

SOUTHWARK COUNCIL

Town and Country Planning Act 1990 (as amended)

Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)



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DECISION NOTICE

LBS Reg. No.: 21/AP/1819

Date of Issue of Decision: 21/12/2022

Applicant C/o Agent
Lendlease (Elephant & Castle) Limited

The London Borough of Southwark REFUSES PERMISSION for:

Redevelopment of the site to provide an 18-storey building (including a mezzanine floor) plus basement and rooftop plant providing office floorspace (Class E(g)(i)) and areas of floorspace for the following flexible uses: office/retail/services/food and drink/medical or health floorspace (Class E(g)(i), E(a), E(c), E(b) or E(e)), including ancillary cycle parking, accessible car parking, servicing, plant, roof terraces, landscaping, public realm improvements and other associated works incidental to the development. The application is accompanied by an Environmental Statement submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

At Plot H1 Elephant Park Land Bounded By Walworth Road, Elephant Road, Deacon Street And Sayer Street North London SE1

Received on: 4 June 2021

In accordance with the valid application received on 4 June 2021 and supporting documents:

Reference no./Plan or document name/Rev.

Received on:

SUMMARY OF RESULTS FOR 100 YEAR RETURN PERIOD BY
ROBERT BIRD AND PARTNERS LTD

21/01/2022

259639-A100-H01-01-PL-ZZ-0202 P102 Location Site Plan: Proposed
259639-A100-H01-01-PL-ZZ-0207 P102 Proposed Site Plan
259639-A100-H01-01-PL-ZZ-0209 P102 Proposed Roof Plan
259639-A100-H01-01-PL-ZZ-0211 P102 Proposed Site Plan GF
259639-A100-H01-20-PL-B1-1002 P102 Floor Plan-Basement Level 1
259639-A100-H01-20-PL-BM-1003 P102 Floor Plan- Basement Mezzanine

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259639-A100-H01-20-PL-00-1004 P104 Floor Plan-Level 00
259639-A100-H01-20-PL-MZ-1006 P102 Floor Plan-Level Mezzanine
259639-A100-H01-20-PL-01-1007 P102 Floor Plan-Level 01
259639-A100-H01-20-PL-02-1008 P102 Floor Plan-Level 02
259639-A100-H01-20-PL-03-1009 P102 Floor Plan-Level 03
259639-A100-H01-20-PL-04-1010 P102 Floor Plan-Level 04
259639-A100-H01-20-PL-05-1011 P102 Floor Plan-Level 05
259639-A100-H01-20-PL-06-1012 P102 Floor Plan-Level 06
259639-A100-H01-20-PL-07-1013 P102 Floor Plan-Level 07
259639-A100-H01-20-PL-08-1014 P102 Floor Plan-Level 08
259639-A100-H01-20-PL-09-1015 P102 Floor Plan-Level 09
259639-A100-H01-20-PL-10-1016 P102 Floor Plan-Level 10
259639-A100-H01-20-PL-11-1017 P102 Floor Plan-Level 11
259639-A100-H01-20-PL-12-1018 P102 Floor Plan-Level 12
259639-A100-H01-20-PL-13-1019 P102 Floor Plan-Level 13
259639-A100-H01-20-PL-14-1020 P102 Floor Plan-Level 14
259639-A100-H01-20-PL-15-1021 P102 Floor Plan-Level 15
259639-A100-H01-20-PL-16-1022 P102 Floor Plan-Level 16
259639-A100-H01-20-PL-17-1023 P102 Floor Plan-Level Roof
259639-A100-H01-20-PL-18-1024 P102 Floor Plan-Level Plant 2
259639-A100-H01-20-EL-ZZ-1200 P102 North Elevation
259639-A100-H01-20-EL-ZZ-1201 P102 East Elevation
259639-A100-H01-20-EL-ZZ-1202 P102 West Elevation
259639-A100-H01-20-EL-ZZ-1203 P102 South Elevation
259639-A100-H01-20-EL-ZZ-1204 P102 North East Elevation
259639-A100-H01-20-EL-ZZ-1205 P100 South East Elevation
259639-A100-H01-20-EL-ZZ-1206 P102 South West Elevation
259639-A100-H01-20-SX-ZZ-1100 P102 Section-AA
259639-A100-H01-20-SX-ZZ-1101 P102 Section-BB

DESIGN AND ACCESS STATEMENT PREPARED BY ACME	26/05/2021
PLANNING STATEMENT PREPARED BY DP9 LIMITED	26/05/2021
TRANSPORT ASSESSMENT PREPARED BY BURO HAPPOLD	26/05/2021
PHASE 1 GEO-ENVIRONMENTAL ASSESSMENT PREPARED BY WYG	26/05/2021

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ENERGY STATEMENT PREPARED BY HDR HURLEY PALMER FLATT	26/05/2021
DRAINAGE STRATEGY BY ROBERT BIRD GROUP	26/05/2021
DRAFT DELIVERY AND SERVICING MANAGEMENT PLAN PREPARED BY BURO HAPPOLD	26/05/2021
DEVELOPMENT CONSULTATION CHARTER ENGAGEMENT SUMMARY PREPARED BY ICENI PROJECTS	26/05/2021
DETAILED CIRCULAR ECONOMY STATEMENT PREPARED BY HDR HURLEY PALMER FLATT	26/05/2021
BASEMENT IMPACT ASSESSMENT BY ROBERT BIRD GROUP	26/05/2021
ARBORICULTURAL METHOD STATEMENT PREPARED BY TREWORK ENVIRONMENTAL PRACTICE	26/05/2021
WHOLE LIFE-CYCLE CARBON ASSESSMENT PREPARED BY HDR HURLEY PALMER FLATT	26/05/2021
UTILITIES AND INFRASTRUCTURE STATEMENT PREPARED BY BURO HAPPOLD	26/05/2021
TELEVISION AND RADIO RECEPTION IMPACT ASSESSMENT BY GTECH SURVEYS	26/05/2021
SUSTAINABILITY STATEMENT BY HDR HURLEY PALMER FLATT	26/05/2021
STATEMENT OF COMMUNITY INVOLVEMENT PREPARED BY ICENI PROJECTS	26/05/2021
MARKETING STRATEGY PREPARED BY LENDLEASE	26/05/2021
HEALTH IMPACT ASSESSMENT PREPARED BY VOLTERRA	26/05/2021
FLOOD RISK ASSESSMENT PREPARED BY RMA ENVIRONMENTAL	26/05/2021
FIRE STATEMENT PREPARED BY OFR CONSULTANTS	26/05/2021
ENVIRONMENTAL STATEMENT, VOLUME 4 - NON-TECHNICAL SUMMARY PREPARED BY AVISON YOUNG	26/05/2021
ENVIRONMENTAL STATEMENT VOLUME 1 - MAIN TEXT AND FIGURES PREPARED BY AVISON YOUNG	26/05/2021
ENVIRONMENTAL STATEMENT, VOLUME 2 - TOWNSCAPE AND VISUAL AND ABOVE GROUND HERITAGE PREPARED BY CITYSCAPE DIGITAL AND TAVENOR	26/05/2021

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CORRECT BNG TECHNICAL NOTE BY TYLER GRANGE	01/09/2021
PLANNING STATEMENT ADDENDUM BY DP9 LTD	14/12/2021
TRANSPORT ASSESSMENT ADDENDUM PREPARED BY BURO HAPPOLD	10/08/2021
CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN PREPARED BY LENDLEASE	11/08/2021
ENVIRONMENTAL STATEMENT, VOLUME 3 - APPENDICES PREPARED BY AVISON YOUNG	26/05/2021
ARCHAEOLOGICAL DESK BASED ASSESSMENT PREPARED BY ORION HERITAGE	01/06/2021
ACOUSTICS REPORT PREPARED BY HOARE LEA	04/06/2021
SUDS STRATEGY DESIGN NOTE BY ROBERT BIRD GROUP	14/12/2021
RECONCILIATION AND COMPARISON STATEMENT PREPARED BY A-PROJECT	14/12/2021
OPERATIONAL CARBON AND WHOLE LIFE CARBON BY HDR	14/12/2021
HEALTH HUB SUMMARY PREPARED BY LENDLEASE	14/12/2021
ENERGY AND SUSTAINABILITY FACT SHEET	14/12/2021
BREEAM CREDIT TRACKER BY HDR HURLEY PALMER FLATT	14/12/2021
AREA SCHEDULE REVISION 9 BY ACME	14/12/2021
DESIGN AND ACCESS STATEMENT ADDENDUM PREPARED BY ACME	14/12/2021
STATEMENT OF COMMUNITY INVOLVEMENT AND DCC ENGAGEMENT ADDENDUM	14/12/2021
ENVIRONMENTAL STATEMENT - STATEMENT OF CONFORMITY AND ITS APPENDICES BY AVISON YOUNG	14/12/2021
URBAN GREENING FACTOR	15/12/2021
dRAINAGE DRAINAGE STRATEGY ADDENDUM BY ROBERT BIRD GROUP	22/02/2022
LETTER FROM LENDLEASE DATED 10 FEBRUARY 2022 TITLED HEALTH HUB IN LIEU OF AFFORDABLE WORKSPACE	11/02/2022
WCLA AND CES ADDENDUM BY HDR DATED 4 MAY 2022	04/05/2022
WCLA AND CES ADDENDUM BY HDR DATED 8 FEBRUARY 2022	08/02/2022

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AFFORDABLE WORKSPACE STRATEGY BY VOLTERRA (AUGUST 2022)	23/08/2022
NOTE ON NEW BRE GUIDELINED BY GIA	06/09/2022
STATEMENT OF EQUALITY IMPACTS BY VOLTERRA	21/09/2022
VARIATION TO MEMORANDUM OF UNDERSTANDING RELATING TO THE HEALTH HUB	28/09/2022
DESIGN AND ACCESS STATEMENT - UPDATED PAGES RELATING TO PUBLIC REALM	24/01/2022
ATTENUATION VOLUMES - WINDES RURAL RUNOFF CALCULATOR BY BUROHAPPOLD	21/01/2022
259639-A100-H01-20-SX-ZZ-1102 P102 Section-CC	
259639-A100-H01-20-SX-ZZ-1103 P100 Section-DD	
259639-A100-H01-25-EL-ZZ-2900 P102 Ground Floor Facade Elevations - Sheet 1	
259639-A100-H01-25-EL-ZZ-2901 P102 Ground Floor Facade Elevations - Sheet 2	
259639-A100-H01-25-EL-ZZ-2902 P102 Ground Floor Facade Elevations - Sheet 3	
259639-A100-H01-25-EL-ZZ-2903 P100 Ground Floor Facade Elevations - Sheet 4	
259639-A100-H01-25-EL-ZZ-2904 P100 Ground Floor Facade Elevations - Sheet 5	
259639-A100-H01-25-EL-ZZ-2905 P100 Ground Floor Facade Elevations - Sheet 6	
259639-A100-H01-25-EL-ZZ-2906 P100 Ground Floor Facade Elevations - Sheet 7	
259639-A100-H01-25-EL-ZZ-2907 P100 Ground Floor Facade Elevations - Sheet 8	
259639-A100-H01-25-DT-ZZ-2910 P102 Typical Facade Bays -Office Floors - Sheet 1	
259639-A100-H01-25-DT-ZZ-2911 P102 Typical Facade Bays -Office Floors - Sheet 2	
259639-A100-H01-25-DT-ZZ-2912 P102 Typical Facade Bays -Office Floors - Sheet 3	
259639-A100-H01-25-DT-ZZ-2913 P100 Typical Facade Bays -Office Floors - Sheet 4	
259639-A100-H01-25-DT-ZZ-2914 P100 Typical Facade Bays -Office	

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Floors - Sheet 5

259639-A100-H01-25-DT-ZZ-2915 P100 Typical Facade Bays -Office

Floors - Sheet 6

259639-A100-H01-25-DT-ZZ-2920 P100 Typical Facade Bays -Terrace
Facade

251797-LA01-REH1-90-PL-00-100 06 H1 Public Realm General
Arrangement Plan

The Planning Register can be viewed at: <https://planning.southwark.gov.uk/online-applications/>

Reasons for Refusal

1. The excessive height, massing and bulk of the application would cause harm to the character and appearance of Elephant Road, Elephant Park and Walworth Road contrary to Southwark Plan (2022) policies P13 part 1 and 2, and P17 part 2.5, and contrary to London Plan (2021) policies D9 part C.1.a.iii and D3 part D.
2. That the proposal would cause unacceptable harm to the neighbouring amenity due to loss of daylight, contrary to Southwark Plan (2022) policies P14 part 3 and P56, and London Plan (2021) policy D6 part D.
3. In the absence of a signed legal agreement there is no mechanism in place to mitigate against the adverse impacts of the development (e.g. transport impacts) nor to secure development plan compliance (such as carbon offset contribution, jobs and training, health hub and/or affordable workspace, public access). It is therefore contrary to policies E3 Affordable workspace, E11 Skills and opportunities for all, SI2 Minimising greenhouse gas emissions, T4 Assessing and mitigating transport impacts, D9 Tall buildings and DF1 Delivery of the Plan and Planning Obligations of the London Plan (2021); P17 Tall buildings, P28 Access to employment and

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training, P31 Affordable workspace, P47 Community uses, P49 Public transport, P50 Highway impacts, P70 Energy, IP2 Transport infrastructure, IP3 CIL and section 106 planning obligations and AV.09 Elephant and Castle Area Vision of the Southwark Plan (2022); and the Southwark Section 106 Planning Obligations and Community Infrastructure Levy SPD (2015 as amended).

Signed: *Stephen Platts*

Director of Planning and Growth

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Important Notes Relating to the Council's Decision

1. Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

If an enforcement notice is or has been served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, OR within 6 months (12 weeks in the case of a householder or minor commercial appeal) of the date of this notice, whichever period expires earlier.

- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal.

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Further details are on GOV.UK

(<https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>).

2. Purchase Notice

- If either the local planning authority or the Secretary of State grants permission subject to conditions, the owner may claim that the land can neither be put to a reasonably beneficial use in its existing state nor made capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances the owner may serve a purchase notice on the Council requiring the Council to purchase the owner's interest in the land in accordance with Part VI of the Town and Country Planning Act 1990.

3. Compensation

- In certain circumstances a claim may be made against the local planning authority for compensation, where permission is refused by the Secretary of State on appeal or on a reference of the application to the Secretary of State. The circumstances in which such compensation is payable are set out in Section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.