

30 January 2017

# Elephant and Castle shopping centre and London College of Communication site

in the London Borough of Southwark

planning application no. 16/AP/4458

## Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

## The proposal

Comprehensive mixed-use redevelopment comprising buildings ranging from 2 to 35 storeys to provide 979 residential units; a new shopping centre; office space; a new college building; assembly and leisure space; and a new station entrance and station box for the Northern Line at Elephant and Castle London Underground station.

## The applicant

The applicant is **Elephant & Castle Properties**, and the architect is **Allies and Morrison**.

## Strategic issues summary

**Principle of development:** This mixed use scheme positively responds to strategic objectives for the regeneration of the Elephant and Castle Opportunity Area (paragraphs 19 to 22).

**Mix of uses:** The mix of proposed residential, retail, leisure and educational uses is strongly supported for this CAZ location. The applicant, nevertheless, needs to work with Southwark and existing occupiers to progress the detail of its business relocation strategy (paragraphs 23 to 31).

**Housing:** The proposed build to rent housing contribution (35% affordable) is strongly supported pending an independent viability review (paragraphs 32 to 45).

**Urban design:** The scheme would significantly increase the permeability and legibility of the area, whilst successfully accommodating a rich mix of uses that would support the vibrancy and sustainability of Elephant and Castle town centre (paragraphs 46 to 54).

**Transport:** The proposed enhancements to transport infrastructure are strongly supported. Notwithstanding this there are a number of transport issues to resolve, including a Northern Line Ticket Hall funding gap and the design of service access from New Kent Road (paragraphs 61 to 82).

## Recommendation

That Southwark Council be advised that, whilst the scheme is strongly supported in strategic planning terms, the application does not yet fully comply with the London Plan for the reasons set out in paragraph 86 of this report.

## Context

1 On 20 December 2016 the Mayor of London received documents from Southwark Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 30 January 2017 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 The application is referable under the following categories of the Schedule to the Order 2008:

- 1A 1. *“Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats”;*
- 1B 1.(b) *“Development... which comprises or includes the erection of a building or buildings in Central London (other than the City of London) and with a total floorspace of more than 20,000 square metres”;* and,
- 1C 1.(c) *“Development which comprises or includes the erection of a building of... more than 30 metres high and is outside the City of London”.*

3 Once Southwark Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) has been taken into account in the consideration of this case.

5 The Mayor of London's statement on this case will be made available on the GLA website [www.london.gov.uk](http://www.london.gov.uk).

## Site description

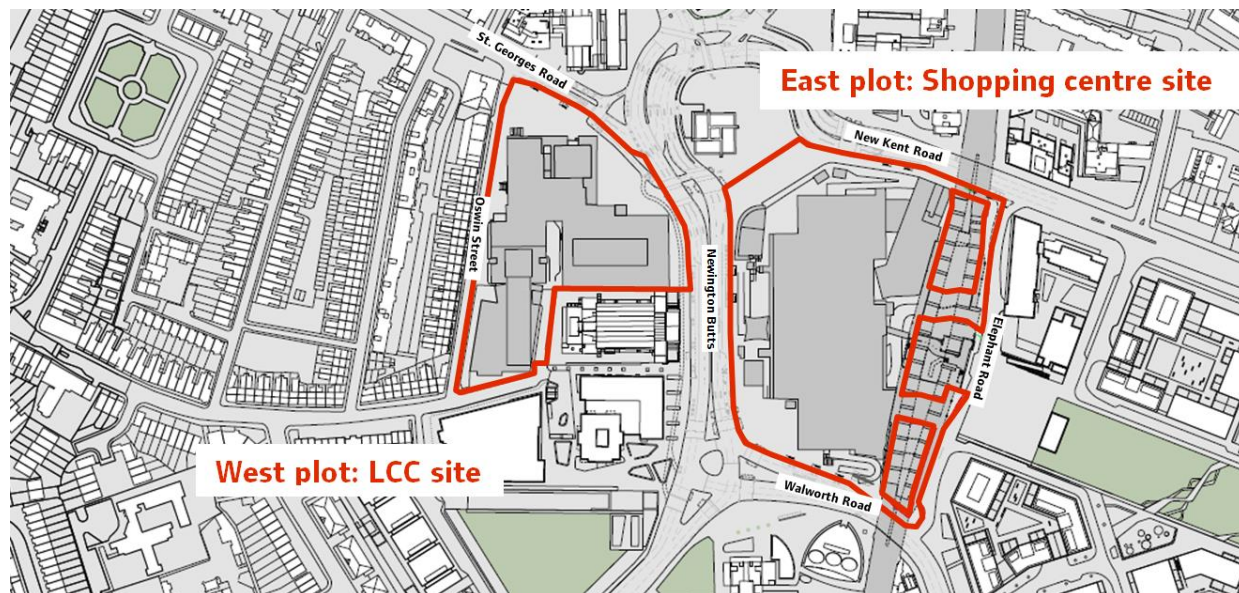
6 The site comprises 3.56 hectares of land at the southeast edge of the Central Activities Zone (CAZ), in the heart of the Elephant and Castle Opportunity Area. The site, south of the Elephant and Castle roundabout, is made up of two plots - east and west of Newington Butts (refer to figure 1 below). TfL has recently completed the 'peninsularisation' of the roundabout, which has significantly enhanced the street environment and public realm in this location.

7 The east plot comprises the existing Elephant and Castle Shopping Centre (3-storeys, plus basement); Hannibal House (16-storey office block); The London Coronet Theatre (nightclub of approximately 2,800 person capacity); Charlie Chaplin public house; market stalls; newsagent; and dental surgery, as well as the London Underground Northern Line station entrance and Northern Line ticket hall. Various elements of the railway viaduct and arches are also included within the application boundary, as per figure 1 below.

8 The west plot comprises the University of the Arts London: London College of Communication (LCC) campus. The campus is occupied by a part 4, part 16-storey college building, comprising 31,553 sq.m. of floorspace. A small area of associated car parking is located to the north, adjacent to St. George's Road.

9 The buildings at the site are neither Listed nor within a Conservation Area, however, there are a number of designated heritage assets in the vicinity including Metropolitan

Tabernacle (Grade II), Metro Central Heights (Grade II), Michael Faraday Memorial (Grade II), Elliot's Row Conservation Area and West Square Conservation Area. The site is also over-sailed (at between 60 and 65 metres A.O.D.) by the background consultation area of London View Management Framework (LVMF) SPG view 23A.1 from Serpentine Bridge to the Palace of Westminster.



**Figure 1:** Site plan - Elephant and Castle shopping centre and London College of Communication site.  
Source: modified from Design and Access Statement (Allies and Morrison).

10 The immediate setting of the site is undergoing major transformation in line with strategic objectives to support the renewal of Elephant and Castle through delivery of a new high density mixed-use neighbourhood and town centre. The present context to the site consists of a mix of housing from various eras, and a number of recent townscape additions associated with the wider Elephant and Castle regeneration - including Strata Tower to the south (GLA reference: PDU/1302/02); early phases of the Heygate Estate renewal project to the east GLA reference: PDU/2149/02); and the recently 'peninsularised' northern roundabout public space to the north. These, in conjunction with other recently consented schemes within the Opportunity Area, including Eileen House (GLA reference: PDU/1100a/03) and Skipton House (GLA reference: D&P/3752/03) have collectively established a precedent for tall buildings at Elephant and Castle.

11 In relation to the transport network, the site lies directly adjacent to the Transport for London Road Network at New Kent Road, Newington Butts and St. Georges Road. New Kent Road and Newington Butts form part of the inner ring road (which circumvents the congestion charge zone), whilst Walworth Road forms part of the Strategic Road Network.

12 Elephant and Castle lies at the centre of the sub-regional and local cycle route network. Cycle Superhighway 6 (CS6) starts at St. George's Road, and CS7 passes close to the west plot. Quietway 7 crosses New Kent Road near to the east plot, and Southwark Council has proposals for a 'Low Line' cycle/pedestrian route along Elephant Road (eventually linking to Camberwell and Blackfriars). Elephant and Castle also falls within the catchment of the cycle hire scheme.

13 Elephant and Castle is one of the busiest bus/rail interchanges in London, with numerous bus stops directly adjacent to the site. The London Underground Northern line station is within the planning application red line (and is proposed to be replaced as part of the development), and the Bakerloo line station lies 200 metres to the north of the site.

14 Elephant and Castle National Rail station lies directly adjacent to the east site, and is currently accessed from the west (through the Elephant and Castle Shopping Centre). The National Rail station is soon to benefit from a Thameslink upgrade which, in 2018, will provide a higher frequency service with a direct interchange to the Elizabeth line at Farringdon. Overall the site registers a public transport accessibility level (PTAL) of six(b) - on a scale of zero to six(b), where six(b) denotes the most accessible locations in the capital.

## Details of the proposal

15 The proposal is for comprehensive mixed-use redevelopment comprising buildings ranging from 2 to 35 storeys to provide 979 residential units; a new shopping centre; office space; a new college building; assembly and leisure space; and a new station entrance and station box for the Northern Line at Elephant and Castle London Underground station. In general the scheme focuses town centre uses on the east plot, and proposes residential-led redevelopment at the west plot. The quantum of non-residential uses proposed is set out within table 2 below.

Use	Use Class	Floorspace (sq.m. gross external area)	
Retail	A1 - A4	29,370	
Leisure	D2	6,896	<i>cinema</i> 3,045
			<i>music venue</i> 3,851
Flexible use	A1 - A4, B1	3,107	
Educational	D1	52,612	
London Underground infrastructure	Sui Generis	4,707	

**Table 2:** Schedule of non-residential uses.

## Case history

16 GLA officers have worked with Southwark Council and the applicant as part of an iterative process of pre-application review since May 2015. In summary, the advice issued by GLA officers to date expresses strong support for the proposed mixed-use redevelopment and its associated regenerative benefits, whilst identifying various key strategic issues to be addressed by this application with respect to: mix of uses; housing; urban design; strategic views and historic environment; inclusive design; sustainable development and transport.

## Strategic planning issues and relevant policies and guidance

- Opportunity Area *London Plan*
- Central Activities Zone *London Plan; Central Activities Zone SPG;*
- Mix of uses *London Plan;*
- Retail *London Plan;*
- Culture *London Plan; Central Activities Zone SPG;*
- Educational facilities *London Plan;*
- Housing *London Plan; Housing SPG; draft Affordable Housing and Viability SPG; Housing Strategy; Shaping Neighbourhoods: Play and Informal Recreation SPG; draft Shaping Neighbourhoods: Character and Context SPG;*
- Affordable housing *London Plan; Housing SPG; draft Affordable Housing and Viability SPG; Housing Strategy;*
- Density *London Plan; Housing SPG;*
- Social infrastructure *London Plan;*

- Urban design *London Plan; Shaping Neighbourhoods: Character and Context SPG; Housing SPG; Shaping Neighbourhoods: Play and Informal Recreation SPG;*
- Strategic views *London Plan, London View Management Framework SPG;*
- Inclusive access *London Plan; Accessible London: achieving an inclusive environment SPG;*
- Sustainable development *London Plan; Sustainable Design and Construction SPG; Mayor's Climate Change Adaptation Strategy; Mayor's Climate Change Mitigation and Energy Strategy; Mayor's Water Strategy; Mayor's Ambient Noise Strategy;*
- Transport and parking *London Plan; the Mayor's Transport Strategy;*
- Crossrail *London Plan; and, Mayoral Community Infrastructure Levy.*

17 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the 2011 Southwark Core Strategy; saved policies of the 2007 Southwark Plan; and, the 2016 London Plan (Consolidated with Alterations since 2011).

18 The following are also relevant material considerations:

- National Planning Policy Framework and National Planning Practice Guidance;
- Elephant and Castle Opportunity Area SPD; and,
- New Southwark Plan (Preferred Options consultation stage).

## **Principle of development**

19 The site is located at the heart of Elephant and Castle town centre, within the Central Activities Zone (CAZ) and Elephant and Castle Opportunity Area as identified by the London Plan. The town centre is recognised by London Plan Policy 2.15 as suitable for high levels of growth in order to support physical, environmental and economic renewal. Moreover, Table A1.1 (in support of London Plan Policy 2.13) recognises that the Opportunity Area is already undergoing major transformation, and has significant potential for new retail provision to be integrated with a more efficient and attractive transport interchange. Furthermore, Table A1.1 identifies the Opportunity Area as capable of accommodating a minimum of 5,000 new homes and 5,000 new jobs.

20 The Southwark Local Plan identifies Elephant and Castle as a key regeneration area and aims to stimulate 440,000 sq.m. of new development floorspace within the Opportunity Area (including up to 45,000 sq.m. of new shopping and leisure floorspace) over the plan period. The Elephant and Castle Opportunity Area SPD reinforces this approach, and promotes residential-enabled transformation of the existing Elephant and Castle shopping centre in order to support new anchor tenants and a wider mix of retail, cultural and leisure uses to strengthen the appeal of the town centre. The SPD identifies enhancement of the Northern Line Underground station as critical to support this growth, and also seeks to enable LCC to improve their facilities and student experience in order to contribute to the wider regeneration of the Opportunity Area.

21 The scheme proposed by the applicant comprises the comprehensive redevelopment of the existing LCC and shopping centre plots to provide 979 new homes and a varied mix of town centre uses – including: a new shopping centre; office space; a new college building; and, assembly and leisure space in the form of a cinema and music venue. The proposed development would also provide a new station entrance and station box for the Northern Line at Elephant and Castle London Underground station.

22 Having regard to the above policy context, GLA officers strongly support the scale and ambition of this scheme - which positively responds to the strategic objectives for the regeneration

of Elephant and Castle town centre, and would deliver the coordinated redevelopment of two key sites at the heart of the Opportunity Area. The rich mix of proposed residential, commercial and educational uses, coupled with valuable public transport enhancements, would also help to reinforce the vibrancy and sustainability of this highly accessible CAZ location. Accordingly, the proposed development is strongly supported in principle, in accordance with London Plan policies 2.10, 2.11, 2.13, 2.14, 2.15, 3.3, 4.3, 4.7, 6.1 and the Elephant and Castle Opportunity Area SPD.

## **Mix of uses**

23 The proposal includes an excellent mix of uses for this part of the CAZ - including retail, office, housing, educational and leisure space. The proposed mix of uses is strongly supported in accordance with the strategic objectives of London Plan policies 2.10, 2.11, 3.3, 3.18, 4.2 and 4.3. Further specific comments with respect to the proposed retail/leisure, cultural and educational uses are provided below.

### Retail and leisure

24 The site currently provides 27,204 sq.m. of retail space GIA (including Class D2 commercial leisure uses - comprising the Coronet nightclub, together with bowling, bingo and cinema operations). Commercial space provision within the existing shopping centre is confined principally to small retail units. There are 65 different occupiers at the shopping centre site at present, with the vast majority understood to be operating on short term leases.

25 The proposed redevelopment includes 29,670 sq.m. GIA of retail space (including Class D2 commercial leisure uses – comprising a multi-screen cinema and music venue). This is equivalent to an uplift of 2,466 sq.m. GIA. Whilst the uplift appears relatively modest in terms of quantum, the proposed development would deliver important floorspace flexibility to allow for the accommodation of larger anchor tenants, as part of a more varied retail offer.

26 The vast majority of the retail and leisure floorspace is to be provided as part of a new build shopping centre at the east plot. In addition, it is welcomed that a proportion of commercial floorspace is also proposed on the west plot – to support the vitality and sustainability of the new neighbourhood there, and to enhance the vibrancy of the new peninsula open space. Overall, the proposed uplift in retail space responds positively to the strategic objective to grow and renew Elephant and Castle town centre. Furthermore, the proposed shift to larger unit sizes responds to the findings of the Southwark Retail Study (2015), and would complement and enhance the retail offer of other planned and consented schemes in the town centre and at Walworth Road. Accordingly, and having had regard to the submitted retail assessment, GLA officers are satisfied that the application accords with London Plan Policy 4.7.

27 Notwithstanding the above, it is noted that the proposed redevelopment would necessitate the displacement of a significant number of existing occupiers and small businesses (65 retail tenants and 18 businesses leasing office space above the shopping centre). The applicant has stated its commitment to a relocation strategy, with an aspiration to retain local retailers and businesses wherever possible. This approach is strongly supported, and the applicant is encouraged to include a reasonable provision of affordable retail space (in line with the Elephant and Castle Opportunity Area SPD) in order to help realise this objective. More generally, the applicant has confirmed its undertaking to work with Southwark Council to consult existing businesses in order to determine their aspirations as part of the relocation strategy. Where businesses intend to move away, support would be offered in terms of independent business advice and planning, and a list of available retail space in the area (including that within the neighbouring Heygate Estate redevelopment at Elephant Park). The broad principles of the relocation strategy are supported in strategic planning terms, and the applicant is strongly encouraged to maintain its proactive

engagement with leaseholders, and to work with Southwark Council in order to develop the strategy in more detail.

#### Culture space (nightclub/music venue)

28 The London Coronet Theatre (Use Class D2) currently provides a 2,800 person capacity nightclub located on the east plot and fronting New Kent Road. The venue is operating on a short term lease which is understood to expire in January 2018.

29 The nightclub is not proposed to be replaced as part of the redevelopment. However, the applicant has proposed a 'medium' size music venue (approximately 500 person capacity) - as defined by London's Grassroots Music Venue Rescue Plan, produced by the Mayor of London's Music Venues Taskforce. The venue is proposed to be located on the west plot (adjacent to the Metropolitan Tabernacle) and would front the new public space at Elephant and Castle peninsula. This proposal has been developed without an end user in place, but has, nevertheless, been informed by market research which indicates that a flexible, mid-scale music and/or performance venue would have the best chance of success in this location.

30 Whilst the displacement of the nightclub (a large-scale and positive contributor to the local night time economy in Elephant and Castle) is disappointing in some respects, GLA officers are satisfied that this loss would be outweighed by the considerable regenerative benefits of the proposed redevelopment. Moreover, the proposed music venue would complement other nearby night time uses coming forward in the area (Skipton House auditorium, GLA reference: D&P/3752/03 and Highpoint, Newington Butts theatre, GLA reference: PDU/1517/02) in order to support the emergence of a new and diverse cultural cluster in this part of Southwark in accordance with London Plan Policy 4.6, Central Activities Zone SPG and Elephant and Castle Opportunity Area SPD.

#### Educational facilities

31 The existing LCC campus on the west plot currently provides 31,553 sq.m. of floorspace (GIA) for educational use within a dated 4 to 16-storey building. The applicant proposes to demolish the existing building and provide a new college block of 41,405 sq.m. GIA on the east plot, fronting the new Elephant and Castle peninsula public space. The applicant has worked closely with LCC to develop plans for a landmark college building of significantly enhanced specification in terms of internal space and functionality. A key concept in the design of this block has been the desire to make the College more open and accessible to the community – an approach which is significantly supported by the introduction of generous internal spaces for the hosting of public exhibitions. It is further understood that the uplift in floorspace will allow LCC to decant staff to from various other sites to this campus – supporting the College's consolidation strategy, and resulting in a net gain of up to 500 related jobs at Elephant and Castle. Overall, the proposed provision of new and improved educational floorspace is strongly supported in line with London Plan policies 3.16 and 3.18. Moreover, as part of any planning permission, Southwark Council will secure a phasing strategy to ensure the continuity of LCC operations during the construction programme.

## **Housing**

32 The proposal includes 979 residential units - which is equivalent to 36% of Southwark's annual housing monitoring target, and 20% of the minimum target for the Elephant and Castle Opportunity Area as a whole. The proposed delivery of these new homes is strongly supported in accordance with London Plan policies 2.11 (CAZ strategic functions), 2.13 (Opportunity Areas) and 3.3 (increasing housing supply). The proposed residential schedule is as set out in table 3

below. The scheme consists entirely of ‘build to rent’ dwellings - comprising units for the private rented sector, as well as a 35% provision of homes at more affordable discounted market rents.

<b>Dwelling type</b>	<b>Private rented sector</b>	<b>Discount market rent</b>	<b>Total</b>
Studio	16	0	16
One-bedroom	218	98	316
Two-bedroom	311	217	528
Three-bedroom	90	27	117
Four-bedroom	2	0	2
<b>Total</b>	<b>637</b>	<b>342</b>	<b>979</b>

**Table 3:** Proposed residential schedule

### Build to rent housing

33 London Plan Policy 3.8 and guidance within the Housing SPG and draft Affordable Housing and Viability SPG identify build to rent (BTR) housing as addressing a distinct need, and recognise that the model is becoming increasingly important in terms of supporting labour market mobility. In particular, BTR housing is recognised as being particularly suitable in instances of town centre intensification, and in locations benefiting from good transport connectivity.

34 Noting the particular characteristics of this site, a BTR housing offer is supported in strategic planning terms. Nevertheless, in accordance with existing and emerging SPG, GLA officers expect any future planning permission to secure the proposed BTR units as such for a minimum period (for example a minimum covenant of 15 years).

35 Moreover, the viability review of this scheme (refer below) will need to take account of the distinct economics of BTR, and verify whether this scheme could theoretically deliver a greater provision of affordable housing if the proposed private rented sector (PRS) units were converted to market sale. If this is shown to be the case, the Section 106 agreement will need to be designed to include an affordable housing claw back mechanism – to apply in the event that PRS units are sold during the covenant period (refer to paragraphs 4.12 to 4.15 of the draft Affordable Housing and Viability SPG).

### Affordable housing and scheme viability

36 London Plan Policy 3.12 seeks the maximum reasonable amount of affordable housing, and encourages developers to engage with Registered Providers early in order to help make optimum use of available resources, and to ensure smooth partnership design and delivery of affordable homes. To inform negotiations in the context of Policy 3.12, it is noted that the Southwark Local Plan establishes a borough-wide strategic affordable housing target of at least 35%. Moreover, with respect to schemes delivering housing for sale, the Mayor’s draft Affordable Housing and Viability SPG establishes a minimum pan-London threshold level of 35% affordable housing (without grant).

37 In this case the applicant proposes a 35% provision of affordable housing (on a habitable room basis), to be provided in the form of discount market rent (DMR) units. Based on detail within the submitted affordable housing statement, the applicant is proposing a range of market discount bands in response to demand from varying segments of local housing need. In summary, 40% of the proposed affordable housing provision would be offered at, or below, London Living Rent levels, whilst the remaining 60% would be provided up to the intermediate affordable housing cap as defined by the London Plan.



38 Overall, noting the proposed deliverables of this scheme (including transport infrastructure improvements and enhanced educational facilities), and notwithstanding the distinct economics of BTR, the applicant's commitment to meet the minimum Local Plan affordable housing target is strongly supported in strategic planning terms. Moreover, the proposed provision of 40% of the DMR units at (or below) London Living Rent levels is supported in line with London Plan Policy 3.9 and draft Affordable Housing and Viability SPG.

39 In line with emerging guidance for BTR schemes within the Mayor's draft Affordable Housing and Viability SPG, the applicant has submitted a full viability appraisal of the scheme. Southwark Council is currently in the process of having this appraisal independently reviewed as part of locally-led discussions on affordability and the maximum reasonable amount in line with London Plan Policy 3.12. Moreover, as discussed in paragraph 35, the review should sensitivity test the scheme on a market sale basis in order to establish whether an affordable housing claw back mechanism would be required as a contingency within the Section 106 agreement.

40 For the avoidance of doubt, the Section 106 agreement should also include clauses to ensure that all DMR units accord with the NPPF and London Plan definitions of affordable housing, and that the affordable housing provision would be secured as such in perpetuity (refer to para 4.16 of the draft Affordable Housing and Viability SPG).

#### Residential mix, standards, play space and density

41 Table 3 above demonstrates that the scheme would provide a range of unit types from studio to four-bedroom dwellings. This is supported in line with London Plan Policy 3.8. The proposed housing schedule is, nevertheless, weighted heavily towards one and two-bedroom units (8% family housing is included as part of the proposed affordable housing offer). Having regard to the highly accessible town centre location, and the nature of the proposed housing products (i.e. BTR), this is acceptable in strategic planning terms. Nevertheless, noting the emphasis that London Plan Policy 3.11 places on the need for affordable family sized housing, the applicant and the Council are encouraged to use the viability review process in order to optimise the affordability of the family sized DMR units - in response to the specifics of local housing need.

42 With respect to residential standards, the submission documents confirm that the design and configuration of the scheme enable it to respond well to the residential quality benchmarks within the Housing SPG, and in the vast majority of cases the proposal would exceed the minimum residential space standards set out within Table 3.3 in support of London Plan Policy 3.5. This is supported. External balconies will be provided across the scheme, and, in any locations where these are not proposed, the equivalent amenity space will be internalised to increase the size of dwellings. This is acceptable. The applicant has confirmed that 10% of the new homes will be wheelchair accessible/easily adaptable, and that this provision would be well-distributed across the scheme. This is supported, and the Council will secure accordance with Building Regulations requirement M4 (2) and M4 (3) as appropriate, in line with London Plan Policy 3.8.

43 The proposed development includes a range of external amenity and play space provision across the scheme in the form of private amenity space, communal gardens and roof terraces. Based on the London Plan Play and Informal Recreation SPG, and a benchmark of 10 sq.m. play space per child, the applicant has identified a need for 1,960 sq.m. of children's play space for this scheme - broken down as 470 sq.m. for the east plot and 1,490 sq.m. for the west plot. Notwithstanding a shortfall of 649 sq.m. against the overall need identified, the applicant has demonstrated that the scheme could provide a variety of on-site play spaces in response to the range of age groups identified by the SPG. Accordingly, whilst the scheme would meet and exceed the on-site requirement for children under 5 years old, the needs of older children would, in part, need to be addressed off-site. Noting the particular characteristics of this scheme and

the context, and on the basis that Southwark Council will seek to secure an additional local open space contribution by way of mitigation, this approach is acceptable in strategic planning terms.

44 Given the central setting, and the PTAL of 6(b), Table 3.2 in support of London Plan Policy 3.4 would suggest a typical residential density at the upper end of the London Plan density matrix (i.e. circa 1,100 habitable rooms per hectare). Notwithstanding this, Policy 3.4 and guidance within the Housing SPG acknowledges that, within Opportunity Areas, large sites may determine their own character in terms of residential density, and may exceed ranges within the London Plan density matrix where this is justified by exceptional design quality (London Plan paragraph 2.62). In this case, based on a calculation of net residential area, the scheme would achieve a residential density of 1,512 habitable rooms per hectare. Having regard to: the aforementioned policy context; the proposed characteristics of this scheme and its central Opportunity Area setting; and the urban design assessment set out below, GLA officers are satisfied that the proposed density is acceptable in strategic planning terms.

### Social infrastructure

45 London Plan Policy 3.7 states that large residential developments should, where necessary, coordinate the provision of social, environmental and other infrastructure. Given the number of new homes proposed in this case, it will be important that the scheme appropriately contributes towards the infrastructure necessary to support sustainable communities. Southwark Council is ultimately best placed to identify the relevant response in this regard, and GLA officers expect relevant contributions to be secured by way of Southwark community infrastructure levy and/or planning obligation as appropriate.

## **Urban design**

### Layout

46 Overall the proposal is very well considered and would significantly increase the permeability and legibility of the area, whilst successfully accommodating a rich mix of uses that would support the vibrancy and sustainability of Elephant and Castle town centre.

47 The scheme essentially proposes a new high density mixed use residential neighbourhood at the west plot, and a significantly enhanced shopping centre and town centre core at east plot. The arrangement of uses across both plots (including the new college building, music venue, Underground station entrance and cafe/retail space) has been carefully considered to maximise active ground floor frontage throughout the scheme, and to focus vibrancy onto the new peninsula public space. This is strongly supported.

48 The layout of development at the west plot allows for the creation of a significantly enhanced public realm, and supports the formation of a new street parallel to Brook Drive. This would provide an alternative north-south connection, as well as helping to positively integrate this site into the existing block structure of the residential neighbourhood to the west. Notwithstanding this, it is noted that the proposed interface between the music venue (within block W2) and the Newington Butts/St. George's Road section of cycle track, has potential to create a pinch point for pedestrians at the north east corner of this plot. Whilst it is noted that the proposal would improve on the existing situation, the applicant is encouraged to explore options for providing an increased width of footway in this location.

49 At the east plot, significantly improved permeability would be achieved through the reconfiguration of retail floorspace around new open air pedestrian streets, and, the creation of new east-west links through the railway viaduct. This would enhance connections between the

town centre and emerging neighbourhood at Elephant Park, as well as improving the interchange between National Rail, London Underground and certain bus services in the Opportunity Area.

#### Scale, massing and response to context

50 The approach to scale at this site has been informed by a number of factors, including: the existing and emerging context of the site and wider Elephant and Castle Opportunity Area; mid to long-range townscape views; and, the LVMF viewing corridor which over-sails the site. In conjunction with various low-rise elements, the arrangement of massing at the site would generally establish a mid-rise datum of up to 8-storeys at the west plot and 12-storeys on the east plot. In addition, the scheme would create two clusters of tall buildings – three buildings of between 20 and 35-storeys at the west plot, and three buildings of between 21 and 32-storeys at the east plot. As verified by the submitted townscape built heritage and visual assessment, the carefully considered set back of massing for block W3 allows for a well-managed interface with existing terraced residential housing on Brook Drive at the west plot, whilst the efficient footprints of the tallest buildings across the scheme help to ensure that these would be perceived as elegant and slender additions to the established collection of tall buildings within the Opportunity Area. It is acknowledged that the location of the tower at block W2, adjacent to the Metropolitan Tabernacle (Grade II), creates a significant juxtaposition of scale between the proposal and the Listed Building. However, noting the existing relationship of the Metropolitan Tabernacle to the One The Elephant scheme to the south (GLA reference: PDU/2930/02), GLA officers are satisfied that this would not be detrimental to its setting. Similarly, the townscape views demonstrate that the scheme would provide an appropriate response to other nearby heritage assets including the Michael Faraday Memorial (Grade II) and Metro Central Heights (Grade II). Accordingly, having regard to the consideration below with respect to the historic environment and strategic views, GLA officers are satisfied that the application accords with London Plan Policy 7.7.

#### Architectural response

51 The architect has developed character area themes for the different plots at the site, whilst seeking to deliver architectural variety across the scheme as a whole. This approach would allow for the two principal clusters of tall buildings within the scheme to be seen as generally distinct from each other, but related to their nearest neighbours through similar geometry, massing and facade treatment. This approach, and the proposed use of simple high quality detailing and materials (including variegated brick and cast stone), is strongly supported in line with London Plan Policy 7.6.

52 Further to discussion at pre-application stage, it is noted that the applicant has sought to introduce additional facade detailing for the Newington Butts and Walworth Road elevations at the east plot. In these locations, whilst the ground floor would be well-activated by retail space and residential entrances, a significant section of windowless-elevation would exist above the ground floor due to the internal location of plant and retail/cinema space. Whilst the proposed response is positive, the applicant is strongly encouraged to work with Southwark Council to explore further options for activating/enlivening these sections of the building. Where additional glazing cannot be incorporated, the applicant is encouraged to employ a facade lighting strategy, potentially with a dynamic surface treatment.

#### Response to historic environment

53 As discussed in paragraph 9 there are numerous heritage assets within the vicinity of the site, including Metropolitan Tabernacle (Grade II), Metro Central Heights (Grade II), Michael Faraday Memorial (Grade II), Elliot's Row Conservation Area and West Square Conservation Area.

The proposal would also feature in the context of various other heritage assets within mid to long range townscape views.

54 Further to the related consideration of urban design and townscape views within this report, and having had special regard to the desirability of preserving Listed Buildings, their settings and any features of special architectural or historic interest which they possess, GLA officers are of the view that the proposal would provide an appropriate response to context and would not harm the character or setting of the conservation areas or listed buildings identified within the submitted townscape, built heritage and visual assessment. Moreover (as discussed below), GLA officers are satisfied that the proposal would not harm the Outstanding Universal Value of the Palace of Westminster World Heritage Site when viewed from the Serpentine Bridge. Accordingly GLA officers are of the view that the application accords with London Plan policies 7.8 and 7.10.

### **Strategic views**

55 As discussed in paragraph 9, the site is over-sailed by the background consultation area of LVMF SPG view 23A.1 from Serpentine Bridge to the Palace of Westminster. The submitted townscape, built heritage and visual assessment includes a number of accurate visualisations of the proposed building silhouette from Serpentine Bridge. These include a 'wire outline' visualisation from LVMF viewpoint 23A.1, as well as a number of 'kinetic' views north and south of this point. Having considered these it is noted that the proposal would be largely screened in all the views assessed - principally by trees in the foreground of this view, and/or elements of the Palace of Westminster World Heritage Site (WHS) itself.

56 The assessment demonstrates that the proposal would be entirely screened from LVMF viewpoint 23A.1. Notwithstanding this, it is noted that a sliver of the proposal would rise above the established horizon immediately to the left and right of the Victoria Tower in telephoto kinetic views to the north and south of view point 23A.1. Nevertheless, the assessment demonstrates that proposal would be scarcely visible, and would, in any event, be clearly subordinate to the strategic landmark in this view. Accordingly, mindful of LVMF guidance and the statutory duty under Section 66, GLA officers conclude that the proposal: would not cause harm to the setting of the Palace of Westminster (Grade I); would preserve the viewer's ability to recognise and appreciate the strategic landmark in this LVMF view; and, would not compromise the Outstanding Universal Value of the World Heritage Site. Accordingly GLA officers are of the view that the application accords with London Plan policies 7.8, 7.10 and 7.12.

### **Inclusive access**

57 The proposed response to matters of access and inclusion are set out within the design and access statement. GLA officers strongly support the applicant's commitment to achieve the highest standards of inclusive design, which is particularly important for this scheme given the opportunity it presents to improve the accessibility of Elephant and Castle town centre core - including access to homes, jobs, leisure and educational space, as well as the public transport interchange.

58 Based on the submitted landscaping and block plans it is evident that the principles of access and inclusion have been generally very well considered and integrated as part of this scheme. Accessible routes would be provided throughout the proposed buildings and public realm; entrances would be legible and accessible; proposed floorplate layouts are efficient whilst providing suitably generous circulation space; and, all areas have been designed in accordance with London Plan Policy 7.2 and with a view to meeting Part M 2015 of Building Regulations. Further to related discussion at pre-application stage, the inclusion of tactile demarcation for

proposed shared surface areas will be secured by Southwark Council as part of landscaping details for approval. Similarly, a 1:1 provision of Blue Badge parking for wheelchair accessible dwellings shall be secured as per standards within the London Plan Housing SPG.

## **Sustainable development**

### Energy strategy

59 This application was referred to the Mayor after 1 October 2016, and is therefore subject to the 'zero carbon' requirement for residential development as defined in section 5.2 of the Housing SPG. Nevertheless, for the purposes of assessing this application carbon dioxide savings will be benchmarked against Part L 2013 of Building Regulations. In accordance with the principles of London Plan Policy 5.2 the applicant has submitted an energy statement, setting out how the development proposes to reduce carbon dioxide emissions. In summary the proposed strategy comprises: energy efficiency measures (comprising a range of passive design features and demand reduction measures); a site-wide network (driven by gas fired CHP as a lead heat source, but designed for connection to the district heating network coming forward at Elephant Park); and, renewable technologies (photovoltaic panels). The applicant has calculated that the approach proposed would achieve a 27% reduction in carbon dioxide. The strategy is broadly supported as in line with the London Plan energy hierarchy. Nevertheless, GLA officers are currently in detailed discussions with the applicant and Council in order to obtain clarifications in certain areas, and to maximise on-site carbon dioxide savings as far as feasible and viable. Where on-site carbon dioxide savings would fall short of the target within London Plan Policy 5.2, options for mitigation will be jointly explored pursuant to part E of this policy.

### Climate change mitigation

60 The scheme includes various areas of soft landscaping and planting as part of private/semi-private amenity areas; green roofs; and public realm proposals. Collectively, this will help to support urban greening and the sustainable drainage characteristics of the site. These measures, in conjunction with rainwater attenuation tanks, would ensure that the scheme would significantly reduce surface water runoff. This is supported in line with London Plan policies 5.10, 5.11 and 5.13 and the Council will secure the details of these climate change adaptation measures by way of planning condition.

## **Transport**

### Northern Line ticket hall and highway stopping up

61 The proposed delivery of a new Northern Line Ticket Hall (NLTH) at the east plot is strongly supported in accordance with London Plan Policy 6.1 and the Elephant and Castle Opportunity Area SPD. The proposed scheme will include a structural box for the new Northern Line station entrance, ticket hall and escalators. Once the structural box is delivered, London Underground (LU) will undertake fit out of the NLTH. This will ultimately replace the existing Northern Line ticket hall and lifts – which are insufficient to deal with the increase in passenger demand anticipated as the Elephant and Castle area continues to be extensively redeveloped and intensified.

62 TfL also owns land within the planning application red line, and part of the Transport for London Road Network (TLRN) is required in order to facilitate delivery of the scheme. Accordingly, the applicant will need to enter into a development agreement with TfL, and will require a TfL-managed stopping up order and agreement on the revised boundary of the TLRN.

63 To date TfL has been working closely with the applicant on the design of the NLTH. However, at the time of writing this report the land transfer, development agreement and highway arrangements are still to be agreed. It should also be noted that the current cost estimate for the proposed NLTH works exceeds the allocated funding. Cost savings continue to be explored, with a view to ensuring delivery of the new NLTH within the funding agreed. Nevertheless, where the scheme for the NLTH exceeds the agreed funding, further funding by the applicant will be required to ensure the delivery of this critical infrastructure. Such funding would need to be appropriately secure via the development agreement.

64 In this instance, given the extent of TfL's interests in this case (including property; the NLTH project; and, highway and operational interactions) TfL requests that it be included as a co-signatory to the Section 106 agreement.

#### Public transport impacts

65 The NLTH, and other planned public transport improvements, will need to be supported by high quality cycle parking, wayfinding, cycle hire expansion and travel plan measures to encourage walking and cycling, as well as off-peak travel - such as real time public transport information. The travel plan, and regular monitoring regime, should be secured by way of condition/planning obligation, and should have a high mode share target for cycling.

66 Whilst the development of the east site will deliver level access to the Network Rail station, no improvements to the station itself are proposed. Given that this development is one of the last major sites to come forward in the area, and noting its benefit to the scheme of its proximity of the station (particularly with the forthcoming Thameslink upgrade), the Council is encouraged to consider seeking planning obligations for environmental and/or further access improvements in and around the station, in line with the Elephant and Castle Opportunity Area SPD.

#### Car parking

67 The proposal to make this a car free development (with the exception of disabled parking) is strongly supported, as is the proposal to remove existing retail car parking. TfL expects the Section 106 agreement to include a clause which effectively prevents new residents of the scheme obtaining local on-street parking permits.

68 Given the proposed removal of on-site retail parking, the peak hour vehicular trip generation would be reduced for the east plot compared to the existing situation - albeit, movements onto New Kent Road would be shifted from Elephant Road to the proposed new service access. It should be noted that, as previously discussed with the applicant (and as set out later in this report), TfL has identified a number of issues with respect to the proposed design of this new service access.

69 For the west plot, additional vehicle movements to and from Oswin Street into St. George's Road are estimated to be relatively low (with left-in, left-out only, as existing), so traffic impacts associated with this part of the scheme are not likely to be significant.

#### Pedestrian permeability/wayfinding

70 The proposal will improve the pedestrian permeability of both plots - perhaps most significantly through the provision of a 24/7 link via the shopping centre to the National Rail station. This, in particular, will improve the interchange between National Rail, London Underground and certain bus services.

71 Wayfinding for a development of this size, and updating of exiting signage to reflect the significant change on the ground, will be essential - particularly given the relocation of the Northern line station entrance and other proposed changes to the Elephant and Castle interchange. Visibility of the new Underground station entrance as well as the western side of the Network Rail station (currently effectively hidden within the existing shopping centre) will be crucial in this respect. 'Legible London' is TfL's preferred form of wayfinding signage, and associated funding for an agreed wayfinding and signage strategy should be secured by way of planning obligation in line with London Plan Policy 6.10 and the Elephant and Castle Opportunity Area SPD.

#### Cycle connectivity and cycle parking

72 The proposed quantum of cycle parking meets London Plan standards, however, the applicant should justify why it has only been possible to provide folding bike storage in some cases. Details of long stay cycle parking provision and associated facilities (which should accord with the London Cycle Design Standards) should be secured by way of planning condition in line with London Plan Policy 6.9.

73 The provision and siting of 'short stay' public cycle parking will be crucial in encouraging a high mode share for cycling. The developer has proposed positioning some of the short stay cycle parking on the TLRN. Noting that some of this area may be unsuitable, a 'short stay cycle parking plan' - for approval by TfL and the Council should be secured by way of planning condition. In particular, this location is considered to be very suitable for a managed 'cycle hub'.

74 The Elephant and Castle Opportunity Area SPD seeks to ease movement for both pedestrians and cyclists. In the spirit of this TfL clarification of the approach to cycling within and adjacent to the two plots of the site. Suitable safe, convenient alternatives to cycling through the core of the two sites - if this is considered undesirable - will need to be provided - for example on the south side of New Kent Road, and through the southern roundabout. It is noted that the former would also provide access to the LCC cycle store area. Accordingly, TfL encourages the Council to secure Section 106 agreement funding for such improvements.

75 As discussed with the applicant, the existing 32 bike cycle hire docking station in Walworth Road will need to be relocated, or a suitable alternative provided, prior to commencement. In addition, a further 90 docking points are sought to serve this scheme in line with London Plan Policy 6.9 and the Elephant and Castle Opportunity Area SPD. In order to manage this process, the Section 106 agreement should oblige the applicant to produce a 'cycle hire scheme' proposal, in conjunction with, and for approval by, the Council and TfL. The Section 106 agreement should secure both land and funding for delivery, and it is recommended that funding for free cycle hire membership for initial residents is similarly secured, in line with emerging local policy.

#### Servicing, vehicular access and waste

76 It is noted that the proposed servicing strategy for the west plot would not directly impact on the TLRN. Nevertheless, TfL is of the view that the arrangements proposed could lead to unlawful waiting and loading on Newington Butts and/or St. George's Road (both of which are particularly sensitive due to bus stops, cycle tracks and traffic impacts). Any significant increase in service traffic along Brook Drive could also adversely impact on cycle superhighway 7, which crosses this road. It is also noted that Pastor Street is proposed to be used as a route for service vehicles, so further information on how this would work safely with pedestrians and cyclists is also needed.

77 Notwithstanding the original intention for this scheme to share basement access with Elephant One (GLA reference: PDU/1795a/02), a basement ramp service access is proposed off

New Kent Road for the east plot. This proposed access has a number of implications, including the relocation of bus stops and introduction of regular vehicle movements across the footway of an increasingly busy pedestrian area. It would also need to be compatible with a new crossing for New Kent Road to address safety issues and support Southwark Council's Low Line proposal. TfL has expressed concern that the arrangement is not acceptable as currently proposed, and identified the need for refinements. These matters have been discussed in detail with the applicant and the Council, and all parties have agreed to work together to find a configuration that would appropriately address the aforementioned considerations.

78 More generally, TfL encourages the requirement (by condition or planning obligation) for a deliveries and servicing plan (DSP) to be prepared and agreed with the Council and TfL in line with London Plan Policy 6.14. With limited kerb space around the site, the approach to managing residential deliveries, in particular, will need to be satisfactorily addressed. Measures should be identified that minimise servicing and delivery vehicle movements.

#### Demolition and construction management

79 Given the site constraints, and scale of demolition and development, construction and associated traffic management is likely to be complex for this scheme. Therefore, the Council should use a planning condition/obligation to require the submission of a detailed demolition and construction management and logistics plan (CMLP) to be developed with, and agreed by, the Council and TfL prior to commencement in line with London Plan Policy 6.14. The CMLP should be supported and coordinated by a working group with appropriate TfL and Council officers.

#### Taxis and private hire vehicles

80 The proposal is likely to generate demand for taxis and private hire vehicle (PHV) trips - particularly the retail, commercial, cultural and leisure uses. However this is not identified in the transport assessment, and no dedicated rank or other facility is proposed. Accordingly, the applicant should clarify how taxis/PHVs will serve the scheme.

#### Infrastructure protection

81 London Underground has various assets under and adjoining the east plot - including running tunnels; Northern Line station; vent shaft; and substation (in the Faraday Memorial building). There are also various other elements of transport infrastructure (such as bus stops, Network Rail viaduct and the TRLN) which would require protection during demolition and construction. Accordingly the Council should secure a planning condition requiring the developer to submit, for approval by the Council in consultation with TfL, prior to commencement, detailed design and method statements for all demolition and construction of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), and to require an assessment and monitoring strategy commensurate with the scale of the development.

#### Landscaping on the TLRN

82 The landscaping plan proposes paving materials, new street trees and possibly new street furniture within the TLRN boundary, in addition, existing street trees may have to be removed. These works will need to be agreed with TfL, and delivered via a Section 278 agreement. Any additional maintenance responsibilities for TfL may need to be covered by a commuted sum. To support this process the Council should include a planning condition to secure a detailed public realm scheme - designed in consultation with, and submitted for approval by the Council in consultation with TfL, prior to any such works taking place.



## Local planning authority's position

83 Southwark Council is expected to formally consider the application at a planning committee meeting in April 2017.

## Legal considerations

84 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

## Financial considerations

85 There are no financial considerations at this stage.

## Conclusion

86 London Plan policies on Opportunity Areas; Central Activities Zone; mix of uses (including: retail, culture, education facilities); housing; urban design (including historic environment); strategic views; inclusive access; sustainable development; and transport are relevant to this application. Whilst the scheme is strongly supported in strategic planning terms, the application does not yet fully comply with the London Plan as summarised below. The resolution of the matters below could, nevertheless, lead to the application becoming compliant with the London Plan.

- **Principle of development:** The mixed use scheme positively responds to strategic objectives for the regeneration of the Elephant and Castle Opportunity Area, and would deliver the coordinated redevelopment of two key CAZ sites in accordance with London Plan policies 2.10, 2.11, 2.13, 2.14, 2.15, 3.3, 4.3, 4.7, 6.1 and the Elephant and Castle Opportunity Area SPD.
- **Mix of uses:** The rich mix of proposed residential, retail, leisure and educational uses, would help to reinforce the vibrancy and sustainability of this highly accessible CAZ location in line with London Plan policies 2.10, 2.11, 3.3, 3.18, 4.2 and 4.3. The applicant is, nevertheless, strongly encouraged to maintain its proactive engagement with existing leaseholders at the site, and to work with Southwark Council in order to progress the detail of the proposed business relocation strategy.
- **Housing:** The proposed contribution to housing supply (including a 35% provision of affordable housing) is strongly supported in line with London Plan Policy 3.3. Notwithstanding this, the viability of this build to rent scheme will be independently reviewed in order to verify the maximum reasonable amount of affordable housing in line with London Plan Policy 3.12 and the draft Affordable Housing SPG.

- **Urban design:** The design of the proposal is generally very well considered and would significantly increase the permeability and legibility of the area, whilst successfully accommodating a rich mix of uses that would support the vibrancy and sustainability of Elephant and Castle town centre. The applicant is, nevertheless, encouraged to explore options for further activating/enlivening windowless sections of the shopping centre building along Newington Butts and Walworth Road.
- **Strategic views:** The proposal would not cause harm to the setting of the Palace of Westminster (Grade I); would preserve the viewer's ability to recognise and appreciate the strategic landmark in this LVMF view; and, would not compromise the Outstanding Universal Value of the World Heritage Site. The application accords with London Plan policies 7.8, 7.10 and 7.12.
- **Inclusive access:** The proposal would significantly improve the accessibility of Elephant and Castle town centre - including access to homes, jobs, leisure and educational space, as well as the public transport interchange. The application accords with London Plan Policy 7.2.
- **Sustainable development:** Following clarifications on the energy strategy the Council will secure the relevant energy and climate change adaptation measures by way of planning condition/obligation in accordance with London Plan policies 5.2, 5.10, 5.11 and 5.13.
- **Transport:** The transport enhancements proposed as part of this scheme and are essential to support the continued growth within the Elephant and Castle Opportunity Area, and are strongly supported in accordance with London Plan Policy 6.1. Notwithstanding this, there are a number of detailed transport issues to resolve with respect to: Northern Line ticket hall and highway stopping up; public transport impacts; car parking; pedestrian permeability/wayfinding; cycle connectivity and cycle parking; servicing, vehicular access and waste; demolition and construction management; taxis and private hire vehicles; infrastructure protection; and, Landscaping on the TLRN.

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