 5 OF THE INSPECTOR'S MATTERS, ISSUES AND QUESTIONS TO THE SUBMITTED NEW SOUTHWARK PLAN, ON BEHALF OF APEX CAPITAL PARTNERS LTD.

We write on behalf of our client, Apex Capital Partners Ltd., in response to Matter 5 ('Planning for the economic prosperity of the Borough including employment sites and town and local centres') of the Inspector's Matters, Issues and Questions ('MIQs') on the submitted New Southwark Plan ('NSP'), which were issued in December 2020.

This Statement relates to our previously submitted representations to the Proposed Changes to the Submitted New Southwark Plan consultation (August to October 2020).

The site within our client's ownership, 310-330 St James's Road, is identified for new residential-led mixed use development within the Draft New Southwark Plan, within the Old Kent Road Opportunity Area ("OA") (Site ref. NSP64). Preparation of a planning application is currently underway for the development of the site to come forward within the next three years.

APEX CAPITAL PARTNERS LTD. RESPONSE TO MATTER 5

In consideration of the tests of soundness, we respond to the Inspector's MIQs in relation to Matter 5, Issue 1, as follows.

Issue 1 - Whether the Plan has been positively prepared and whether it is justified, effective, consistent with national policy and in general conformity with the London Plan in relation to economy and employment.

P29 - Office and business development

Question: Is the policy overall justified, effective and consistent with national policy?

We object to this policy on the basis that it is unsound and inconsistent with national policy, specifically, the Presumption in favour of sustainable development set out at Paragraph 11, and Paragraph 81(d) of the National Planning Policy Framework (2019) which require flexibility in Plan-making and to enable policies to rapidly respond to changing economic circumstances.

Question: Is the policy sufficiently flexible to respond to changing economic circumstances?

The policy is onerous and overly prescriptive about the types of uses which can be located on sites in OA's.

The requirement for a marketing exercise to be undertaken on sites within the CAZ, town centres and OA's on sites allocated for development where retention or uplift in employment floorspace is not feasible, is not consistent with the aims of newly updated Use Classes legislation.

The recent update to the Use Classes Order (September 2020) has been designed to provide increased flexibility to commercial and business centres to facilitate a range of uses appropriate to these areas, including retail and leisure uses. Allocated sites within the CAZ, town centres and



OA's should be able to operate under the full range of uses specified by Class E, provided they will not give rise to residential amenity issues.

In order to be made sound, the policy should be updated to refer to the full range of Class E uses as employment generating uses being acceptable within business and commercial areas.

P30 - Affordable workspace

Question: Is the policy overall justified, effective and consistent with national policy and the London Plan? Is it viable? Is it sufficiently flexible?

This policy is unsound, as it is not justified, effective or consistent with national policy, as it is in conflict with , the Presumption in favour of sustainable development set out at Paragraph 11, and Paragraph 81(d) of the National Planning Policy Framework (2019).

It is unclear how affordable workspace will be applied to Class E. Notwithstanding this, the policy is not effective, as the provision of affordable workspace must be demand- driven. The Council should work closely with developers to identify if any demand for certain types of affordable workspace exists within a given area. There should be no restrictions on the types of businesses who can occupy space created in response to Policy P29, provided they are uses falling within Class E.

The policy should be amended to state that affordable workspace within developments can be returned to Class E floorspace at full market rent, if the developer has difficulty leasing out the unit to one of the businesses identified on the Council's list of workspace providers and it transpires that there is a lack of demand for affordable workspace within the development.

CONCLUSION

We trust that this Statement will be taken into consideration by the Inspector at the Hearing session for Matter 5 during the Examination of the New Southwark Plan.

If you have any questions relating to the above, please do not hesitate to contact myself, or my colleague Rosanna Cohen.

Yours sincerely,

Sean McGrath

cc: Apex Capital Partners Ltd.