

Skipton House, Elephant and Castle

in the London Borough of Southwark

planning application no. 18/AP/4194

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

Part retention, part demolition, reconfiguration and re-cladding of existing building and extension to create six additional storeys to accommodate 41,750 sq. m. office space, a 780 sq. m. gym and 993 sq. m. of flexible retail/commercial uses at ground floor level with associated cycle parking, landscaping, ancillary servicing and plant.

The applicant

The applicant is **London + Regional Properties** and the architect is **Piercy & Company**.

Strategic issues summary

Principle of development: The proposed commercial development, including office, leisure and retail uses, is supported in this Opportunity Area and town centre location, subject to the provision of affordable workspace (paragraphs 15-19).

Urban Design, strategic views and heritage: The proposal provides a high-quality design, which is supported; however, the footway should be widened as far as feasible and street furniture restricted by condition. Public access to the atrium's ground floor should be secured by condition. The proposal would not be visible in strategic views. Less than substantial harm is caused to the Grade II-listed Metropolitan Tabernacle, but this is offset by public benefits which include the proposed new employment opportunities (paragraphs 20-32).

Climate change: Additional measures aimed at achieving further carbon reductions should be considered and the applicant should prioritise connection to the Elephant Park Masterplan Development District Heating network. The surface water drainage strategy should include a revised greenfield runoff rate. The development should include a green or brown roof (paragraphs 34-38).

Transport: Any changes to the public footway and to access to Ontario Street should be secured through a S278 agreement. The S106 agreement should secure any additional maintenance liability for changes to the public footway, a contribution for the new Northern line ticket hall project and a contribution to cycle hire expansion and for Legible London sign provision. A Delivery and Servicing Plan and a Construction Management Plan should be secured by condition (paragraphs 39-43).

Recommendation

That Southwark Council be advised that the application does not comply with the London Plan and the draft London Plan, for the reasons set out in paragraph 47 of this report; but that the possible remedies set out in that paragraph could address these deficiencies.

Context

1 On 23 January 2019, 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 5 March 2019 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 Categories 1B and 1D of the Schedule to the 2008 Order:

- 1B. *"Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings— (b) in Central London (other than the City of London) and with a total floorspace of more than 20,000 square metres", and;*
- 1D. *"Development which comprises or includes the alteration of an existing building where — (a) the development would increase the height of the building by more than 15 metres; and (b) the building would, on completion of the development, fall within a description set out in paragraph 1 of Category 1C".*

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 Mayor of London's statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

5 The 0.5 hectare site is located in the Central Activities Zone (CAZ) and in the Elephant and Castle Opportunity Area in the London Borough of Southwark. The site is also located in the Elephant and Castle Major Town Centre and in a Strategic Area for Regeneration. It is located near the Elliot's Row Conservation Area to the south west, the West Square Conservation Area to the west and the St. George's Circus Conservation Area to the north-west. It is also in proximity to three Grade II listed buildings and within an Archaeological Priority Area.

6 The site is currently occupied by the 6-storey Skipton House office block, which was completed in the 1990s. The office block is bounded by Newington Causeway to the east, London Road to the south-west and Ontario Street to the west. To the north, the building is adjacent to the London South Bank University's Perry Library and Keyworth Hostel. Immediately adjacent to the south is the northern entrance building of the Elephant and Castle Underground station, south of which is the main Elephant and Castle junction and public square.

7 The site fronts London Road and Newington Causeway, which form part of the Transport for London Road Network (TLRN). The site is directly adjacent to London Underground's Bakerloo line ticket hall building. The site has the highest public transport accessibility level (PTAL) of 6b, on a scale from 0-6b, and as such has excellent access to public transport.

Details of the proposal

8 The proposal comprises the refurbishment and upwards extension of the existing Skipton House office block. The upwards extension would increase the office floorspace from 20,250 sq. m. to

41,750 sq. m. and add an additional 6 storeys to the height, up to 12 storeys. The existing building would be partially retained, partially demolished and re-clad. This would create a large atrium space in the centre of the building with access from the east and west, rather than the south as at present, with a new staircase up through the building connecting to a winter garden in a space between the 7th and 9th floors.

9 The ground floor would be reconfigured to include a 780 sq. m. gym and 993 sq. m. of flexible retail and commercial uses. The basement car parking would be replaced with cycle parking. The proposal also includes external landscaping, public realm improvements and ancillary servicing and plant.

Table 1: Existing and proposed floorspace

Floorspace by use (GIA)	Existing (sq. m.)	Proposed (sq. m.)	Difference (sq. m.)
Office	21,500	41,750	+ 20,250
Retail	0	780	+ 780
Leisure (gym)	0	993	+ 993

Case history

10 The applicant has previously secured planning permission for development on this site. In December 2015 an application (reference 15/AP/5125) was submitted for the demolition of buildings and the erection of buildings ranging from eight to forty-stories comprising 408 residential units, office, retail, multifunctional cultural space and new landscaping and public realm. The GLA's Stage 1 report (reference D&P/3752/01) in March 2016 stated that the application generally conformed with the London Plan but should address issues relating to the mix of uses, increasing affordable housing, inclusive access, sustainable development and transport.

11 Subsequently, the applicant submitted revised plans and the GLA issued an updated Stage 1 report (reference 3725/02) in April 2016, stating that the development still needed to address issues relating to increasing affordable housing, inclusive access, sustainable development and transport. In July 2016, Southwark Council resolved to approve the application. Following this, in December 2016 the GLA issued its Stage 2 report (reference 3572/03), noting that issues including affordable housing had been resolved and the Mayor allowed Southwark Council to approve the application, though it has since been withdrawn.

Strategic planning issues and relevant policies and guidance

12 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 Southwark Council Core Strategy DPD (2011), saved Southwark Plan Policies (2007) and the 2016 London Plan (Consolidated with Alterations).

13 The following are also relevant material considerations:

- The National Planning Policy Framework;
- National Planning Practice Guidance;
- The draft London Plan showing minor suggested changes (August 2018), which should be taken into account on the basis described in the NPPF;

- The Elephant and Castle Opportunity Area Supplementary Planning Document and Opportunity Areas Planning Framework (March 2012), and;
- The draft New Southwark Plan Preferred Option – New and Amended Policies (June 2017).

14 The relevant issues and corresponding policies are as follows:

- Principle of development *London Plan; Mayor's Economic Development Strategy;*
- Heritage and urban design *London Plan; Shaping Neighbourhoods: Character and Context SPG; London View Management Framework SPG;*
- Inclusive design *London Plan; Accessible London: achieving an inclusive environment SPG;*
- Climate change *London Plan; Sustainable Design and Construction SPG; Mayor's Environment Strategy;*
- Transport *London Plan; the Mayor's Transport Strategy; Land for Industry and Transport SPG.*

Principle of development

15 London Plan Policies 2.10 and 2.11 and draft London Plan Policy SD4 outline the strategic functions of the Central Activities Zone (CAZ), stating that the unique mix of uses within the CAZ should be promoted and enhanced. London Plan Policy 4.2 and draft London Plan Policy E1 seek to support the strengths of London's office market. Over the 2016 – 2041 plan period, demand for office floorspace in the CAZ and Isle of Dogs is expected to rise by 59%, with an increasing proportion required for micro, small and medium-sized enterprises (SMEs). The Elephant and Castle Opportunity Area has capacity for 5,000 new jobs in the London Plan, rising to 10,000 new jobs in the draft London Plan. One of the main objectives outlined in the Elephant and Castle Supplementary Planning Document and Opportunity Area Planning Framework is to renew business space and encourage an enterprise culture and inward investment.

16 The proposal would create 41,750 sq. m. of high quality, flexible office floorspace in a highly-accessible location in the CAZ, which is supported. The scheme proposes the refurbishment and extension of existing office space, providing an additional 21,500 sq. m. of office space, with the development exceeding the 25,000 sq. m. target for office space in the Opportunity Area.

17 London Plan Policy 2.11 and draft London Plan Policy SD4 state that development proposals in the CAZ should provide sufficient space to meet demand for a range of types of occupier and rental values. Draft London Plan Policy E2 also introduces distinct policies on low-cost business space, which is considered to be of a lower specification than prime office floorspace, and policies on affordable workspace are set out in Policy E3, which is let at sub-market levels. The emerging New Southwark Plan policy requires that 10% of the total floorspace to be provided as affordable workspace.

18 The flexible nature of the floorspace means that space is provided for micro, small and medium-sized enterprises, which is supported. For the purposes of affordable workspace, the proposal would result in the total reconfiguration of the building, providing entirely new office floorspace. As such, the applicant is required to provide affordable workspace, which in line with the emerging New Southwark Plan policy would be provision of 4,175 sq. m. of space, and this should be secured in the S106 agreement.

19 London Plan Policy 2.15 and draft London Plan Policies SD6 and SD8 support the mixed-use development of town centres, including the intensification of housing. Development proposals should sustain and enhance the vitality and vibrancy of the centre and should support the competitiveness of the centre, with a vibrant daytime, evening and night-time economy. The

provision of flexible commercial/retail space and a gym would contribute to a vibrant and competitive town centre at Elephant and Castle and is strongly supported.

Urban Design

20 London Plan Policies 7.1 and 7.4 and draft London Plan Policies D1 and D2 seek to ensure that new developments are well-designed and fit into the local character of an area. New buildings and spaces should respond to the form, style and appearance to successfully integrate into the local character of an area, with a positive relationship with the natural environment and respect and enhancement of the historic environment. London Plan Policy 3.4 and draft London Plan Policy D6 also seek to optimise the potential of sites, having regard to local context, design principles, public transport accessibility, and capacity of existing and future transport services.

21 The proposal would reconfigure and extend the existing Skipton House. This would result in a large new atrium space accessed from entrances re-oriented from the south of the building to the east and west. This would create a large open internal space that extends to the top of the building and would be accessible to the general public as a common area and events space, which is supported. Public access to the atrium's ground floor should be secured by condition.

22 The proposed improvements to the public realm to the south of the building are largely supported. However, the current footway width between the carriageway and the building would be reduced. This would decrease from 5.3 metres, to 3.65 metres between the column and the carriageway and 2 metres between the column and the building. The applicant should increase the width of this footway as far as feasible, such as by removing the column, and the Council should ensure that tables and chairs are not located in this location by condition.

23 The building features active frontages around most of the ground floor of the building, with separate entrances for the commercial/retail units and the gym. This would be a significant improvement on the inactive frontage in the existing building and is supported.

24 The proposed height is supported in this location in Elephant and Castle Major Town Centre and in the context of surrounding existing and approved tall buildings, with reference to the strategic views detailed in paragraph 31. The building would have a generally cuboid form; tapering slightly close to the top and its positioning between other buildings helps avoid a dominant appearance. As such the massing is also supported.

25 The development would take a simple architectural form, which is welcomed. The proposal would incorporate a dark framed concrete grid on its facade, with large window bays supported by white concrete stands. These simple materials will give the building a uniform but attractive appearance. The removal of the red cladding of the existing building will have the added benefit of improving wayfinding to the adjacent Underground station, which is similarly coloured.

26 In accordance with draft London Plan Policy D11, the applicant has submitted a fire statement, produced by a suitably qualified third party assessor. The Council consulted the London Fire Brigade on the statement and no issues were raised.

Strategic views

27 London Plan Policy 7.10 and Policy HC2 of the draft London Plan state that development should not cause adverse impacts on World Heritage Sites or their settings, and, in particular, should not compromise the ability to appreciate Outstanding Universal Value (OUV), integrity, authenticity or significance. With respect to strategic views, London Plan Policies 7.11 and 7.12 and Policies HC3 and HC4 of the draft London Plan identify strategically important views of the Westminster World Heritage

Site and state that development should not harm and seek to make a positive contribution to the characteristics, composition and landmark elements of these views.

28 The site is not over sailed by any strategic viewing corridors, however, the building falls within townscape view 23A of Westminster World Heritage Site from the Serpentine Bridge as defined by the London View Management Framework (LVMF) SPG. As part of the design and access assessment which accompanies the scheme, the applicant has presented this view and the proposal would not be visible as it would be obscured by the Houses of Parliament.

Heritage

29 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should *“should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”* and in relation to conservation areas, special attention must be paid to *“the desirability of preserving or enhancing the character or appearance of that area”*.

30 The NPPF states that when considering the impact of the proposal on the significance of a designated heritage asset, great weight should be given to the asset’s conservation and the more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Significance is the value of the heritage asset because of its heritage interest, which may be archaeological, architectural, artistic or historic, and may derive from a heritage asset’s physical presence or its setting. Where a proposed development will lead to ‘substantial harm’ to or total loss of the significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development will lead to ‘less than substantial harm’, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Policy HC1 ‘Heritage conservation and growth’ of the draft London Plan, as well as London Plan Policy 7.8, states that development should conserve heritage assets and avoid harm, which also applies to non-designated heritage assets.

31 The site is located near the Elliot’s Row Conservation Area to the south west, the West Square Conservation Area to the west and the St. George’s Circus Conservation Area to the north-west. Based on the applicant’s heritage assessment, the proposal would be visible along the boundaries of these areas, particularly along London Road, but this would be within the context of other modern development around Elephant and Castle. However, the proposal would not be visible from within the Conservation Areas where their respective settings are best appreciated. As such, officers consider that there would be no harm to the settings of the Conservation Areas.

32 The site is located within the setting of three Grade II listed buildings: the Faraday Memorial, Metro Central Heights and the Metropolitan Tabernacle. The applicant has considered the harm to the setting of the heritage assets of the proposal through a heritage assessment and verified views. Officers agree that no harm is caused to the Faraday Memorial, given the improved design the proposed development compared to the existing office building and the modern architecture of the listed building, which was designed in the context of the changing townscape of Elephant and Castle in the 1960s. Officers also agree that no harm would be caused to the setting of the 1960s Ernő Goldfinger-designed Metro Central Heights, which is not visible in long views along London Road and is best appreciated from within its central courtyard. However, officers do not agree that the proposal enhances the setting of the 19th century Metropolitan Tabernacle. Rather the proposal would cause less than substantial harm to the setting of this listed building, visible at the same height as its portico in views from Elephant and Castle South Roundabout. Nonetheless, the two buildings vary

significantly in tone and style, appearing distinct from one another, and the harm is offset by the good design and new employment generated by the proposal in this Opportunity Area and Major Town Centre.

Inclusive design

33 London Plan Policy 7.2 and draft London Plan Policy D3 require that all new development achieves the highest standard of accessible and inclusive design. These policies seek to ensure that all new development can be used easily and with dignity by all. The internal layouts and circulation spaces are sufficiently generous and inclusive and as such the application meets London Plan Policy 7.2 and draft London Plan D3.

Climate change

Energy

34 In accordance with the principles of London Plan Policy 5.2 and Policy SI2 of the draft London Plan, 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 (including a range of passive design features and demand reduction measures); a communal heat network; and renewable technologies (comprising PV panels and heat pumps). The approach proposed would achieve a 32% carbon dioxide reduction. The carbon dioxide savings fall short of the target within Policy 5.2 of the London Plan. The applicant should consider the scope for additional measures aimed at achieving further carbon reductions, such as additional PV, and connection to the Elephant Park Masterplan Development District Heating network should be prioritised and the design should allow future connection to such a network.

Water

35 The site is in Flood Zone 3, in an area benefitting from River Thames tidal defences. A Flood Risk Assessment (FRA) has been submitted as required under the NPPF. When mitigation measures are considered, the residual flood risk to the site is low. The FRA provides a Sequential Test and Exception Test for the development and proposes preparing a Flood Warning and Evacuation plan. This is supported and should be secured by appropriate condition. The approach to flood risk management for the proposed development complies with London Plan Policy 5.12 and draft London Plan Policy SI12.

36 The surface water drainage strategy should be revised to meet the greenfield runoff rate to comply with London Plan Policy 5.13 and draft London Plan Policy SI13. The proposed development generally meets the requirements of London Plan Policy 5.15 and draft London Plan Policy SI5. The inclusion of greywater harvesting is commended.

Urban greening

37 London Plan Policy 5.10 and draft London Plan Policy G5 state that developments should provide new green infrastructure that contributes to urban greening. Policy G5 also sets out a new Urban Greening Factor (UGF) to identify the appropriate amount of urban greening required in new developments.

38 The proposal includes some green infrastructure, including an internal winter garden, public realm landscaping and the retention of mature trees, which is supported. However, the applicant should incorporate a green or brown roof into the development where feasible. The applicant should aim to meet the UGF target of 0.3 for commercial developments as set out in draft London Plan Policy G5.

Transport

39 Any changes to the London Road footway within the TLRN boundary as per paragraph 22 will need to accord with TfL's streetscape guidance and should be secured through a S278 agreement. Any additional maintenance liability should be included in the S106 agreement.

40 The applicant should clarify the proposed status of the southern end of Ontario Street in terms of public realm and restricting vehicular access. Access to the Ontario Street cycle hire docking station needs to be maintained for cycle hire service vehicles. As such, any proposed changes to access to Ontario Street should be secured via a S278 agreement.

41 The proposals double the office floorspace and therefore potentially an extra 2,000 workers could be accommodated. This will inevitably increase demand on the area's public transport and cycle and pedestrian infrastructure. Given the significant uplift in staff and consequent increase in peak hour travel demand on London Underground, the Council should secure an appropriate S106 funding contribution for the new Northern line ticket hall project. Similarly, a contribution of £100,000 should be secured to allow cycle hire expansion, and £10,000 should be secured for Legible London sign provision/map refresh.

42 The removal of the current on-site car parking and provision of cycle parking to draft London Plan T5 standards is strongly supported. Blue badge car parking provision must be provided in line with London Plan Policy 6.13 and draft London Plan Policy T6.5.

43 A Delivery and Servicing Management Plan and a Construction Management Plan should be secured by condition and the protection of London Underground infrastructure must be secured by in the S106 agreement.

Local planning authority's position

44 Southwark Council officers are currently reviewing the application. A committee date for the application has not yet been set.

Legal considerations

45 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. 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

46 There are no financial considerations at this stage.

Conclusion

47 London Plan and draft London Plan policies on Opportunity Areas; town centres; offices; design; heritage; strategic views; inclusive design; climate change; green infrastructure; and transport are relevant to this application. Having regard to these policies the application complies with some of

these policies but not with others as per the schedule below:

- **Principle of development:** The proposed commercial development, including office, leisure and retail uses, is supported in this Opportunity Area and town centre location, subject to the provision of affordable workspace.
- **Urban Design, strategic views and heritage:** The proposal provides a high-quality design, which is supported; however, the footway should be widened as far as feasible and street furniture restricted by condition. Public access to the atrium's ground floor should be secured by condition. The proposal would not be visible in strategic views. Less than substantial harm is caused to the Grade II-listed Metropolitan Tabernacle, but this is offset by public benefits which include the proposed new employment opportunities.
- **Climate change:** Additional measures aimed at achieving further carbon reductions should be considered and the applicant should prioritise connection to the Elephant Park Masterplan Development District Heating network. The surface water drainage strategy should include a revised greenfield runoff rate. The development should include a green or brown roof.
- **Transport:** Any changes to the public footway and to access to Ontario Street should be secured through a S278 agreement. The S106 agreement should secure any additional maintenance liability for changes to the public footway, a contribution for the new Northern line ticket hall project and a contribution to cycle hire expansion and for Legible London sign provision. A Delivery and Servicing Plan and a Construction Management Plan should be secured by condition.

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